

US EPA ARCHIVE DOCUMENT

AFFIDAVIT OF WILFRED BOWMAN

I, Wilfred Bowman, being duly sworn, state:

1. I am the Superintendent of the Eastern Navajo Agency of the United States Bureau of Indian Affairs. In my capacity as Superintendent of the Eastern Navajo Agency, I have developed a familiarity with the land status of lands in the Eastern Navajo Agency, and with the relationship of the Bureau of Indian Affairs with the various communities within the Eastern Navajo Agency.

2. The Pinedale community, or Chapter, is located within the Eastern Navajo Agency and lies within T.16N., R.15W.; the east half of T.16N., R.16W.; all of partial T.17N., R.15W. up to boundary of Navajo Reservation of January 6, 1880; the east half of partial T.17N., R.16W. up to boundary of Navajo Reservation of January 6, 1880; and an irregularly shaped area comprising approximately the northern one-third of T.15N., R.15W., N.M.P.M. Its north boundary is the boundary of the Navajo Reservation established by Executive Order dated January 6, 1880. Only a small fraction of the land in the Pinedale Chapter is not set apart and/or administered for the exclusive use, occupancy, and protection of Indians.

3. The Church Rock Chapter is also located within the Eastern Navajo Agency and lies within the west half of T.16N., R.16W.; all of T.16N., R.17W.; all of partial T.17N., R.17W. up to boundary of Navajo Reservation of January 6, 1880; the west half of partial T.17N., R.16W. up to Navajo Reservation boundary of January 6, 1880; an irregularly shaped area comprising approximately the north one-third and south west one-quarter of T.15N., R.17W.; and an irregularly shaped area comprising approximately the northwest one-sixth of T.15N., R.16W. As with Pinedale, the north boundary of Church Rock is the boundary of the Navajo Reservation established by Executive Order dated January 6, 1880. Also like Pinedale, only a small portion of the land in Church Rock Chapter is not set apart and/or administered for the exclusive use, occupancy, and protection of Indians.

4. The United States has had an agency or sub-agency office of the Bureau of Indian Affairs in Crownpoint, New Mexico to serve what is now called the Eastern Navajo Agency since approximately 1907. At times, this area was denominated the "Pueblo Bonito" Agency, or the "Crownpoint Sub-Agency," but it has at all times since 1907 served the Pinedale and Church Rock communities.

5. The Pinedale and Church Rock Chapters are within the Navajo Nation's land consolidation area approved by the Bureau of Indian Affairs on January 23, 1989, pursuant to the Indian Land Consolidation Act, 25 U.S.C. § 2203. In addition, the Navajo Nation is acquiring under the "escheat" provision of that Act interests in trust allotments which are located within the Pinedale and Church Rock Chapters, according to the official land records of the Eastern Navajo Agency. These allotments are located throughout the Pinedale and Church Rock Chapters.

6. As is typical of traditional Navajo people, the population of the Pinedale and Church Rock communities is widely dispersed throughout the communities with an Indian housing project located in Church Rock on land now held in trust for the Navajo Tribe of Indians by the United States under a land exchange consummated on December 19, 1991. With that exception, the communities are exclusively rural Navajo ones. The Navajos living within the Pinedale and Church Rock Chapters are entitled to all the benefits and services afforded by the BIA to which those residing on the reservation proper are entitled. The BIA provides additional services to people who own interests in allotments relating to the management of those allotted lands.

7. The BIA considers the Pinedale and Church Rock Chapters to be distinct communities of Navajo Indians who depend primarily on federal and tribal governmental services and protection. The BIA relates to the residents of the Pinedale and Church Rock Chapters not only on an individual basis, but through the Chapters as communities. BIA officials regularly attend meetings of the Pinedale and Church Rock Chapters to disseminate information about Government programs to, and receive community input from, the Pinedale and Church Rock Chapters. At these Chapter

meetings, the primary language spoken is Navajo. Many of the initiatives of the BIA in that area are projects designed to serve the community as a whole; for example, the need for windmills, housing, and water assistance. The BIA, along with the Navajo Tribe, also funds the services of a local livestock control officer at Pinedale. After the Navajo Tribe unsuccessfully petitioned the State to pave the dirt road that ran through Pinedale in 1961, the BIA paved it and now maintains it as Highway 11 of the BIA road system. In addition, the Indian Health Service of the Federal Government provides medical services to the Pinedale and Church Rock Communities at the Gallup Indian Medical Center or the Crownpoint Hospital. The United States also provides law enforcement services to the Pinedale and Church Rock Chapters through both the BIA and the Federal Bureau of Investigation.

8. Services provided to the Pinedale and Church Rock Chapters and their residents through the Eastern Navajo Agency of the Bureau of Indian Affairs include tribal operations (vital statistics), law enforcement, social services, employment assistance, adult education, adult vocational training, road construction and maintenance, land operations, real estate services, and maintenance of Individual Indian Monies ("IIM") accounts.

I know the above facts on my personal knowledge and they are true to the best of my information and belief.


WILFRED BOWMAN

STATE OF NEW MEXICO)
)
COUNTY OF MCKINLEY)

SUBSCRIBED AND SWORN TO before me this 15 day of January, 1992, by
Wilfred Bowman.

Jennie M. Ferguson
Notary Public

My Commission Expires:

My Commission Expires August 11, 1994.

AFFIDAVIT OF CHARLES DAMON

I, Charles Damon, being duly sworn, states:

1. I am the Community Services Coordinator for the Church Rock Chapter. This position is funded by the Navajo Nation. I have been the Community Services Coordinator (or the Chapter Manager, the previous title for the position) for the Church Rock Chapter for twelve months. Prior to my position as Community Services Coordinator, I served this community as a Navajo Police officer for two years.

2. My responsibilities as Community Services Coordinator are prescribed generally in the Navajo Trib. Code tit. 2, § 4067. I assist the Council delegate from the Church Rock Chapter and the officers (President, Vice-President, and Secretary/Treasurer) of the Church Rock Chapter in planning, organizing, implementing, and coordinating local community development activities. On behalf of the Chapter, I prepare proposals and planning documents to assist the community in economic and community development initiatives. I am responsible for ensuring the financial integrity of Chapter operations, in preparing budgets, and in prioritizing community needs. In addition, I assist individual residents of the Church Rock Chapter who need assistance with housing, education, government welfare programs, and similar matters.

3. I am intimately familiar with the needs, interests and economic pursuits of the residents of the Church Rock Chapter; with the character and people of the Chapter; and with the extent and source of services provided to the Church Rock Chapter by governmental agencies.

4. I have read the declaration of James D. Williams, Ph.D., executed on November 25, 1991. Dr. Williams states that 91 of the 1576 residents of the Church Rock Chapter are not Indians. Most of the non-Indians who reside in the Church Rock Chapter are married to Navajos of the Church Rock community.

5. The Church Rock Chapter is one of the first ones established in the Eastern Navajo Agency by the BIA. The old chapter house was built in 1946. The

present Chapter House was built in 1964. The Church Rock Chapter was one of the original Navajo election precincts which was initially recognized as a certified Chapter by the Navajo Nation in the 1950s.

6. The following services, programs, or offices are provided from or located at the Church Rock Chapter:

- a. Navajo Nation police substation;
- b. four Navajo Nation Head Start classrooms plus one in-home care Head Start class;
- c. one Navajo Nation Title XX social services worker;
- d. one Navajo Nation Community Health Representative ("CHR");
- e. one part-time Navajo Nation adult in-home health care representatives;
- f. the Navajo Nation Community Services Coordinator;
- g. the three Chapter officials mentioned in paragraph 2, above;
- h. the community planning committee, the planning development board, and other committees established by the Chapter;
- i. one Navajo Nation clerk/typist who assists community members with questions about Chapter services.

The Head Start program at Church Rock employs seventeen people, all of whom are Navajo Indians.

7. The Church Rock Chapter provides other basic services to all residents of the Church Rock Chapter. Seven community windmills located throughout the Chapter were drilled and are maintained by the Navajo Nation and they supply water for livestock and drinking. Some people in the community are served by a community water system which is operated by the Navajo Tribal Utility Authority (NTUA).

8. The Navajo Nation and BIA provide almost all of the government services to the Church Rock community. The Navajo Nation provides the vast majority of law enforcement and dispute resolution services. Food commodities are

distributed at the Church Rock Chapter to the needy by the Navajo Nation. General Assistance benefits are provided at the Church Rock Chapter by the Navajo Nation to the needy. The Navajo Nation administers a Women-Infants-and-Children ("WIC") program, and this program also operates out of the Church Rock Chapter House.

9. The BIA has established and operates the Church Rock Day pre-school within the Church Rock Chapter. It serves 3-5 year olds and has an enrollment of about 20 students. BIA employees appear at Chapter meetings at Church Rock to explain and obtain community input on matters which may affect the Church Rock community and which are within the BIA's area of responsibility. Often, these discussions center around land use and grazing issues.

10. The Church Rock community is predominantly located in McKinley County. McKinley County provides virtually no services in Church Rock, although Church Rock children are bused to the elementary and high schools in Gallup, New Mexico. State and County law enforcement personnel are and have been infrequent visitors to the Church Rock community, and--after the Navajo Nation established a police substation in the area of the Church Rock Chapter house--now only appear if requested by the Navajo police. The state does maintain the two paved roads that exist in Church Rock, State Road No. 566 and the old Route 66. However, no other services of any significance are provided by the State or County governments, to my knowledge.

11. The Church Rock community is a traditional rural Navajo community. The economy is centered around livestock raising, and the Navajo government. The residents of the Church Rock Chapter share many other common needs and interests. The residents look primarily to the Chapter (either with its own resources or through the Navajo Nation and BIA) to satisfy these needs. The most recent priorities established by the community are housing, health care, and education. The Navajo Housing Authority presently has a project underway to construct 10 housing units per year in Church Rock. However, to date only two units have been completed. The

remaining units are on hold, pending funding by the Navajo Nation. Examples of Chapter resolutions showing some of the common needs of the community which are satisfied by the Church Rock Chapter are attached.

12. I know the above facts on my personal knowledge and they are true to the best of my information and belief.

Charles Damon
CHARLES DAMON

STATE OF NEW MEXICO)
COUNTY OF McKinley)

SUBSCRIBED AND SWORN TO before me this 15th day of January, 1992, by Charles Damon.

Barry Butler
Notary Public

My Commission Expires:
4/2/95

Churchrock Chapter House
Churchrock, New Mexico 87311
Phone (505) 488-9919

Councilman: Robert Ortiz

Earnest C. Becenti, Sr.
President

Ted Silbersmith, Jr.
Vice-President

Hurley Benally
Secretary/Treasurer

RESOLUTION OF CHURCHROCK CHAPTER, NEW MEXICO CRC-85-08-02

REQUESTING THE COMMUNITY DEVELOPMENT BLOCK GRANT OFFICE TO SUPPORT THE ATTACHED PROPOSAL AND APPROPRIATE ITS FUNDING OF \$ 175,000.00 FOR EXTENSION OF ELECTRICAL POWERLINE IN CHURCHROCK COMMUNITY, NEW MEXICO.

WHEREAS:

1. The Churchrock Chapter is a certified chapter within Navajo Nation of District 16, and
2. Has full authority on decision making of local community developments to improve the living conditions and environments of its community members, and
3. The extension of the existing electric powerline will serve one hundred and ten (110) existing houses with an estimated population of four hundreds and fifty (450) people, and
4. The Churchrock Chapter proposes to matched thirty per-cent (30%) matching fund from the tribal Capital Improvement Project Fund and local In-Kind services, and
5. The Churchrock Chapter proposes the attached Proposal, see Exhibit "A".

NOW THEREFORE BE IT RESOLVED THAT:

1. The Churchrock Chapter hereby respectfully request the Community Development Block Grant Office to support the attached proposal and assure its funding of \$ 175,000.00 for extension of electrical powerline in Churchrock Community, New Mex.
2. The Churchrock Chapter has allocated \$ 75,000.00 (30%) matching fund from the Tribal Capital Improvement Project Fund and local In-Kind Services.

C-E-R-T-I-F-I-C-A-T-I-O-N

It is hereby certified that the foregoing resolution was duly discussed at the Churchrock chapter meeting at which a quorum was present. Moved for adoption by Lorraine Livingston and seconded by Lena Brown and passed with a vote of 48 approving and 00 oppose on this 21th day of August, 1985.

Earnest C. Becenti, Sr.
CHAPTER PRESIDENT

Robert Ortiz
COUNCIL DELEGATE, DIST. # 16

Ted Silbersmith, Jr.
CHAPTER VICE-PRESIDENT

Hurley Benally
CHAPTER SECRETARY/TREASURER

Churchrock Chapter House
Churchrock, New Mexico 87311
Phone (505) 488-9919

Councilman: Robert Ortiz

Ernest C. Becenti, Sr.
President

Ted Silbersmith, Jr.
Vice-President

Murley Donally
Secretary/Treasurer

RECEIVED

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RESOLUTION OF CHURCH ROCK CHAPTER, NEW MEXICO CRC-85-12-04.

REQUESTING THE (C.I.P) CAPITAL IMPROVEMENT PROJECT COMMITTEE TO APPROPRIATE TWENTY THOUSAND DOLLARS (\$20,000.00) FROM FY-86 C.I.P. FUND FOR ELECTRICAL HOUSE WIRING IN CHURCH ROCK COMMUNITY, NEW MEXICO.

WHEREAS:

1. The Church Rock Chapter is a certified Chapter of the Navajo Nation within District 16; and
2. For several years, the Chapter has been working on the extension of the existing electric powerline to one hundred and ten (110) existing house with an estimated population of four hundred and fifty (450) as Phase - I; and
3. The Chapter has received some 1985-86 Tribal C.I.P Fund but short funded of around twenty thousand dollars (\$20,000.00) to completely house wire ninety-two (92) houses; and
4. Eighteen (18) houses has already been wired at individual home owner's expense; and
5. The Chapter is requesting additional C.I.P Fund from the recently collected income tax.

NOW THEREFORE BE IT RESOLVED THAT:

The Church Rock Chapter respectfully request the Capital Improvement Project Committee (C.I.P) to appropriate twenty-thousand dollars (\$20,000.00) from the recently collected income tax fund for electrical house wiring in Church Rock Community, New Mexico.

C-E-R-T-I-F-I-C-A-T-I-O-N

It is hereby certified that the foregoing resolution was duly discussed at Church Rock Chapter Meeting at which a quorum was present. Moved for adoption by John Livingston and seconded Scotty Begay and passed with a vote of 15 approving and 00 oppose on this 22th day of December, 1985.

Ernest C. Becenti, Sr.
Chapter President

Murley Donally
Chapter Secretary/Treas.

Ted Silbersmith, Jr.
Chapter Vice-President

Robert Ortiz
Council Delegate, Dist. # 16.

RESOLUTION OF CHURCHROCK CHAPTER

REQUESTING THE TRIBAL CAPITAL IMPROVEMENT COMMITTEE C.D.B.G. TO FUND ATTACHED PROPOSAL FOR EXTENSION OF ELECTRICAL POWERLINE AND HOUSE WIRING IN CHURCHROCK COMMUNITY, NEW MEXICO.

WHEREAS:

1. The Churchrock Chapter is a certified chapter within Navajo nation of District 16, and
2. Churchrock Chapter has full authority on decision making with the local community members, and
3. The extension of the existing electric powerline will serve 100 existing houses, with 93 wired, and 7 unwired houses, with an estimated population of five hundred people, and
4. The Churchrock Chapter Propose to match Ten per cent (10%) matching fund from the 1990 Land Claims Settlement Interest Fund and local In-Kind service, and
5. The church Rock Chapter proposes the attached Proposal, See Exhibit "A:

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Churchrock Chapter hereby respectfully request the Tribal Capital Improvement Committee C.D.B.G. to support the attached proposal and assure its funding for extension of electrical powerline in Churchrock Community, New Mexico.
2. The Churchrock Chapter has allocated \$21,237.00 (10%) matching funds from the 1987 land claims Settlement Interest Fund and local In-Kind Services.

C E R T I F I C A T I O N

It is hereby certified that the foregoing resolution was duly discussed at Church Rock Chapter Meeting at which a quorum was present. Moved for adoption by _____ and seconded by _____ and passed with a vote of _____ approving and _____ oppose on this _____ day of August, 1990


Churchrock Chapter
P.O.Box 549
Churchrock, New Mexico 87311
☎(505)488-9919

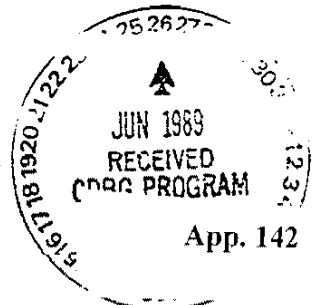
Peter McDonald, Sr., Chairman
Johnny R. Thompson - Vice-Chairman
Ernest Becenti, Jr., Council Delegate

Ernest Becenti, Sr., President
Ted Silversmith, Jr., Vice-President
Hurley Benally, Secretary/Treasurer

MINI-PROPOSAL
FOR
HOUSEWIRING

SUBMITTED BY:
CHURCHROCK CHAPTER

APRIL 17, 1989



I. INTRODUCTION

The Churchrock Community Chapter is located approximately five (5) miles east of Gallup, New Mexico, and exclusively in McKinley County. The community consisting of approximately 62,000 acres is situated north of Interstate Highway I-40 with the Hogbacks as its western boundary, Navajo Reservation Boundary as its northern boundary, and Pinedale and Iyanbito Chapters as its eastern boundaries.

The population is estimated at 1,955 with almost 500 living in the 120 housing units in the Indian Village. Another 400 live in the 95+ houses located south of the Red Rocks and north of I-40. The remaining 1,100 people live in scattered rural locations.

II. PROBLEM STATEMENT

Although Churchrock Community is faced with many problems which need to be addressed, two of the ever present and pressing problems are education, social and health deficiencies. Approximately 85% of the homes are without electrical services which adversely affects the lives of our people.

Education of our children is dramatically affected when they cannot be fed nutritiously, or when they do not have a source of light to do their home studying, which ultimately results in a high drop-out rate.

In addition, many of our residents suffer from chronic or serious illnesses requiring medication. Improper refrigeration of medication as well as perishable food is a contributing factor to patients not following their remedial plan toward health improvement.

By providing electricity to these residents, Churchrock Chapter could begin to address some of these problems.

III. OBJECTIVE

The total population of Churchrock Community is estimated at 1,955, of which there are 859 of school ages 0-19, 175 who are 55 and over, and the remainder in the 20-54 age category. By providing electrical services to these homes, approximately 70% of the above age groups will greatly benefit. Children will gain interest in completing their education by having adequate lighting for their studies as well as proper grooming. Illnesses such as diabetes, etc., could be avoided by providing the residents with electricity for proper refrigeration for food and medication.

IV. METHODS

Churchrock Chapter will coordinate with Community Development Block Grant (CDBG) to contract with a certified licensed electrician to housewire 42 homes at an estimated cost of \$35,000.00:

The projected time of completion for this project is 30 days after award of contract.

V. EVALUATION

Churchrock Chapter assures that all applicable rules and regulations will be adhered to in awarding of the housewiring contract. Chapter officials will monitor this project to ensure that wire homes meet or exceed applicable electrical codes.

Community Development Block Grant (CDBG) will administer all CDBG funds utilized in this contract.

PROJECT SUMMARY

The Churchrock Community Chapter is located approximately five (5) miles east of Gallup, New Mexico, and exclusively in McKinley County, and Grazing District No. 16 of Eastern Navajo Agency. It is bordered to the south and west by Interstate I-40 and the Hogback Ridges, and to the north and east by the Navajo Reservation boundary, Pinedale and Iyanbito Chapters respectively. In 1985, Churchrock chapter was awarded _____ in Community Development Block Grant (CDBG) funds to extend electrical lines to 110 families scattered throughout the community. More recently, a budget savings of \$35,000 was declared from this project.

It is the intent and goal of Churchrock Chapter to provide every resident with basic needs such as adequate housing, domestic water and sanitation facilities, and electricity. To promote good health and nutrition by way of better refrigeration, and to enhance education among our children with adequate lighting, Churchrock Chapter proposes to utilize the \$35,000 budget savings toward house-wiring and line extensions to 42 homes located within the project area.

Since these homes are located adjacent to Red Rock State Park and within a five mile radius of the City of Gallup, they have acknowledged to provide powerline to these homes at an estimated cost of \$89,750.21. Churchrock Chapter will solicit funds from the Navajo Tribe and other sources for this amount.



Churchrock Chapter

P.O. Box 549
Churchrock, New Mexico 87311
☎ (505)488-9919

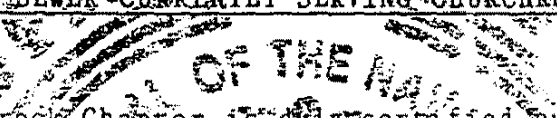
Edward T. Begay, Council Delegate
Ernest C. Becenti, Sr., President

Ted Silvernishi, Jr., Vice-President
Hurley Benally, Secretary/Treasurer

**RESOLUTION OF THE
CHURCHROCK CHAPTER**

REAFFIRMING THE RESOLUTION OF FEBRUARY 21, 1990 OF THE CHURCHROCK
CHAPTER REQUESTING THE NAVAJO TRIBAL UTILITY AUTHORITY TO CONDUCT
AN EVALUATION OF THE CONDITION OF AND IMPROVEMENTS REQUIRED FOR
THE WATER AND SEWER CURRENTLY SERVING CHURCHROCK CHAPTER.

WHEREAS:

- 
1. The Churchrock Chapter is duly certified pursuant to Title II Section 4001 (a) of the Navajo Tribal Code, thereby vested authority and responsibility for local decision making in the best interest of its community members; and
 2. Churchrock Chapter one year ago completed a long-range master plan for Chapter development and redevelopment identifying Chapter needs through the Year 2000 and outlining a program of improvements required to accommodate these needs; and
 3. The master plan identified a need for 490 additional housing units through the Year 2000; and
 4. As many as 300 to 400 of the new housing units proposed would be served by the water and wastewater system currently serving the Indian Village area; and
 5. This water/sewer system was installed some 45 years ago, and the Chapter has significant concerns regarding its condition and the potential need for replacement and/or upgrade.
 6. The Navajo Safety Office is now studying the deficiency of the Indian Village old apartments (see attached exhibit "A" a letter from Henry Moore Jr., Program Director of OEH/CE Navajo Division of Health.)

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Churchrock Chapter reaffirms the requests to have NTUA undertake an evaluation of the water and sewer system currently serving Churchrock's Indian Village area.

2. This evaluation should include an inventory of all existing pipes, pumps, and associated improvements; and evaluation of all problem areas, a description of all improvements required to remedy existing deficiencies and accommodate proposed future development and a cost estimate for required improvements, including labor, materials, engineering, and contingencies.

C E R T I F I C A T I O N

We, the undersigned, hereby certify that the foregoing resolution was duly considered at a duly called authorized Chapter meeting held at Churchrock (Navajo Nation) New Mexico, at which a quorum was present and that same was moved for adoption by DAVID SACHINA and seconded by MARYLYNN LIVINGSTON, and passed by a vote of 28 in favor and 00 opposed, this 19th day of MARCH, 1991.

Earnest Becenti Sr.
 Earnest Becenti Sr.,
 President
 Churchrock Chapter

Edward T. Begay
 Edward T. Begay,
 Council Delegate
 Churchrock Chapter

Hurley Benally
 Hurley Benally,
 Secretary/Treasurer
 Churchrock Chapter

Ted Silversmith
 Ted Silversmith,
 Vice-President
 Churchrock Chapter

Churchrock Chapter

P.O. Box 49
Churchrock, New Mexico 87311
☎ (505) 488-9919

Edward T. Begay, Council Delegate
Eunest C. Becenti, Sr., President

Ted Silversmith, Jr., Vice-President
Hurley Benally, Secretary/Treasurer

RESOLUTION OF THE CHURCHROCK CHAPTER CR-26-12-91

**REQUESTING THE NAVAJO NAVAJO COUNCIL AND IT'S
COMMITTEES TO CONFIRM THE APPROPRIATION OF ADDITIONAL
P.E.P FUNDS FOR HOUSING INITIATIVE PROJECT.**

WHEREAS:

1. The Churchrock Chapter is a certified chapter of the Navajo Nation authorized to plan and implement projects beneficial to local residents, and
2. Churchrock Chapter was eligible for Public Employment Program (P.E.P) by the Navajo Nation Council recently allocated, that is now depleted, and
3. The Churchrock chapter is aware of the priority in the effort of the Navajo Nation Housing Initiative, and
4. The Churchrock Chapter like other Navajo Community experience a high unemployment rate, and realize the need for temperary and permeant jobs, and
5. The Churchrock Chapter has three house projects that need to be completed, so as not to waste material due to the implement weather, and
6. The Churchrock Chapter has recieved numerous application for house renovations, weatherization, housing materials, and complete construction of houses.
7. Churchrock Chapter has identified home improvements as projects to utilize the additional P.E.P. appropriation.

NOW THEREFORE IT RESOLVED THAT:

1. Churchrock Chapter hereby approves and request the Navajo Nation and it's committees to appropriate additional funds to provide for their Housing Initiative.

C E R T I F I C A T I O N

We hereby certify that the foregoing RESOLUTION was duly considered by Churchrock Chapter at a duly called meeting at Churchrock (Navajo Nation), New Mexico. Moved for adoption by HURLEY BENALLY and seconded by LEWD BROWN and that same was approved by a vote of 38 in favor, 00 opposing, this 29th of December, 1991.

Earnest C. Becenti, Sr.
President
Churchrock Chapter

Ted Silversmith, Jr.
Vice-President
Churchrock Chapter

Hurley Benally
Secretary/Treasurer
Churchrock Chapter

Edward T. Begay
Council Delegate
Churchrock Chapter



Churchrock Chapter

P.O. Box 549
Churchrock, New Mexico 87311
☎ (505) 488-9919

Edward T. Begay, Council Delegate
Earnest C. Recenii, Sr., President

Ted Silversmith, Jr., Vice-President
Hurley Benally, Secretary/Treasurer

RESOLUTION OF CHURCHROCK CHAPTER, NEW MEXICO CRC-91-11-20

Requesting the Navajo Nation President Peterson Zah and Navajo Nation Council to approve the establishment and fund a four classroom pre-school on an emergency bases.

WHEREAS:

1. The Churchrock Chapter is a certified chapter of the Navajo Nation and as such is authorized by the Navajo Nation Council to review all matters affecting the community and make decision for the best interest of the community people; and
2. The Churchrock Chapter community has a growth rate in population increasing rapidly where the children are left out of pre-school facilities.
3. From the report of the four pre-school Rehoboth, Churchrock I, and Churchrock II, Indian Village, and Inhome Care, there are now twenty-two (22) children that are denied the opportunity to attend classes; and
4. The Churchrock pre-school old trailer and building renovation in six (06) month cost approximately \$13,500 during the summer months and now while the cold weathers has set in the water system, the heating system, kitchen facilities are continuously being repaired with a considerable amount of cost.
5. There are reports from Indian Health Services of deficiency in all of the pre-school that the chapter can not afford the increasing cost that prevails. (See Exhibit A); and
6. The parent committees have voiced to the Navajo Nation and the Child Development office to develop an adequate facility for the children of Churchrock Community; and
7. There is an urgent need to have the appropriate organization; the Navajo Nation to assist in facilitating an eight (80) space classroom to be developed for the Churchrock Community pre-school children.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Churchrock Chapter requests that Navajo Nation Honorable President Peterson Zah and the Navajo Nation Council to approve the development of an eight (80) space classroom pre-school facility to be utilized by the Churchrock Community.
2. The facility to be administered jointly by the Churchrock Chapter and the Crownpoint Agency Child Development Office. Subject to the Navajo Nation policy and procedures.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered and moved for adoption by Sadie Benally and seconded by Jirit Benally of Churchrock Chapter, thoroughly discussed and adopted by a vote of ~~25~~ 25 in favor and 00 opposed at a regularly called meeting of the Eastern Navajo Agency held at Churchrock, Navajo Nation (N.M.) this 20th day of November, 1991.

Earnest Becenti Sr.
Earnest Becenti Sr.
President
Churchrock Chapter

Ted Silversmith
Ted Silversmith
Vice-President
Churchrock Chapter

Hurley Benally
Hurley Benally
Secretary/Treasurer
Churchrock Chapter

Edward T. Begay
Edward T. Begay
Council Delegate
Churchrock Chapter

BEFORE THE STATE ENGINEER
STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION
OF UNITED NUCLEAR CORPORATION
FOR PERMIT TO SUPPLEMENT POINTS
OF DIVERSION AND PLACES AND
PURPOSES OF USE OF UNDERGROUND WATER
OF THE STATE OF NEW MEXICO

#G-190-SUPPLEMENTAL

AFFIDAVIT OF JAMES D. WILLIAMS

I, James D. Williams, being duly sworn, states:

1. I am an Associate Professor of the Department of Sociology and Anthropology at New Mexico State University. I received my doctoral degree in Sociology from the University of Illinois in 1978. I have been qualified as and have testified as an expert witness in the fields of statistics and demography in several cases in the United States District Court for the District of New Mexico.

2. Through my studies, teaching, consulting, experience, research and writings, I have developed particular expertise and a specialization in the areas of statistics, rural sociology and demography. I am now on leave from my teaching duties and performing demographic analysis at Research & Polling, Inc., in Albuquerque, New Mexico as Director of Redistricting Services. One of the principal reasons for my employment at Research & Polling, Inc., is the selection by the New Mexico Legislative Counsel Service of myself with Research & Polling, Inc., to perform the analysis of the 1990 U.S. Census of Population results needed by the State Legislature for redistricting purposes.

3. At Research & Polling, Inc., I have also been requested to obtain 1990 U.S. Census of Population estimates for the following areas as they are identified on the map entitled "Navajo Nation" produced by the Office of Navajo Land Administration:

- a. Church Rock Chapter located in McKinley County in New Mexico
 - i. That portion of the Church Rock Chapter which is located north of Township 15N

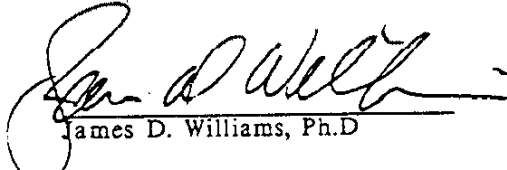
- ii. That portion of the Church Rock Chapter which is located within Townships 15N and 14N
- b. Pinedale Chapter located in McKinley County in New Mexico
 - i. That portion of the Pinedale Chapter which is located north of Township 15N
 - ii. That portion of the Pinedale Chapter which is located within Township 15N

4. The procedures which I used to obtain the population figures for these areas are commonly used in the profession and have been employed by myself extensively in New Mexico. The geographical areas for which census data are collected and reported in the 1990 census are relatively small "blocks" of territory. In the study area, many census blocks are less than one square mile. No estimations of block populations were needed for the Church Rock Chapter or Pinedale Chapter calculations.

5. The results of my study are as follows:

	<u>Total Population</u>	<u>Native American Persons</u>	<u>% Native American to total</u>
Church Rock Chapter north of Township 15N	421	415	98.6
Church Rock Chapter within Townships 15N and 14N	1,155	1,070	92.6
Pinedale Chapter north of Township 15N	865	864	99.9
Pinedale Chapter within Township 15N	18	18	100.0

I know the above facts on my personal knowledge and they are true to the best of my information and belief.


James D. Williams, Ph.D

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

SUBSCRIBED AND SWORN TO before me this 25th day of November, 1991,
by James D. Williams.

Valerie M. Shody
Notary Public

My Commission Expires:
8/11/92

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

AFFIDAVIT OF EDWARD T. BEGAY

I, Edward T. Begay, being duly sworn, state:

1. I am the delegate to the Navajo Nation Council from the Church Rock Chapter. I was first elected as a Council Delegate in 1970, and I served as Vice-Chairman of the Navajo Tribal Council from 1983-1987.

2. I have lived all my life in the Church Rock community. I am intimately familiar with the people of the Church Rock community, with the operations of the Church Rock Chapter government, and with the relationship between the Church Rock Chapter and the federal, tribal, and state and local governments.

3. The Navajo Indians, which comprise almost all of the population of the Church Rock Chapter, are members of the Navajo Tribe of Indians. The people of the Church Rock Chapter rely primarily upon the raising of livestock for the economic base of the community. The Navajo language is used almost exclusively in Chapter meetings, and the needs and interests of the people of the Church Rock community are addressed primarily through the Chapter.

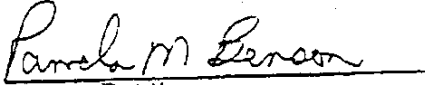
4. The Navajo Nation treats the Church Rock Chapter as a distinct community. The Church Rock Chapter was one of the first chapters in the Eastern Navajo Agency to have a delegate on the Navajo Tribal Council. The Navajo Nation has provided for the Church Rock Chapter as a community in various actions of the Council. Examples of those resolutions and actions are attached hereto. The attached resolutions of the Navajo Nation Council (formerly the Navajo Tribal Council) are true and correct copies of such resolutions.

5. The people of the Church Rock Chapter enjoy the same rights, responsibilities, and privileges as Navajo Indians who reside within formal reservation boundaries. These rights include the most fundamental rights of Navajo Indians under the Navajo Bill of Rights, the Indian Civil Rights Act, voting rights under Navajo law, the right to sit on juries, and the right to avail themselves of benefits and programs administered by the Navajo Nation and its divisions and enterprises.

6. I know the above facts on my personal knowledge and they are true to the best of my knowledge, information and belief.


EDWARD T. BEGAY

SUBSCRIBED AND SWORN TO before me this 16 day of January, 1992, by EDWARD T. BEGAY.


Notary Public

My Commission Expires:

April 27, 1994

ACMY-61-61

RESOLUTION OF THE ADVISORY COMMITTEE
OF THE NAVAJO TRIBAL COUNCIL

A Memorial Petitioning the New Mexico State Highway Commission and
the New Mexico State Highway Department to Construct All-Weather
Roads between Smith Lake and Crownpoint, New Mexico and from
Ambrosia Lake through Casemere Lake, Smith Lake, Pinedale, Mariano
Lake and Church Rock, New Mexico

WHEREAS:

1. The Advisory Committee of the Navajo Tribal Council on behalf of the Navajo Tribal Council and all of the Navajo people in the State of New Mexico living in the area of Thoreau and Smith Lake wish to express their deep appreciation and gratitude to the New Mexico State Highway Commission and the New Mexico State Highway Department for the road improvement which has been completed on New Mexico Highway 56 north from Thoreau, New Mexico to the vicinity of Smith Lake.

2. The road north of Smith Lake to Crownpoint, and to Chaco Canyon National Monument, is a substandard, improperly drained dirt road. This road should be an all-weather paved highway.

3. This dirt road north of Thoreau, New Mexico, is heavily traveled especially during the summer months by tourists visiting Chaco Canyon National Monument and is used throughout the year by various governmental agencies such as the Bureau of Indian Affairs, United States Public Health Service, Gallup-McKinley County Schools, State of New Mexico, Navajo Tribe and etc.

4. The roadway from Ambrosia Lake through Casemere Lake, Smith Lake, Pinedale, Mariano Lake and Church Rock and the roadway from Torreon to Seven Lakes are also a substandard, unimproved dirt road and most heavily traveled by Navajo people, non-Navajo ranchers residing in the area, and many visitors to the area for purposes of recreation.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Advisory Committee of the Navajo Tribal Council, on behalf of the Navajo Tribal Council and of the Navajo people of New Mexico, respectfully petitions the New Mexico State Highway

US EPA ARCHIVE DOCUMENT

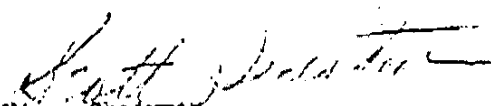
US EPA ARCHIVE DOCUMENT

Commission and the New Mexico State Highway Department to include the dirt road from Smith Lake to Crownpoint, New Mexico, in the construction schedule for an all-weather paved highway during 1961.

2. The Advisory Committee further recommends to the New Mexico State Highway Commission and the New Mexico State Highway Department that the roadway from Ambrosia Lake through Casemere Lake, Smith Lake, Pinedale, Mariano Lake and Church Rock and also the roadway from Torreon to Seven Lakes be considered for construction of an all-weather paved highway in the near future.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 6 in favor and 0 opposed, this 9th day of May, 1961.


Vice Chairman
Navajo Tribal Council

ACN-314-70

RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCIL

Withdrawal of Lands for the Construction
of Sewage Lagoon - Church Rock, New Mexico

WHEREAS:

1. The Navajo Tribal Council, by Resolution 65-24-55, authorizes the Chairman, Navajo Tribal Council, with the concurrence and recommendation of the Advisory Committee, Navajo Tribal Council, to execute orders withdrawing designated Tribal lands for use in connection with authorized programs of benefit to the Navajo Indians of the Bureau of Indian Affairs or the Public Health Service, and

2. The Navajo Tribal Council has appropriated the sum of \$125,000.00 and the Public Health Service has contributed the sum of \$316,000.00 under Public Law 86-121 for the construction of a sewage lagoon, a sewerage system, and a water distribution system at Church Rock, New Mexico, and

3. The United States Public Health Service has completed a survey of the land required and a cartographic description of this survey is attached to, and is a part of, this resolution, and

4. It is necessary to withdraw the land required for construction of the proposed sewage lagoon in order to complete this project, and

5. The Church Rock Chapter agrees to and recommends the withdrawal of the necessary land for use as a sewer lagoon site.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Chairman of the Navajo Tribal Council, by and with the approval of the Advisory Committee, is hereby authorized to grant withdrawal of designated Navajo Tribal lands for use as sewer lagoons.

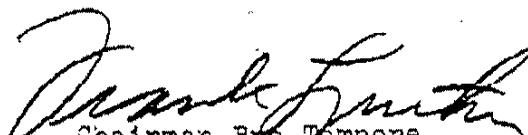
2. The Tribal lands so reserved remain withdrawn for so long as the lands are used for the purpose authorized.

US EPA ARCHIVE DOCUMENT

ACN-314-70

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 13 in favor and 0 opposed, this 24th day of November, 1970.


Chairman Pro Tempore
Navajo Tribal Council

US EPA ARCHIVE DOCUMENT

LAND WITHDRAWAL DESCRIPTION

Sewage Lagoon

Church Rock, New Mexico

Church Rock sewage lagoon site is located at Church Rock, New Mexico, five miles east of Gallup, New Mexico. The withdrawal site shall consist of one parcel of land.

The withdrawal site survey commences at United States Cadastral Survey marker T-15N, R-17W; Sections 10, 11, 14 and 15.

Thence, on a true bearing South 15° 54' 40" East, one thousand three hundred eighteen and fifty-five hundredths feet (1318.55') to the True Point of Beginning of the Church Rock Sewage Lagoon site.

Thence, North 81° 43' 00" West, one thousand eighteen and nineteen hundredths feet (1018.19');

Thence, North 74° 10' 40" West, two thousand fifty-eight and ninety-nine hundredths (2058.99');

Thence, South 02° 54' 20" West, eight hundred fifty-four and twenty-three (854.23');

Thence, South 87° 00' 20" East, three thousand nineteen and sixty-six hundredths (3019.66');

Thence, North 02° 59' 40" East, three hundred three and fifty-nine hundredths feet (303.59') to the True Point of Beginning of Church Rock Sewage Lagoon site.

This encloses the Church Rock Sewage Lagoon site, and contains 36.976 acres, more or less.

Class "B" Resolution
Area Approval Required.

ACAP-93-72

RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCIL

Authorizing the Withdrawal of Navajo Tribal
Lands for Mutual Help Housing at Church Rock,
McKinley County (Navajo Nation), New Mexico

WHEREAS:

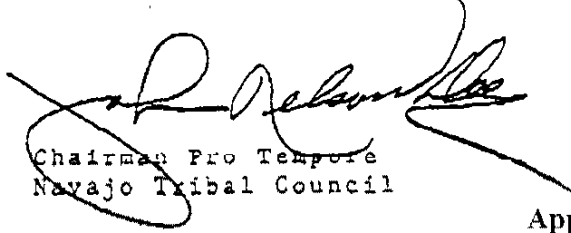
- 1. By Resolution No. CJ-14-53, the Navajo Tribal Council authorized the Advisory Committee of the Navajo Tribal Council to act for and in lieu of the Tribal Council to approve withdrawals, set aside, or make allocations of Navajo Tribal lands for housing purposes in or near communities, government or tribal installations, and
- 2. There is a need to withdraw Navajo Tribal lands for housing purposes at Church Rock, New Mexico, and
- 3. Proper clearances have been obtained from the Church Rock Chapter officials and Council Delegates of District 16, the Crownpoint Agency, the Public Health Service and the Navajo Real Property Management Department of the Navajo Tribe.

NOW THEREFORE BE IT RESOLVED THAT:

The Advisory Committee of the Navajo Tribal Council hereby withdraws Navajo Tribal lands, described on the attached Exhibit "A", located within the community of Church Rock, McKinley County (Navajo Nation), New Mexico, be and they hereby are withdrawn and set aside for residential housing purposes.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 12 in favor and 0 opposed, this 25th day of April, 1972.


Chairman Pro Tempore
Navajo Tribal Council

RECEIVED

JUN 9 1972

US EPA ARCHIVE DOCUMENT

EXHIBIT "A"

DESCRIPTION OF THE CRYSTAL MUTUAL HELP SUBDIVISION

Beginning at the South corner of the tract herein described
whence the B.I.A. Highway Sta. 150+00 of Navajo Route 32 bears
N. 26° 32' E., a distance of 233.00';

Thence	N. 26° 32' E.,	445.00'
Thence	N. 46° 28' E.,	434.00'
Thence	S. 43° 32' W.,	160.00'
Thence	N. 46° 28' W.,	132.03'
Thence	S. 43° 32' W.,	160.49'
Thence	S. 26° 32' W.,	304.00'
Thence	S. 63° 28' E.,	635.00'

to the point of beginning and containing 7.05 acres, more or
less.

I, Thomas O. Isaacson, hereby certify that I am a Land Surveyor,
and that this description was prepared from notes of a field
survey made under my supervision and is true and correct to the
best of my knowledge and belief.

4-5-72

Date

[Signed] Thomas O. Isaacson

Thomas O. Isaacson

Reg. L.S. Arizona #7493

Chambers, Campbell, Isaacson
& Chaplin, Inc.

ACN-106-79

Class "C" Resolution
No BIA Action Required.

RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCIL

Amending Advisory Committee Resolution ACAU-141-77
Relating to the Withdrawal of Land for Homesite
Purposes in the Church Rock Chapter

WHEREAS:

1. The Advisory Committee of the Navajo Tribal Council under authority of Navajo Tribal Council Resolution CJ-14-53 (15 NTC §801 et. sec.) passed Resolution ACAU-141-77 on August 10, 1979, setting aside land within the Church Rock Chapter for housing purposes; and
2. Said land withdrawal is known as the Sundance Subdivision; and
3. Advisory Committee Resolution ACAU-141-77 and the maps and legal descriptions relied upon at that time recited an area of 140.62 acres; and
4. The actual survey showed an area in the withdrawal of 143.03 acres; and
5. Advisory Committee Resolution ACAU-141-77 failed to designate adequate easements for utility rights-of-way, thus prohibiting the extension of electric service to many residents; and
6. There is a need to correct certain terms of Resolution ACAU-141-77.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Advisory Committee of the Navajo Tribal Council hereby amends Resolution ACAU-141-77 by deleting the number "140.62" from the sixth line of the Resolved clause and inserting therein the number "143.03".
2. The Advisory Committee further amends Resolution ACAU-141-77 by changing the last sentence to read "The streets and utility easements as shown on said surveys and plats are hereby set aside and dedicated to public use for travel and for utility service for said blocks and lots".

US EPA ARCHIVE DOCUMENT

3. The Advisory Committee further amends Resolution ACAU-141-77 by substituting the attached "Exhibit 1 - SUNDANCE HOMESITE SUBDIVISION UNIT "B" dated 1979, for that Exhibit 1 originally attached to ACAU-141-77.

4. The Advisory Committee adopts and approves the maps showing homesites, streets, and utility easements attached hereto as Exhibit "A" and Exhibit "B".

5. The remainder of Resolution ACAU-141-77 shall remain in full force and effect.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 10 in favor and 0 opposed, this 13th day of November, 1979.



Vice Chairman
Navajo Tribal Council

SUNDANCE HOMESITE SUBDIVISION UNIT "B"

A PARCEL OF LAND SITUATED IN THE WEST HALF (W/2) OF SECTION 15, TOWNSHIP 15 NORTH, RANGE 17 WEST, NEW MEXICO PRINCIPAL MERIDIAN, MCKINLEY COUNTY, NEW MEXICO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the Southwest corner of said Section 15;

THENCE (on the westerly line thereof) N 00° 01' 56" E, 2929.73 feet;

THENCE S 85° 46' 59" E, 1222.68 feet;

THENCE S 04° 27' 25" E, 959.68 feet to the southerly line of said section 15;

thence N 89° 58' 09" W, 1372.27 feet to the point of beginning.

BEING 84.98 acres, more or less, in area.

ACAU-141-77

Class "B" Resolution
Area Approval Required.RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCILWithdrawing and Setting Aside Certain
Lands for Homesite Purposes in the
Church Rock Chapter

WHEREAS:

1. The Advisory Committee of the Navajo Tribal Council is authorized to act for and in lieu of the Navajo Tribal Council to approve withdrawals, set aside, or make allocations of Tribal lands in or near communities for homesite purposes by Navajo Tribal Council Resolution CJ-14-53 (15 NTC 301); and

2. The land described in Exhibits "1" and "2", attached hereto, in Sections 15 and 22, Township 15 North, Range 17 West, have been surveyed and marked into blocks, lots and streets by the Office of Navajo Land Administration and a copy of the plats thereof are on file at the Office of Navajo Land Administration and the Area Office of the Bureau of Indian Affairs; and

3. The said described land is near the communities of Church Rock and Gallup, New Mexico and it is in the best interest of the Navajo people to withdraw said lots and blocks for homesites and to dedicate said streets, as surveyed on said referred to plat for public use as a part of said townsite; and

4. The Councilmen from District 16, where said land is located, have approved the proposed withdrawal as required by law.

NOW THEREFORE BE IT RESOLVED THAT:

The Advisory Committee of the Navajo Tribal Council does hereby declare that the land described in Exhibits "1" and "2", attached hereto, in Sections 15 and 22, Township 15 North, Range 17 West, is hereby withdrawn and set aside for homesites. The surveys and plats of the blocks, lots, and streets, containing in total 140.62 acres, made by Navajo Land Administration, copies of which are on file at the Office of Navajo Land Administration and the Navajo Area Office, Bureau of Indian Affairs, is hereby approved. The streets as shown on said surveys and plats are hereby set aside and dedicated to public use for travel and for utilities to serve said blocks and lots.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 13 in favor and 0 opposed, this 10th day of August, 1977.

Wilson P. Skut
Vice Chairman
Navajo Tribal Council

SUNDANCE HOMESITE SUBDIVISION UNIT "A"

A PORTION OF SECTION 15 AND A PORTION OF SECTION 22,
TOWNSHIP 15 NORTH, RANGE 17 WEST, NEW MEXICO PRINCIPAL
MERIDIAN, MCKINLEY COUNTY, NEW MEXICO, BEING MORE PAR-
TICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at a B.L.M. 12 1/2 Mile Marker situ-
ated in the Westerly Line of the Fort Wingate
Military Reservation;

THENCE run N 64° 03' 01" W, 1472.56 feet to
the Point of Beginning of the herein described
parcel of land;

THENCE N 02° 19' 50" W, 441.22 feet;

THENCE S 86° 22' 50" E, 1341.36 feet to said
Westerly Line of the Fort Wingate Military
Reservation

THENCE on last said line S 00° 11' 31" E,
335.97 feet;

THENCE S 89° 07' 28" W, 214.60 feet;

THENCE S 04° 47' 10" W, 948.71 feet;

THENCE N 85° 12' 50" W, 41.80 feet;

THENCE S 29° 16' 11" W, 281.01 feet;

THENCE S 08° 36' 11" E, 329.97 feet;

THENCE S 03° 16' 39" E, 50.00 feet;

THENCE S 22° 42' 52" W, 229.80 feet;

THENCE S 25° 34' 54" W, 235.65 feet;

THENCE S 32° 36' 22" W, 232.16 feet;

THENCE S 20° 22' 12" W, 245.17 feet;

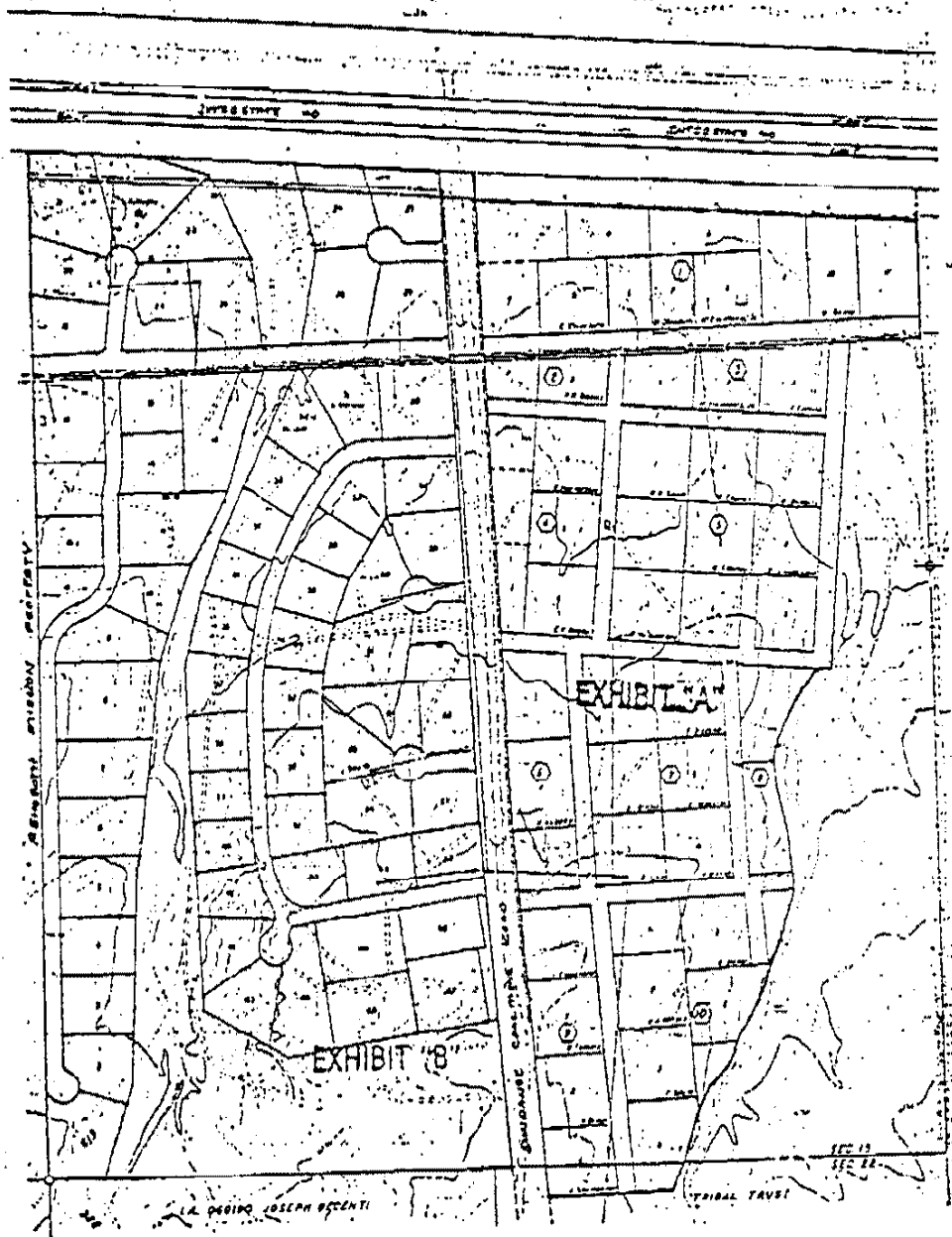
THENCE S 87° 29' 07" W, 363.03 feet;

THENCE N 04° 27' 25" W, 1064.45 feet;

THENCE N 02° 19' 50" W, 1352.05 feet to the
Point of Beginning.

Being 58.05 acres, more or less, in area.

US EPA ARCHIVE DOCUMENT



SUNDANCE HOMESITE SUB-DIVISION UNIT "B"

A PARCEL OF LAND SITUATED IN THE WEST HALF (W/2) OF SECTION 15, TOWNSHIP 19 NORTH, RANGE 17 WEST, NEW MEXICO PRINCIPAL MERIDIAN, MCKENLEY COUNTY, NEW MEXICO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the Southwest Corner of said Section 15;

THENCE on the Westerly Line thereof run N 00° 01' 56" E, 2847.23 feet;

THENCE S 86° 22' 50" E, 1225.12 feet;

THENCE S 02° 19' 50" E, 1805.14 feet;

THENCE S 04° 27' 25" E, 959.68 feet to the South-
only Line of said Section 15;

THENCE on last said line N 89° 58' 09" W, 1372.27
feet to the Point of Beginning.

Being 62.97 acres, more or less, in area.

ACAP-48-88

Class "C" Resolution
No BIA Action Required.

RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCIL

Expressing Condolences to the Family and Relatives of
Charley Livingston, the First Chapter President of Church Rock
Chapter, and Requesting the Budget and Finance Committee of
the Navajo Tribal Council to Identify \$2,000.00 for Funeral Expenses

WHEREAS:

1. Pursuant to 2 NTC, Section 343(b) (13), the Advisory Committee of the Navajo Tribal Council is authorized to take such action as it deems necessary to preserve the interest of the Navajo Nation during times when the Navajo Tribal Council is not in session; and
2. On February 22, 1988, the Navajo Nation lost a great leader, Charley Livingston; and
3. Charley Livingston served as the first Chapter President from the Church Rock Chapter and provided strong leadership to the Church Rock Chapter and the Navajo Nation; and
4. Charley Livingston's dedication and service include the establishment of the first Church Rock Chapter House; and
5. It is in the best interest of the Navajo Nation that the Advisory Committee of the Navajo Tribal Council express condolences to the family and relatives of Charley Livingston and to request the Budget and Finance Committee of the Navajo Tribal Council to identify funds to pay for funeral expenses to the family of Charley Livingston.

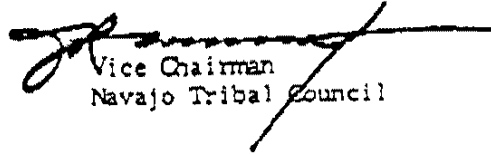
NOW THEREFORE BE IT RESOLVED THAT:

1. The Advisory Committee of the Navajo Tribal Council hereby expresses condolences to the family and relatives of Charley Livingston, the First Chapter President from Church Rock Chapter.
2. The Advisory Committee of the Navajo Tribal Council further requests the Budget and Finance Committee of the Navajo Tribal Council to identify and appropriate \$2,000.00 for funeral expenses.
3. The Advisory Committee of the Navajo Tribal Council further expresses its appreciation to its deceased leader by issuing the Navajo Nation Flag as authorized by Tribal Law.

US EPA ARCHIVE DOCUMENT

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote 13 in favor and 0 opposed, this 13th day of April, 1988.


Vice Chairman
Navajo Tribal Council

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Church Rock-Two Wells Land Exchange and
Manuelito National Monument

WHEREAS:

1. The Navajo Tribal Council has heretofore approved, by Resolution No. CM-36-56, adopted May 24, 1956, a proposal to exchange, consolidate, and adjust Navajo and Federal land ownership and use in the Church Rock-Two Wells Area of New Mexico, and has requested that no action be taken on a proposal of the National Park Service to establish a National Monument in the Manuelito area in conflict with the proposed exchange, consolidation, and adjustment, and

2. Further time is needed to study the proposed Church Rock-Two Wells adjustment in light of the proposed new National Monument.

3. The Bureau of Indian Affairs surrendered administration of certain lands in this area to the Bureau of Land Management by agreement with the Bureau of Land Management in 1949, with the approval of Secretary of the Interior Krug, and

4. Experience has proved that said lands upon which Navajos hold grazing rights adjacent to or abutting on the reservation ought to be administered by the Bureau of Indian Affairs and it would be in the best interest of the Navajo Tribe and good administration to transfer the management of these said areas back to the Bureau of Indian Affairs.

NOW THEREFORE BE IT RESOLVED THAT:

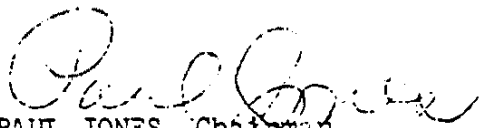
1. The Navajo Tribal Council reaffirms its approval in principle of the Church Rock-Two Wells land adjustment, but respectfully requests the Secretary of the Interior to allow the Tribe further time to study the proposed land exchange and the proposal to establish the Manuelito National Monument in the same area before submitting legislation to Congress for the accomplishment of either purpose, and

2. The Secretary of the Interior be and he hereby is requested to transfer the administration of all railroad reconveyed lands, resettlement purchase, and public lands used by Navajo Indians for grazing purposes and formerly administered by the Bureau of Indian Affairs in New Mexico which were transferred to the administration of the Bureau of Land Management in 1949, back to the Bureau of Indian Affairs during the period of further preparation and study for consolidation of the lands utilized by Navajos, and

3. The Tribal officers be and they hereby are directed to cause to be made a thorough study of the proposed land exchange and of the suggested establishment of the Manuelito National Monument, to the end that the conclusions and recommendations of the Tribe to the Secretary of the Interior for solution of the complicated problems in the area may be submitted to the Secretary at the earliest practicable date after January 1, 1958.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was approved by a vote of 58 in favor and 0 opposed, this 8th day of May, 1957.


PAUL JONES, Chairman
Navajo Tribal Council

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Church Rock-Two Wells Land Adjustment

WHEREAS:

1. The Navajo Tribal Council has heretofore approved the concept of the Church Rock-Two Wells land adjustment, which has been changed many times to add or delete certain lands under the proposal,

2. By Navajo Tribal Council Resolution CN-59-59, the Navajo Tribal Council agreed to accept title to such lands in fee simple status and to pay such taxes as may be lawfully levied against such land. At that time, it was contemplated that some 240,000 acres would be transferred to the Tribe,

3. Since 1959, various agencies have proposed to transfer an additional 200,000 acres to the Tribe making an approximate total acreage of 440,000. The Tribe would assume responsibility for management of such lands and be responsible for all taxes and other charges lawfully levied,

4. Since the increased acreage almost doubles the size of the proposed adjustment, it is appropriate that the Council again pass upon the desirability of the proposal in light of the yearly tax costs and the responsibilities of management of an area which, after review by the Department of the Interior and Congress, might greatly exceed the area which was to have been received by the Tribe in the proposals previously approved by the Council.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribal Council hereby reaffirms its support of the Church Rock-Two Wells land adjustment proposal and earnestly petitions Congress to take appropriate action to enact the proposal into law.

2. The Navajo Tribal Council agrees to accept title to such land in fee simple for surface rights only and to pay such taxes as may be lawfully levied thereon.

3. The Chairman of the Navajo Tribal Council is hereby authorized, with the approval of the Advisory Committee, to approve the form of a bill and any amendments thereto which may be required for submission to Congress to accomplish the proposed Church Rock-Two Wells land adjustment to transfer to the Navajo Tribe approximately 440,000 acres.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 63 in favor and 0 opposed this 4th day of March, 1964.

Nelson Harmon

Vice Chairman
Navajo Tribal Council

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Crownpoint and Church Rock-Two Wells Land Acquisitions

WHEREAS:

1. It was proposed in Senate Bill 2307, introduced June 30, 1959, to transfer 81 acres more or less at Crownpoint, New Mexico to the Tribe in trust status, consisting of land upon which community facilities are located and a dormitory built by the Tribe.

2. A proposal of the Department of the Interior for land exchange between the Tribe and the United States Government entitled the Church Rock-Two Wells Land Exchange, heretofore approved by Council Resolution CM-36-56, contemplates transfer to the Tribe of approximately 250,000 acres by the United States Government in trust status and therefore tax free.

3. The Tribe has purchased the Sargent Ranch and other ranch properties in New Mexico and Arizona in fee simple and pays taxes thereon to the respective states and it would be in the best interest of the Tribe and the State and county government in which the aforesaid properties lie for the Tribe to invite the conveyance of the Crownpoint tract and the Church Rock-Two Wells lands from the United States to the Tribe in fee simple subject to taxes and not in trust.

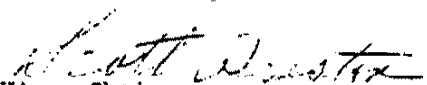
NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribe will gladly accept fee simple title to the lands which are transferred to it at Crownpoint and under the Church Rock-Two Wells exchange and will pay the taxes lawfully levied thereon by the States in which said lands lie.

2. The Chairman be and he hereby is requested to convey a copy of this resolution to the appropriate committees of Congress with the request that appropriate legislation authorizing the foregoing transfer be enacted at the earliest practicable date.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present, and that same was passed by a vote of 61 in favor and 1 opposed, this 10th day of November, 1959.


Vice - Chairman
Navajo Tribal Council

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Church Rock-Two Wells Land Adjustment

WHEREAS:

1. The Navajo Tribal Council has heretofore approved the concept of the Church Rock-Two Wells land adjustment, which has been changed many times to add or delete certain lands under the proposal,

2. By Navajo Tribal Council Resolution CN-59-59, the Navajo Tribal Council agreed to accept title to such lands in fee simple status and to pay such taxes as may be lawfully levied against such land. At that time, it was contemplated that some 240,000 acres would be transferred to the Tribe,

3. Since 1959, various agencies have proposed to transfer an additional 200,000 acres to the Tribe making an approximate total acreage of 440,000. The Tribe would assume responsibility for management of such lands and be responsible for all taxes and other charges lawfully levied,

4. Since the increased acreage almost doubles the size of the proposed adjustment, it is appropriate that the Council again pass upon the desirability of the proposal in light of the yearly tax costs and the responsibilities of management of an area which, after review by the Department of the Interior and Congress, might greatly exceed the area which was to have been received by the Tribe in the proposals previously approved by the Council.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribal Council hereby reaffirms its support of the Church Rock-Two Wells land adjustment proposal and earnestly petitions Congress to take appropriate action to enact the proposal into law.

2. The Navajo Tribal Council agrees to accept title to such land in fee simple for surface rights only and to pay such taxes as may be lawfully levied thereon.

3. The Chairman of the Navajo Tribal Council is hereby authorized, with the approval of the Advisory Committee, to approve the form of a bill and any amendments thereto which may be required for submission to Congress to accomplish the proposed Church Rock-Two Wells land adjustment to transfer to the Navajo Tribe approximately 440,000 acres.