



The 21st Navajo Nation Council

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FOR IMMEDIATE RELEASE

Council tables water rights settlement for one week, directs Navajo DOJ and Navajo Water Rights Commission to educate Navajo people on settlement

WINDOW ROCK, Ariz. – The 21st Navajo Nation Council convened for a special session today and tabled the Northeastern Arizona Indian Water Rights Settlement, which would have resolved water rights claims between the Navajo Nation and Hopi Tribe. Both tribes are in settlement for water from the Little Colorado River System and from the Lower Basin of the Colorado River and have until Oct. 13 to execute the settlement agreement.

After various points of order and questions of privilege, Honorable Amos Johnson (Forest Lake) offered a tabling motion. Johnson said the reason for his motion was to afford more time and make a decision in the best interest of the Navajo people. The Council voted on the tabling motion by a vote of 49-32.

In his tabling motion, Johnson directed the Navajo Department of Justice and Navajo Water Rights Commission to educate the Navajo people on the content of the water settlement within one week. Currently, there is a “stay” in the Arizona state court concerning the Lower Colorado River and in the federal court concerning the Colorado River. Both tribes have until Oct. 13 to execute the settlement agreement and with no agreement more litigation would occur.

The water settlement would give the Navajo Nation 31,000 acre-feet of water per year from the Colorado River. The settlement would also provide the Navajo Nation access to unappropriated surface flows from the Little Colorado River and nearly unlimited access to the Navajo and Coconino Aquifers, which are located beneath the Navajo Nation.

Johnson's tabling motion also directs the Navajo Nation Council to convene for a work session to discuss the settlement thoroughly before a decision is made at a special session. The work session and special session are scheduled to occur before Oct. 13.

“Time is not an ally, but the sky is not falling, and the settlement is not coming to an end,” said Navajo water rights attorney Stanley Pollack, who told the Associated Press. “People are interested in finding out more about it, and finding out more about a deal this important is a good thing.”

In other action, the Council passed the Diné College Board of Regents Act of 2010 by a vote of 61-6. The act amends Title 10 of the Navajo Nation Code and allows for the election of five members of the eight-member Board of Regents to serve four-year terms beginning with the 2012 Chapter elections. The act keeps the Education Committee Chair, the Navajo Nation Superintendent of Schools and the student body president of Diné College as ad hoc positions.

“We waited on whether President Joe Shirley, Jr., would appoint these positions and that has not happened, which is why this legislation came about today,” said Sponsor Danny Simpson (Huerfano).

The resolution also authorizes the Education Committee to appoint interim members to fill five Board of Regents vacancies, with the Government Services Committee (GSC) confirming those positions. On April 27, the GSC took action and removed three members from the eight-member Board of Regents leaving the board with no quorum to conduct business. Before removal, the Board already had two vacant positions, which is another reason the Council passed the act.

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