

# APPENDIX C

## RIGHTS AND RIGHTS-OF-USE

### NAVAJO RESERVOIR AREA

Partial Listing as of April 29, 2008

The following table is a partial listing of the major rights and rights-of-use and associated conditions known to exist within the Navajo Reservoir Area and which may affect the management of the reservoir area. The information in the table is subject to change as additional information becomes available.

Reclamation recognizes and acknowledges that this list is incomplete and does not include all rights held by all entities or individuals within the reservoir area, nor does it necessarily include the current owner of a given right. To fully research all of the rights within the reservoir area and their current ownership would take a long time and is not necessary for the planning effort. We also recognize that some of the listed rights may be owned by several individuals in both divided and undivided shares. The rights of such multiple owners are recognized as being part of the larger, undivided right.

**Table C-1: Rights and Rights-of-Use; Navajo Reservoir Area <sup>1</sup>**

Right/Use	Type	Current Holder	Section	Township	Range	Comments
Fee Title; Administrative Jurisdiction	Acquired; Withdrawn; Exchanged	United States (Bureau of Reclamation)				<ul style="list-style-type: none"> <li>▪ Reservoir Area</li> <li>▪ Title held by US</li> <li>▪ Reservoir Area administered for CRSP purposes by Reclamation</li> <li>▪ Indefinite term</li> <li>▪ Management of the area is subject to numerous valid existing rights that have been reserved, granted, permitted, or otherwise obtained and any terms and conditions associated with those rights.</li> <li>▪ Acquisition for project purposes authorized by CRSPA of April 17, 1956</li> </ul>
Water Intake and Conveyance	Right-of-Way	United States (Bureau of Reclamation)	19	30N	7W	<ul style="list-style-type: none"> <li>▪ NIIP headworks and tunnel in N½SW¼, Sec. 19, T30N, R7W, NMPM</li> <li>▪ Authorized by NIIP authorization act</li> <li>▪ Perpetual right</li> <li>▪ To be transferred to BIA in trust for the Navajo Nation</li> <li>▪ Operated by NAPI</li> </ul>
Water and Water Rights	Acquired	United States (Bureau of Reclamation)				<ul style="list-style-type: none"> <li>▪ Related to USBR acquired lands within reservoir area</li> <li>▪ Various water and water rights appurtenant to acquired lands. Amounts may or may not have been identified.</li> <li>▪ See respective deeds for details.</li> <li>▪ Current status of rights unknown</li> </ul>

**Navajo Reservoir RMP/FEA \* \* \* \* June 2008**

<b>Right/Use</b>	<b>Type</b>	<b>Current Holder</b>	<b>Section</b>	<b>Township</b>	<b>Range</b>	<b>Comments</b>
Livestock Watering	Reserved	Herrera	18	32N	4W	<ul style="list-style-type: none"> <li>▪ Perpetual right of ingress/egress over acquired lands for watering livestock at the reservoir</li> <li>▪ USBR LA # 7-LM-48-00003; expires 08/21/2022</li> </ul>
Irrigation	License Agreement	Herrera	17	32N	4W	<ul style="list-style-type: none"> <li>▪ Irrigation diversion and ditch</li> <li>▪ USBR license number 7-LM-48-00003; expires 21 Aug 2022</li> </ul>
Water Intake	License Agreement	Piedra Park Metropolitan Improvement District	5, 8 32	32N 33N	5W 5W	<ul style="list-style-type: none"> <li>▪ Municipal water system intake; powerline and 4-inch waterline</li> <li>▪ USBR contract # 8-LM-48-00004; expires 07/18/2038</li> <li>▪ This license supersedes # 07-07-48-L0090, # 08-07-40-L0618, and #7-48-LM-00006</li> </ul>
Buried Phone Cable	License Agreement	Universal Telephone Co.	5 32	32N 33N	5W 5W	<ul style="list-style-type: none"> <li>▪ 2 line cable parallel to NM Highway 151</li> <li>▪ USBR contract #07-07-40-10413; expires 07/12/2027</li> </ul>
Irrigation Pump and Water Pipeline	License Agreement	Conley	24	32N	6W	<ul style="list-style-type: none"> <li>▪ Water pumped from Sambrito Creek, piped across federal land to private property</li> <li>▪ USBR contract # 03-07-48-L0020; expires 11/02/2007</li> </ul>
Road Use	License Agreement	Dungan	5	32N	5W	<ul style="list-style-type: none"> <li>▪ Improve/use two existing roads</li> <li>▪ USBR contract #01-07-40-L2034; expires 07/09/2006</li> </ul>
Recreation Management	MOA	CDPOR				<ul style="list-style-type: none"> <li>▪ Management of recreation within reservoir area; CO</li> <li>▪ USBR contract #3-LM-40-01000; expires 9/22/2014</li> </ul>
Recreation Management	MOA	NMSPD				<ul style="list-style-type: none"> <li>▪ Management of recreation within reservoir area; NM</li> <li>▪ USBR contract # 14-06-400-5754; amended 5/15/1997; term extended pending development of a new agreement; negotiations in progress.</li> </ul>
Livestock Grazing	Lease	Various				<ul style="list-style-type: none"> <li>▪ Pump House Allotment</li> <li>▪ Operations managed by BLM, FFO, pursuant to agreement w/ USBR</li> </ul>
Livestock Grazing	Lease	Various				<ul style="list-style-type: none"> <li>▪ Rosa Community Allotment</li> <li>▪ Grazing operations managed by BLM, FFO, pursuant to agreement w/ USBR</li> <li>▪ Includes 23 head of free/wild roaming horses.</li> </ul>

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<b>Right/Use</b>	<b>Type</b>	<b>Current Holder</b>	<b>Section</b>	<b>Township</b>	<b>Range</b>	<b>Comments</b>
Ingress/Egress for Livestock Watering at Navajo Reservoir	Reserved	Various				<ul style="list-style-type: none"> <li>▪ About 23 separate perpetual reserved rights for ingress/egress for watering livestock at Navajo Reservoir with the following wording: <i>“The vendor and his assigns shall have the right of ingress and egress on, over and across lands designated by the US of the lands described in Article 3 hereof for the purpose of watering livestock at the Navajo Reservoir waterline.”</i></li> <li>▪ Refer to the various land purchase contracts or deeds for the specific lands involved.</li> </ul>
Ingress/Egress for Livestock Watering at Navajo Reservoir	Reserved	Jose/Carmelita Cruz and assigns	16	32 N	5W	<ul style="list-style-type: none"> <li>▪ SW¼</li> <li>▪ Right of ingress and egress across a portion of acquired lands for livestock watering at the reservoir; area of use to be designated by US. (Deed at Bk 97, Pgs 368-369, Archuleta County, CO)</li> <li>▪ USBR designated a 100’ wide right-of-way for this use (Public Notice, No. 06-LM-40-02730, recorded 12/30/2005, Recordation No. 20513819, Archuleta County , CO)</li> <li>▪ USBR considers use of the right-of-way for its express purpose by Grantors, heirs, successors, and assigns as non-interference with operation and maintenance of the Navajo Unit when exercised subject to the following conditions:               <ul style="list-style-type: none"> <li>▪ Use restricted to 100-foot wide reservoir access corridor (see Exhibit B of Notice).</li> <li>▪ Duration of use doesn’t exceed 4 hours in any 24 hour period.</li> <li>▪ Gate shall be kept closed and locked except during use.</li> <li>▪ US may change the conditions/location upon written notice to landowner.</li> </ul> </li> </ul>
Ingress/Egress for Livestock Watering at Navajo Reservoir	Court Grant and/or Reserved	Various				<ul style="list-style-type: none"> <li>▪ About 4 separate perpetual reserved rights for ingress/egress for watering livestock at Navajo Reservoir with the following wording (CA4904 Judgment and various land purchase contracts): <i>“The Defendants [vendors] and/or their assigns are hereby granted [shall have] the perpetual right to water livestock in the Navajo Reservoir on the property described herein, together with the right of ingress and egress to the reservoir water line on the said property described herein for such purposes, excepting, however, said right shall not apply to areas of said property which are now or in the future designated by the United States for public or recreational use.”</i></li> <li>▪ Refer to the Judgment and the land purchase contracts for the specific lands involved.</li> </ul>

Right/Use	Type	Current Holder	Section	Township	Range	Comments
Irrigation Ditch	Right-of-way	Seibels, et. al.; successors, and assigns.	8	32N	5W	<ul style="list-style-type: none"> <li>▪ NE¼SE¼</li> <li>▪ US permitted the Grantors, successors and assigns, at their own cost and expense, the right to construct, operate, and maintain an irrigation ditch across the described lands. However, there were no specifics as to alignment.</li> <li>▪ The construction, operation, and maintenance of said ditch will be performed in such a manner that it will not interfere with the purposes and facilities of the Navajo Unit of the CRSP.</li> <li>▪ Deed, dated 3/13/1961; Bk 97: Pg 443-445; Archuleta County, CO</li> </ul>
Minerals and Geothermal Resources with Development Rights	Excepted and Reserved	State of New Mexico	16	30N	8W	<ul style="list-style-type: none"> <li>▪ S½, S½NE¼, NE¼NE¼, containing 440.00 acres more or less</li> <li>▪ Relinquishment and Quitclaim Deed to the United States dated 07/10/1984</li> <li>▪ Reserved to the State of New Mexico all minerals of whatever kind, including but not limited to caliche, sand, gravel, coal, building stone, clay, shale, oil and gas, and the unrestricted right to use so much of the surface as is reasonably necessary for the production, removal, and conservation of minerals.</li> <li>▪ Reserved to the State of New Mexico geothermal resources and the unrestricted right to use the land for the development, operation, and disposal of geothermal resources, including the right to grant rights of way and easements for geothermal development.</li> <li>▪ Excepted from the conveyance are all valid existing rights including Rights-of-Way M-4656, M-4658, RW-14061, RW-15693, RW-18967, RW-19619, RW-19297, and RW-22077.</li> </ul>
Oil/Gas with Conditioned Development Rights	Excepted and Reserved	Seibels, et. al.; successors, assigns	8, 17, 18	32N	5W	<ul style="list-style-type: none"> <li>▪ Reserved to the grantor, successors and assigns, all oil and gas in acquired land as described in the deed (see Deed for complete description) with right to prospect for and remove the same. However, there is no description of the oil/gas rights held by the Grantor at time of USBR acquisition.</li> <li>▪ Reserved rights shall be exercised in a manner that will not interfere with the construction, operation, and maintenance of any works of the Navajo Unit, CRSP as determined by SOI or his duly authorized representative.</li> <li>▪ Methods of extraction and removal of such gas/oil shall be approved by SOI or his duly authorized representative; shall prevent pollution, and shall in no way adversely affect the water supply of the Navajo Unit, CRSP.</li> </ul>

Right/Use	Type	Current Holder	Section	Township	Range	Comments
Oil/Gas with Conditioned Development Rights	Excepted and Reserved	Abel/Adelina Velasquez successors, assigns	14, 15	32N	5W	<ul style="list-style-type: none"> <li>▪ Sec. 14, W½NW¼; Sec. 15, E½NE¼</li> <li>▪ Containing 160 acres more or less in CO; all within the reservoir area.</li> <li>▪ Deed dated 05/11/1961; described parcel conveyed to the United States</li> <li>▪ Excepting and reserving from the conveyance all oil and gas in the described land, with right to prospect for and remove the same. [Note: There is no description of the oil/gas rights held by the Grantor at time of USBR acquisition.]</li> <li>▪ Reserved rights shall be exercised in such a manner as will not interfere with the construction, operation, and maintenance of any works of the proposed Navajo Unit, CRSP as determined by SOI or his duly authorized representative.</li> <li>▪ It is agreed that methods of extraction and removal of any such gas/oil shall be approved by SOI or his duly authorized representative; shall prevent pollution, and shall in no way affect adversely the water supply of the Navajo Unit, CRSP.</li> </ul>
Oil/Gas with Conditioned Development Rights	Excepted and Reserved	M.E. Gimp, et al., successors, assigns	11, 12, 13, 14, 23	32N	6W	<ul style="list-style-type: none"> <li>▪ 2,828.85 acres more or less in San Juan and Arriba Counties, NM.</li> <li>▪ Civil Action 4904 Declaration of Taking (dated 10/17/1961, filed 11/22/1961) for fee simple title to the lands, tenements, hereditaments, and appurtenances thereunto belonging, save, excepting and reserving therefrom, subject to the following conditions, the gas and oil in said lands: <ul style="list-style-type: none"> <li>▪ The right to prospect for and remove the gas and oil from all lands herein shall be exercised so as not to interfere with the construction, operation, and maintenance of the proposed Navajo Dam and Reservoir, and all necessary precautions, as may be determined by the SOI, or his duly authorized representative, acting for and on the behalf of the US, shall be taken to prevent the pollution or affect the quality of the water to be stored in said Navajo Reservoir whether it is to be used for irrigation, municipal, or miscellaneous purposes.</li> </ul> </li> <li>[Note: There is no description of the oil/gas rights held by the landowners at the time of the Declaration.]</li> <li>▪ The said land is more particularly described in the legal descriptions and plats attached to and made a part of the Declaration as Exhibits A and B, respectively. Parcels and owners (in part) listed as: <ul style="list-style-type: none"> <li>▪ 2B, 2C-</li> <li>▪ 13-</li> <li>▪ 14, 14A-</li> </ul> </li> </ul>

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Right/Use	Type	Current Holder	Section	Township	Range	Comments
						<ul style="list-style-type: none"> <li>▪ 28</li> <li>▪ 29, 29A- Juan Rivas, et al.</li> <li>▪ 30- Tiofilo/Catalina Lavato</li> <li>▪ 31, 31A- Juan F. Quintana</li> <li>▪ 37</li> <li>▪ 38- Juanita Miera</li> <li>▪ 39, 39A</li> <li>▪ 46, 46B- Wade H. Young</li> <li>▪ 47</li> <li>▪ 51</li> <li>▪ 52</li> <li>▪ 53, 53A,53B, 53C, 53D- Rosendo Marquez</li> <li>▪ 74, 74A- Joe E. Quintana</li> <li>▪ 75</li> <li>▪ 77</li> <li>▪ 78</li> <li>▪ 79, 79A- Miguel F. Quintana, et al.</li> <li>▪ 80</li> <li>▪ 81- Miguel F. Quintana</li> <li>▪ 84- Epimeno Quintana</li> <li>▪ 86, 86A</li> <li>▪ 87- Miguel A. Gallegos, et al.</li> <li>▪ 88- Isaac Quintana</li> <li>▪ 89- Rebecca S. Quintana</li> <li>▪ 90, 90A- Cleotilde Nickerson/Jose Demetrio Candelaria</li> <li>▪ 91- Juan C. Candelaria</li> <li>▪ 94- Juan A. Quintana</li> <li>▪ 153- S.P.M.D.T.U. Lodge</li> <li>▪ 154- Anicito Gallegos</li> <li>▪ 155, 155A- Labradita Rivera</li> <li>▪ 156- Victor Marquez</li> <li>▪ 157- Manuel M. Martinez</li> <li>▪ 159- Berneraldo E. Maez, et al.</li> <li>▪ 160</li> <li>▪ 161- School District No. 21</li> <li>▪ 176- Salome Abeyta Herrera</li> <li>▪ 177</li> </ul> <p><i>[Note: The above information is from a copy of the Declaration provided by Energen as part of its comments on the DEA. Based on wording in the Declaration, the copy provided is apparently not complete; the Exhibit A descriptions and several Exhibit B plats listed as attached to and made a part of the Declaration were not present.]</i></p> <ul style="list-style-type: none"> <li>▪ Civil Action 4904 Judgment (05/20/1963)-             <ul style="list-style-type: none"> <li>▪ As to parcels 13, 14, 14A, 28, 29, 29A, 30, 37, 38, 39, 39A, 46, 46B, 47, 53, 53A,53B, 53C, 53D, 74, 74A, 75,77,78, 84, 86, 86A, 87, 88, 89, 90, 90A, 94, 154, 155, 155A, 157, 159, 160, and 161:</li> <li>▪ Title to the estate set forth in the Declaration of Taking is vested in the United States of America as of 11/22/1961.</li> <li>▪ The rights in easements for rights of way and in the mineral estates vested</li> </ul> </li> </ul>

Right/Use	Type	Current Holder	Section	Township	Range	Comments
						<p>in others than the sellers before the dates of the respective Land Purchase Contracts conveying these parcels to the US are reserved from the operation of this judgment.</p> <ul style="list-style-type: none"> <li>▪ Civil Action 4904 Judgment (3/12/1965) <ul style="list-style-type: none"> <li>▪ As to parcels 79 and 79A: <ul style="list-style-type: none"> <li>▪ Title to the estate taken as particularly de-scribed in the Declaration of Taking, which vested in the United States of America on the filing of said Declaration is hereby confirmed.</li> <li>▪ Excepting and reserving from the operation of this judgment coal or mineral rights reserved to or outstanding in third parties as of the date of LPC # 14-06-400-2163, and rights of way for roads, railroads and utility lines across said lands on the date of said contract.</li> </ul> </li> </ul> </li> <li>▪ Civil Action 4904 Judgment on the Verdict (3/25/1965) <ul style="list-style-type: none"> <li>▪ As to parcel 81: <ul style="list-style-type: none"> <li>▪ USA did condemn for a public use the land in said parcel, except oil and gas, which parcel and the estate taken therein is particularly described in the Declaration of Taking, filed 11/22/1961, and that title to said land vesting in US upon filing of said Declaration is hereby confirmed.</li> </ul> </li> </ul> </li> <li>▪ Action Item: Additional checking of the excepted/reserved rights in the Declaration of Taking for CA 4904 against the rights actually excepted and reserved by the judgments in this action and appropriate revision of this listing is necessary.</li> </ul>
Oil/Gas with Development Rights and Ingress/Egress for Livestock Watering	Excepted and Reserved	Unknown				<ul style="list-style-type: none"> <li>▪ 199.41 acres more or less of the reservoir area in NM.</li> <li>▪ Civil Action 4904 Declaration of Taking (dated 10/17/196, filed 11/22/1961) for fee simple title to the lands, tenements, hereditaments, and appurtenances thereunto belonging, save, excepting and reserving therefrom: <ul style="list-style-type: none"> <li>▪ The gas and oil in all said lands, subject to the following conditions: <ul style="list-style-type: none"> <li>▪ The right to prospect for and remove the gas and oil from all lands herein shall be exercised so as not to interfere with the construction, operation, and maintenance of the proposed Navajo Dam and Reservoir, and all necessary</li> </ul> </li> </ul> </li> </ul>

Right/Use	Type	Current Holder	Section	Township	Range	Comments
						<p>precautions, as may be determined by the SOI, or his duly authorized representative, acting for and on the behalf of the US, shall be taken to prevent the pollution or affect the quality of the water to be stored in said Navajo Reservoir whether it is to be used for irrigation, municipal, or miscellaneous purposes.</p> <p><i>[Note: There is no description of the oil/gas rights held by the landowners at the time of the Declaration.]</i></p> <ul style="list-style-type: none"> <li>▪ A perpetual right of ingress and egress at locations to be designated by the US, for the purpose of watering livestock at Navajo Reservoir.</li> <li>▪ The said land is more particularly described in the legal descriptions and plats attached to and made a part of the Declaration as Exhibits A and B, respectively. Parcels listed as Nos. 21 and 25.</li> </ul> <p><i>[ Note: The above information is from a copy of the Declaration provided by Energen as part of its comments on the DEA. Based on wording in the Declaration, the copy provided is apparently incomplete; the Exhibit A descriptions and several Exhibit B plats listed as attached/made a part of the Declaration were not present.]</i></p> <ul style="list-style-type: none"> <li>▪ Civil Action 4904 Judgment (05/20/1963) <ul style="list-style-type: none"> <li>▪ As to Parcel 21: <ul style="list-style-type: none"> <li>▪ Title to the estate set forth in the Declaration of Taking is vested in the United States of America as of 11/22/1961.</li> <li>▪ The rights in easements for rights of way and in the mineral estates vested in others than the sellers before the dates of the respective Land Purchase Contracts conveying these parcels to the US are reserved from the operation of this judgment.</li> </ul> </li> </ul> </li> <li>▪ Action Item: Additional checking of the excepted and reserved rights in the Declaration of Taking for CA 4904 against the rights actually excepted and reserved by the judgments in this action and appropriate revision of this listing is necessary.</li> </ul>
Ingress/Egress for Livestock Watering at Navajo Reservoir	Excepted and Reserved	Unknown				<ul style="list-style-type: none"> <li>▪ 172.5 acres more or less of the reservoir area in NM.</li> <li>▪ Civil Action 4904 Declaration of Taking dated 10/17/196, filed 11/22/1961, for fee simple title to the lands, tenements, hereditaments, and appurtenances thereunto belonging, save, excepting and reserving therefrom; <ul style="list-style-type: none"> <li>▪ A perpetual right of ingress and egress at</li> </ul> </li> </ul>

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Right/Use	Type	Current Holder	Section	Township	Range	Comments
						<p>locations to be designated by the US, for the purpose of watering livestock at Navajo Reservoir (Second (b)).</p> <ul style="list-style-type: none"> <li>▪ The said land is more particularly described in the legal descriptions and plats attached to and made a part of the Declaration as Exhibits A and B, respectively. Parcels listed as Nos. 10, 10A, and 11.</li> </ul> <p><i>[Note: The above information is from a copy of the Declaration provided by Energen as part of its comments on the DEA. Based on wording in the Declaration, the copy provided is apparently in-complete; the Exhibit A descriptions and several Exhibit B plats listed as attached/made a part of the Declaration were not present.]</i></p> <ul style="list-style-type: none"> <li>▪ Civil Action 4904 Judgment (05/20/1963) <ul style="list-style-type: none"> <li>▪ As to parcel 11: <ul style="list-style-type: none"> <li>▪ Title to the estate set forth in the Declaration of Taking is vested in the United States of America as of 11/22/1961.</li> <li>▪ The rights in easements for rights of way and in the mineral estates vested in others than the sellers before the dates of the respective Land Purchase Contracts conveying these parcels to the US are reserved from the operation of this judgment:</li> </ul> </li> </ul> </li> <li>▪ Action Item: Additional checking of the excepted and reserved rights in the Declaration of Taking for CA 4904 against the rights actually excepted and reserved by the judgments in this action and appropriate revision of this listing is necessary.</li> </ul>
Oil and Gas Development	Federal Leases	Numerous lessees and operators.				<ul style="list-style-type: none"> <li>▪ Multiple Federal oil/gas leases (about 85) and units within the reservoir area in NM.</li> <li>▪ Held by production both actual and allocated.</li> <li>▪ Operations administered by BLM, NMOCD; USBR is the surface management agency within the reservoir area.</li> </ul>
Oil/Gas Lease	Federal Lease (Santa Fe Office Serial No. 079011)	Energen Resources Corporation	13, 14, 23, 24, 25, 26, 27	32N	6W	<ul style="list-style-type: none"> <li>▪ Sec. 13, S½S½; Sec. 14, SE¼SE¼; Sec. 23, E½NE¼, SW¼NE¼, S½NW¼, SW¼, W½SE¼; Sec. 24, N½, N½SE¼; Sec. 25, all; Sec. 26, all; Sec. 27, E½NE¼, SE¼.</li> <li>▪ Containing 2560 acres more or less in NM, portions of which are within and adjacent to the reservoir area.</li> <li>▪ Dated 05/01/1948; held by production</li> <li>▪ Operations administered by BLM; USBR is the surface managing agency within the reservoir area.</li> <li>▪ Lease issued pursuant to the Mineral Leasing Act of 1920, as amended, and all reasonable</li> </ul>

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						<p>regulations of the SOI now or hereafter in force when not inconsistent with any express or specific provisions herein, which are made a part hereof. (Preamble)</p> <ul style="list-style-type: none"> <li>▪ The provisions of any unit agreement approved by SOI shall govern the lands subject thereto where inconsistencies with the term of this lease occur. (Sec. 1)</li> <li>▪ Lessee agrees, if any of the land included in this lease is embraced in a reservation or segregated for any particular purpose, to conduct operations thereunder in conformity with such requirements as may be made by the Director, BLM, for the protection and use of the land for the purpose for which it was reserved or segregated, so far as may be consistent with the use of the land for the purpose of this lease, which latter shall be regarded as the dominant use unless otherwise provided herein or separately stipulated. (Sec. 2 (p))</li> <li>▪ Lessor (US) reserves the right to lease, sell, or otherwise dispose of the surface or any of the lands embraced within this lease which are owned by the US under existing law or laws hereafter enacted, insofar as said surface is not necessary for the use of the lessee in the extraction and removal of the oil/gas therein. (Sec. 3(b))</li> </ul>
Oil and Gas Development	NM Leases					<ul style="list-style-type: none"> <li>▪ Multiple NM State oil/gas leases within reservoir area in NM</li> <li>▪ Held by production</li> <li>▪ Operations administered by NMOCD; USBR is the surface management agency within the reservoir area.</li> </ul>
Oil and Gas Development	Private Leases					<ul style="list-style-type: none"> <li>▪ Multiple private oil/gas leases within the reservoir area in both CO and NM</li> <li>▪ May or may not be currently held by production</li> <li>▪ Operations administered by the respective state oil/gas regulatory agencies, NMOCD or COGCC; USBR is the surface management agency within the reservoir area.</li> </ul>

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Oil/Gas Lease	Private Lease	Energen Resources Corporation	14, 15	32N	5W	<ul style="list-style-type: none"> <li>▪ Sec. 14, W½NW¼; Sec. 15, E½NE¼</li> <li>▪ Containing 160 acres more or less in CO, all within the reservoir area.</li> <li>▪ Lease dated 11/04/2004; initial term of 5 years</li> <li>▪ All expressed or implied covenants of lease shall be subject to all Federal and State laws, Executive Orders, Rules and Regulations (Sec. 13).</li> <li>▪ No lease development activity as of 3/9/2006.</li> <li>▪ Oil/gas development rights related to this lease may have been subordinated to the US for protection of Navajo Unit works/water quality. Reclamation's acquisition of this parcel included such a subordination of the grantor's oil/gas development rights.</li> <li>▪ Operations administered by COGCC; USBR is the surface management agency.</li> </ul>
Oil and Gas Development	Lease	Burlington Resources	16	32 N	6W	<ul style="list-style-type: none"> <li>▪ NM State O/G lease # E-504, dated 8/21/1945</li> <li>▪ Held by production</li> <li>▪ Operations administered by NMOCD and BLM.</li> <li>▪ Only a portion of Sec. 16 is within the reservoir area.</li> <li>▪ Part of Allison Unit</li> </ul>
Oil and Gas Development	NM/Federal Unit	Burlington Resources				<ul style="list-style-type: none"> <li>▪ Allison Unit</li> <li>▪ Unit Operator- Burlington Resources Oil/Gas Co.</li> <li>▪ Operations administered by NMOCD and BLM</li> </ul>
Mineral Rights	Reserved	SUIT				<ul style="list-style-type: none"> <li>▪ Mineral rights and right of development on about 621 acres (originally 707 acres) of former SUIT lands within the reservoir area in CO</li> <li>▪ The right to prospect for and remove the reserved minerals shall be done in a manner that does not impair the [Navajo Dam and Reservoir] project, as prescribed by the SOI.</li> <li>▪ Perpetual right</li> <li>▪ Currently, no development planned.</li> </ul>
Road Survey, Construction, Maintenance	MOU	BIA				<ul style="list-style-type: none"> <li>▪ Route SU Road 169</li> <li>▪ USBR Contract # 14-06-400-6102</li> <li>▪ Perpetual right</li> </ul>
Water Right	Project Water	Navajo Nation				<ul style="list-style-type: none"> <li>▪ Up to 508,000 acre-feet/year from San Juan River (from Sec. 2, P.L. 87-483); actual amount in dispute</li> <li>▪ Original amount identified in Navajo Indian Irrigation and San Juan-Chama Project Act of 1962)</li> </ul>

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<b>Right/Use</b>	<b>Type</b>	<b>Current Holder</b>	<b>Section</b>	<b>Township</b>	<b>Range</b>	<b>Comments</b>
Water Right	Settlement	Jicarilla Apache Nation				<ul style="list-style-type: none"> <li>▪ 33,500 acre-feet per year (afy) and 25,500 afy depletion right from Navajo Reservoir Supply (includes Navajo River on reservation)</li> <li>▪ JAN has right to market unused portion</li> <li>▪ Right identified in Jicarilla Apache Tribe Water Rights Settlement Act (P.L. 102-441, 106 Stat. 2237)</li> </ul>
Geothermal Resources	Reserved	State of New Mexico				<ul style="list-style-type: none"> <li>▪ Reserved on lands acquired by USBR from the State of New Mexico</li> <li>▪ Includes right of development</li> <li>▪ Perpetual Right</li> </ul>
Rosa Cemetery	Fee Title	Catholic Church	10	T32N	R6W	<ul style="list-style-type: none"> <li>▪ Relocated cemetery</li> <li>▪ Within the narrow strip along the state line with-in NM; NE¼, Sec. 10</li> <li>▪ 1 acre deeded (per NMSPD)</li> </ul>
Water Haul Access and Pump Sites	USBR Permits	Various Water Haulers	25-27 5 35 14	T32N T30N T31N T32N	R6W R7W R7W R6W	<ul style="list-style-type: none"> <li>▪ Haulers (list may vary over time)                             <ul style="list-style-type: none"> <li>▪ M&amp;K Trucking</li> <li>▪ Triple S Trucking</li> <li>▪ Dawn Trucking</li> <li>▪ Key Energy Trucking</li> <li>▪ C&amp;J Trucking</li> </ul> </li> <li>▪ Locations (same order as Section, Township, and Range to left)                             <ul style="list-style-type: none"> <li>▪ Eul Canyon</li> <li>▪ Colorado Cove</li> <li>▪ Negro Andy Canyon</li> <li>▪ Frances Creek</li> </ul> </li> <li>▪ USBR license agreements; 5-year terms</li> </ul>
Commercial River Float Fishing	Permit	Varies from year to year				<ul style="list-style-type: none"> <li>▪ River float fishing on SJ River below dam only</li> <li>▪ Several NMSPD permits with various expiration dates</li> </ul>
Recreation Concession	Permit	Sims Mesa Marina, Inc.				<ul style="list-style-type: none"> <li>▪ Sims Mesa Marina, etc.</li> <li>▪ NMSPD permit; expires 6/30/2006</li> </ul>
Recreation Concession	Permit	Navajo Dam Enterprises, Inc.				<ul style="list-style-type: none"> <li>▪ Pine Area Marina, etc.</li> <li>▪ NMSPD permit; expires 3/05/2016</li> </ul>
Oil/Gas Pipelines	Lease Rights; Right-of-way; Land Use Agreements	Various				<ul style="list-style-type: none"> <li>▪ Numerous oil/gas pipelines across the reservoir area</li> <li>▪ Some of these pipelines are associated with oil/gas lease or unit rights</li> </ul>

Right/Use	Type	Current Holder	Section	Township	Range	Comments
Oil/Gas Roads	Lease Rights; Right-of-way; Land Use Agreements	Various				<ul style="list-style-type: none"> <li>▪ Numerous oil/gas access roads cross the reservoir area</li> <li>▪ Some of these roads are associated with oil/gas lease or unit rights</li> </ul>
Power Plant	Permit	City of Farmington				<ul style="list-style-type: none"> <li>▪ USBR license</li> <li>▪ FERC permit</li> </ul>
Electrical Powerline	License Agreement	Farmington Electric Association				<ul style="list-style-type: none"> <li>▪ USBR license</li> </ul>
NM State Highways	Easement	State of New Mexico				<ul style="list-style-type: none"> <li>▪ Several NM state highways cross portions of the reservoir area</li> </ul>
CO Highway 151	Easement	State of Colorado				<ul style="list-style-type: none"> <li>▪ Crosses reservoir area lands east of Arboles</li> </ul>
San Juan County (NM) Roads	Easement	San Juan County (NM)				<ul style="list-style-type: none"> <li>▪ Some San Juan County roads cross portions of the reservoir area in NM</li> </ul>
Rio Arriba County (NM) Roads	Easement	Rio Arriba County (NM)				<ul style="list-style-type: none"> <li>▪ Some Rio Arriba County roads cross portions of the reservoir area in NM</li> </ul>
Archuleta County (CO) Roads	Easement	Archuleta County (CO)				<ul style="list-style-type: none"> <li>▪ Some Archuleta County roads cross portions of the reservoir area in CO</li> </ul>
Telephone Lines (buried and/or overhead)	Easement	Various				<ul style="list-style-type: none"> <li>▪ Various telephone lines located on USBR lands within the reservoir area.</li> </ul>
Church Relocation		Catholic Church				<ul style="list-style-type: none"> <li>▪ Below the dam near the Texas Hole Fishing Access</li> </ul>
Commercial Communication Facilities	License Agreements	Various				<ul style="list-style-type: none"> <li>▪ Several facilities located near Navajo Dam</li> </ul>

<sup>1</sup> The information in this table is subject to change at any time as additional information becomes available.