

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0373-13\_\_\_\_\_

SPONSOR: Leonard Tsosie

**TITLE: An Action Relating To Resources And Development; Acknowledging The Right-Of-Way And Surface Use By Uranium Resources, Inc., Of Its Church Rock Properties Licensed By The U.S. Nuclear Regulatory Commission License No. SUA-1580; Authorizing A Subcommittee**

*Date posted:* December 16, 2013, at 5:35pm

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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0373-13

**DATE:** December 16, 2013

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT; ACKNOWLEDGING THE RIGHT-OF-WAY AND SURFACE USE BY URANIUM RESOURCES, INC., OF ITS CHURCHROCK PROPERTIES LICENSED BY THE U.S. NUCLEAR REGULATORY COMMISSION LICENSE NO. SUA-1580; AUTHORIZING A SUBCOMMITTEE

**PURPOSE:** This resolution will acknowledge the Right-Of-Way and Surface Use by Uranium Resources, Inc., of its Churchrock Properties Licensed by the U.S. Nuclear Regulatory Commission License No. SUA-1580. The resolution will further authorize a subcommittee.

**This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.**

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
22nd NAVAJO NATION COUNCIL - Third Year, 2013

INTRODUCED BY

*[Signature]*

(Prime Sponsor)

*[Signature]*

TRACKING NO. 0373-13

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; ACKNOWLEDGING THE  
RIGHT-OF-WAY AND SURFACE USE BY URANIUM RESOURCES, INC., OF ITS  
CHURCHROCK PROPERTIES LICENSED BY THE U.S. NUCLEAR  
REGULATORY COMMISSION LICENSE NO. SUA-1580; AUTHORIZING A  
SUBCOMMITTEE

**BE IT ENACTED:**

**Section 1. Findings and Purpose**

1. In 1929, Santa Fe Pacific Railroad Company conveyed by Deed File No. 35005 the surface estate of 42,099.71 acres land, including the Churchrock property Section 17 located within the Churchrock Chapter, to the United States Government in trust for the Navajo Nation (as "Navajo Tribe of Indians"), excepting and reserving to Santa Fe Pacific Railroad Company, its successors and assigns all oil, gas, coal and minerals whatsoever, already found or which may hereafter be found, upon or under said lands with the right to ... use so much of the surface of said lands as shall be necessary and convenient for ... wells, tanks, pipe lines, rights-of-way, railroad tracks, storage purposes and other and different structures and purposes necessary and convenient for the digging, drilling, and working of ... wells which may be operated on said lands. See, Deed File No. 35005.

1 2. Uranium Resources, Inc. (URI) is the successor-in-interest to the Santa Fe Pacific  
2 Railroad Company and owns in fee the mineral estate for Section 17 (T16N, R16W) and  
3 also owns in fee the surface and mineral estates for Section 8 which borders Section 17.

4 3. Section 8 and Section 17 properties includes a single mineral resource that will be  
5 subject to an in situ uranium recovery project by URI as a single unit under U.S. Nuclear  
6 Regulatory Commission License SUA1580. The 1929 Deed File No. 35005 provides  
7 right-of-way as necessary and convenient to develop the resource.

8 4. The 1959 Surface Owner's Agreement between the Navajo Nation and Santa Fe  
9 Pacific Railroad Company and approved by the Bureau of Indian Affairs acknowledged  
10 without termination the rights of entry and of surface use expressed or implied in the  
11 deed or deeds of conveyance from Santa Fe Pacific Railroad Company.

12 5. On January 20, 2013, Churchrock Chapter, by Resolution No. 130120-A, approved a  
13 demonstration of an in situ uranium recovery project to be conducted by URI.

14  
15 **Section 2. Acknowledging and Authorizing Entry to Land**

16 The Resources and Development Committee, having the authority to take action with  
17 regard to right-of-way issues, hereby acknowledges the right-of-way and surface use  
18 provided for in the 1929 Deed File No. 35005 by the Santa Fe Pacific Railroad Company  
19 and the easement and right of way in the 1959 Surface Owner's Agreement between the  
20 Navajo Nation and Santa Fe Pacific Railroad Company and approved by the Bureau of  
21 Indian Affairs and also hereby acknowledges the same surface and mineral access rights  
22 by URI being successor-in-interest to the Santa Fe Pacific Railroad Company to its  
23 Churchrock properties licensed by U.S. Nuclear Regulatory Commission License No.  
24 SUA-1580. URI may enter said properties for the purpose of carrying out its business,  
25 including to conduct a demonstration project, as authorized by the U.S. Nuclear  
26 Regulatory Commission License No. SUA-1580 with the condition that any uranium  
27 resources extracted be processed beyond the exterior boundaries of the Navajo Nation.

1       **Section 3. Authorizing A Subcommittee**

2           The Resources and Development Committee authorizes the creation of a  
3 Subcommittee and appoints Delegate \_\_\_\_\_ and Delegate \_\_\_\_\_ to act as  
4 members of the Subcommittee to work with the Executive Director of the Natural Resources  
5 Division and the Department of Justice of the Navajo Nation, along with representatives of  
6 URI, to draft the terms of an agreement that results in mutual gains for both the Navajo  
7 Nation and URI, considering the right of way and surface use provided in the 1929 Deed File  
8 No. 35005 and potential ramifications that exist for both parties absent a mutual agreement  
9 for moving forward.

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