December 18, 2005

David Albright
Groundwater Office Manager
U. S. Environmental Protection Agency
Region 9
75 Hawthorne Street, Mail Code: WTR-9
San Francisco, CA 94105

Re: Determination of Indian Country Status of HRI Section 8

Dear Sir:

The undersigned are members of the Eastern Navajo Allottees Association. We are owners of allotted lands located in McKinley County, New Mexico. This area is also known as the Eastern Navajo Agency. We own and/or live on allotments in the vicinity of HRI's Section 8 property.

It is our position that Section 8 is not Indian Country for the following reasons.

1. Section 8 has not been set aside by the federal government for the use of Indians.

2. The fee 160 acre portion of Section 8 owned by HRI is not subject to federal supervision.

3. Section 8 contains 160 acres of fee land owned by HRI with the remaining 480 acres owned by the Bureau of Land Management. There is no Indian ownership associated with this section of land.

4. This property has historically been used by its non-Indian owners for uranium mining. It is the highest and best use of the property.

5. The fee portion of Section 8 is subject to taxation by McKinley County. In exchange for these taxes, McKinley County provides basic services including police protection, fire protection, emergency medical services and road maintenance.

6. Main access to the fee portion of Section 8 is provided by State Highway 566 which is maintained by the New Mexico Department of Transportation. There is also McKinley County Road 77, maintained by McKinley County, which provides road access to Section 8. There are no BIA or Navajo maintained roads in the vicinity of Section 8.

7. Public schools and school transportation for Section 8 and the Churchrock Chapter are provided by the Gallup/McKinley County public school system.

8. Neither the Churchrock Chapter nor Navajo Tribe provides any area infrastructure or services to the fee portion of Section 8.

9. The economic pursuits of the area, including and surrounding Section 8, would be enhanced by the finding that Section 8 is not Indian Country because it would allow HRI's proposed in situ operation to proceed, providing desperately needed jobs in the area and additional tax revenues to enhance services provided by McKinley County in the checkerboard area.

10. According to the McKinley County Comprehensive Plan Phase 2, August 22, 2005, White Paper Regarding Socioeconomics and Growth Analysis, Conditions, Issues and Policy Directions; the Navajo Nation has not designated the Churchrock Chapter as a primary or secondary growth center in Navajo Nation Economic Plans. Thus there are no competing economic pursuits in the area opposing HRI's proposed operations.

11. The Navajo Nation in the April 2005 ban of uranium mining and processing have deprived allottees of their rights as citizens of the Navajo Nation. The proposed law was secretly pushed through Navajo Nation legislative committees prior to being voted on by the Navajo Nation Council without opportunity of allottees, as Navajo Nation citizens, to respond. Yet non-indian lawyers/environmentalists were allowed to speak in support of the ban. The same happened before the Navajo Nation Council prior to voting on the issue: allottees, as citizens of the Navajo Nation, were refused the opportunity to speak, yet non-indians spoke before the Council.

12. Navajo allottees, like other citizens of New Mexico and the United States, aspire to own their land with full rights of alienation. A finding that fee land such as Section 8 is Indian Country would establish bad precedent for other Indian or non-Indian fee owners in the checkerboard region, and would deprive the allottees of their rights as landowners.

Mr. Benjamin A. House, President
P.O. Box 116
Continental Divide, NM 87312

12-18-05
Date

Allottee Name (Printed)	Allottee Signature
1. Danny Charley	Danny Charley
2. LaVerne B. Stillhammer	LaVerne B. Stillhammer
3. Johnson Benally, Jr.	Johnson Benally Jr.
4. David Warner	David Warner
5. Lucillia Warner	Lucillia Warner

Allottee Name (Printed)	Allottee Signature
6. Sherlleen Charley	Sherlleen Charley
7. Danny Charley	Danny Charley
8. Randy White	Randy White
9. Vanissa Beyale	Vanissa Beyale
10. Ordale Largo	Ordale Largo
11. keevigil,	Kee Vigil
12. Ned Edsitty	Ned Edsitty
13. Christine Edsitty	Christine Edsitty
14. Sam Thompson	Sam Thompson
15. Evelyn Tom	Evelyn Tom
16. Shantel White	Shantel A. White
17. Katherine Jim	Katherine Jim
18. Annie Jim	Annie Jim
19. Rosemae Jim	Rosemae Jim
20. Alice Jim	Alice Jim
21. Wayne Arviso	Wayne Arviso Sr
22. Audra Arviso	Audra Arviso
23. Dan Thompson	Dan Thompson
24. Ann Drew	Ann Drew
25. Ellen Chaco	Ellen Chaco
26. ~~Eddie~~ Andrew Chaco	
27. Eddie and Angie Chaco	Eddie Chaco

Allottee Name (Printed)	Allottee Signature
28. Anita Cayaditto	Anita Cayaditto
29. Lorraine Barboar	Lorraine Barboar
30. LOLA YAZZIE	Lola Yazzie
31. Brutus Thompson	Brutus Thompson
32. Taylor Slim	Taylor Slim
33. Ian Slim	Ian Slim
34. Ernest Becenti	speaker
35. Becky Grubar	Becky Grubar
36. Jerry Degrobat	Jerry Degrobat
37. Johenson Slim Jr.	Johenson Slim Jr
38. Gewntessat Slim	[illegible]
39. Beulah Grubar	[illegible]
40. Bessie Slim	Bessie Slim
41. Mary Antonio	Mary [illegible]
42. Johnnie Slim	Johnny Slim
43. D J Ramone	D.J. Ramone
44. Gilson Cayaditto	[illegible]
45. Lilly Salcido	Lilly Salcido
46. Lucille Begay	Lucille Begay
47. Florence Silver	Florence Silver
48. Larry M. Morris	P.O. Bx# 303, Crpt, NM 87313
49. Jimmy J Thompson	Jimmie J Thompson

Allottee Name (Printed)	Allottee Signature
50. Lynette Edsitty	Lynette Edsitty
51. Helen Thompson	Helen J Thompson
52. Laura Chaco	Laura Chaco
53. James Chaco	James Chaco
54. Ben Benally	Ben Benally
55. Louie R Benally	Louie R Benally
56. ANNIE H. SORRELL	Annie H. Sorrell
57. Jennifer Dixson	
58. Caroline Largo	
59. Bessie Largo	Bessie Largo
60. Gary Largo	
61. Rita Largo	Rita Largo
62. Lucy Brown	Lucy Brown
63. Pauline H. Brooks	Pauline H. Brooks
64. Farrah Slim	Farrah Slim
65. Leonard D. Arviso	Leonard Arviso
66. Tom Martin	Tom Martin
67. Bernice House	Bernice House
68. Irma Slim	Irma Slim
69. Ernie Slim	Ernie Slim
70. Nadine Delgarito	Nadine Delgarito
71. Gladys J Yazzie	Gladys J Yazzie

Allottee Name (Printed)	Allottee Signature
72. Garrett Yazzie	Garrett Yazzie
73. Tommy Moses	Tommy Moses
74. Tashia Largo	Tashia Largo
75. Shelby Largo	Shelby Largo
76. Raqueal Largo	Raqueal Largo
77. Amanda Gruber	Amanda Gruber
78. Ernestine Gruber	Ernestine Gruber
79. Connie House	Connie House
80. Randia Drennan	Randia Drennan
81. Dennalle Charley	Dennalle Charley
82. Marie Begay	Marie M. Begay
83. Art Yazzie Sr.	Art W. Yazzie Sr
84. Annie Julin	Annie Julin
85. ADRIAN SLIM	Adrian Slim
86. Etheleen R. Moses	Etheleen R. Moses
87. Art W. Yazzie Jr.	Art W. Yazzie Jr
88. David Thompson	David Thompson
89. Cecil Begay Jr.	Cecil Begay Jr.
90. Melvin Thompson	Melvin Thompson
91. Vivian Barboan	Vivian Barboan
92. Michael Barboan	Michael Barboan
93. James C. Thomas	James C Thomas

Allottee Name (Printed)	Allottee Signature
94. Jonathan Wykodatthouse	Jonathan Wykodatthouse
95. Brittany Showalter	[illegible]
96. Ortencia Showalter	[illegible]
97. Elfrida Barton	Elfrida Barton
98. Stewart Barton III	[illegible]
99. Aurelia Hernandez	Aurelia Hernandez
100. Henry Hernandez	Henry Hernandez
101. Vira Centsee	Vira Centsee
102. Wilford A. Sorrell	Wilford A. Sorrell
103. Minnie Sam	Minnie Sam
104. Red Sam	Red Sam
105. Aaron Sorrell	Aaron Sorrell
106. Mathew Begay	Mathew Begay
107. Marie Begay	Marie Begay
108. Demara Largo	Demara Largo
109. Darnell Vigil	Darnell Vigil
110. Johnson Slim Sr	Johnson Slim Sr
111. Lola Louis	Lola Louis
112. Geraldine Slim	Geraldine Slim
113. Norman Slim	Norman Slim
114. Evelyn Slim	Evelyn Slim
115. Harriett Garcia	Harriett Garcia

	Allottee Name (Printed)	Allottee Signature
116.	Wanyna Garcia	Wanya Garcia
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