

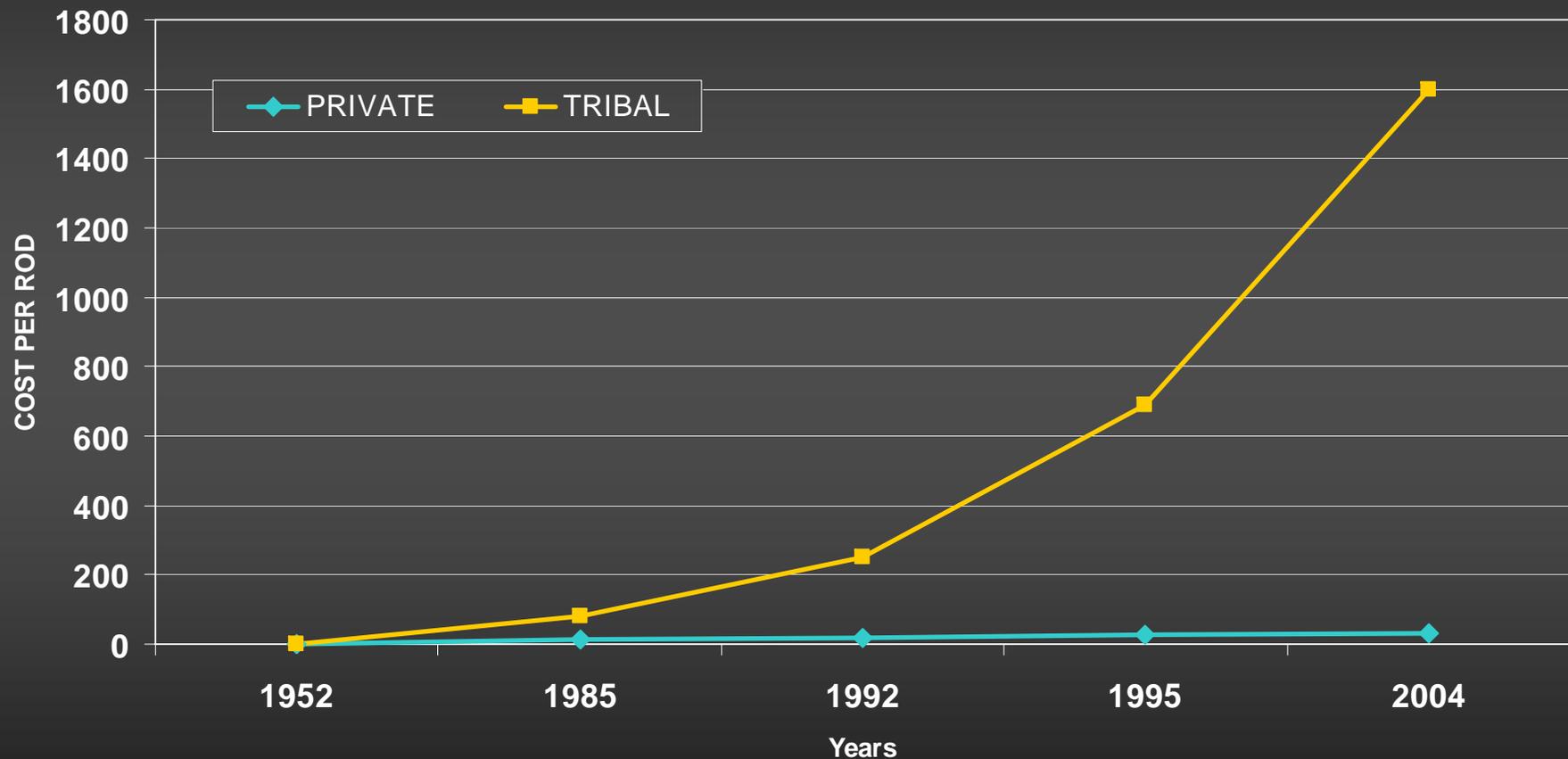


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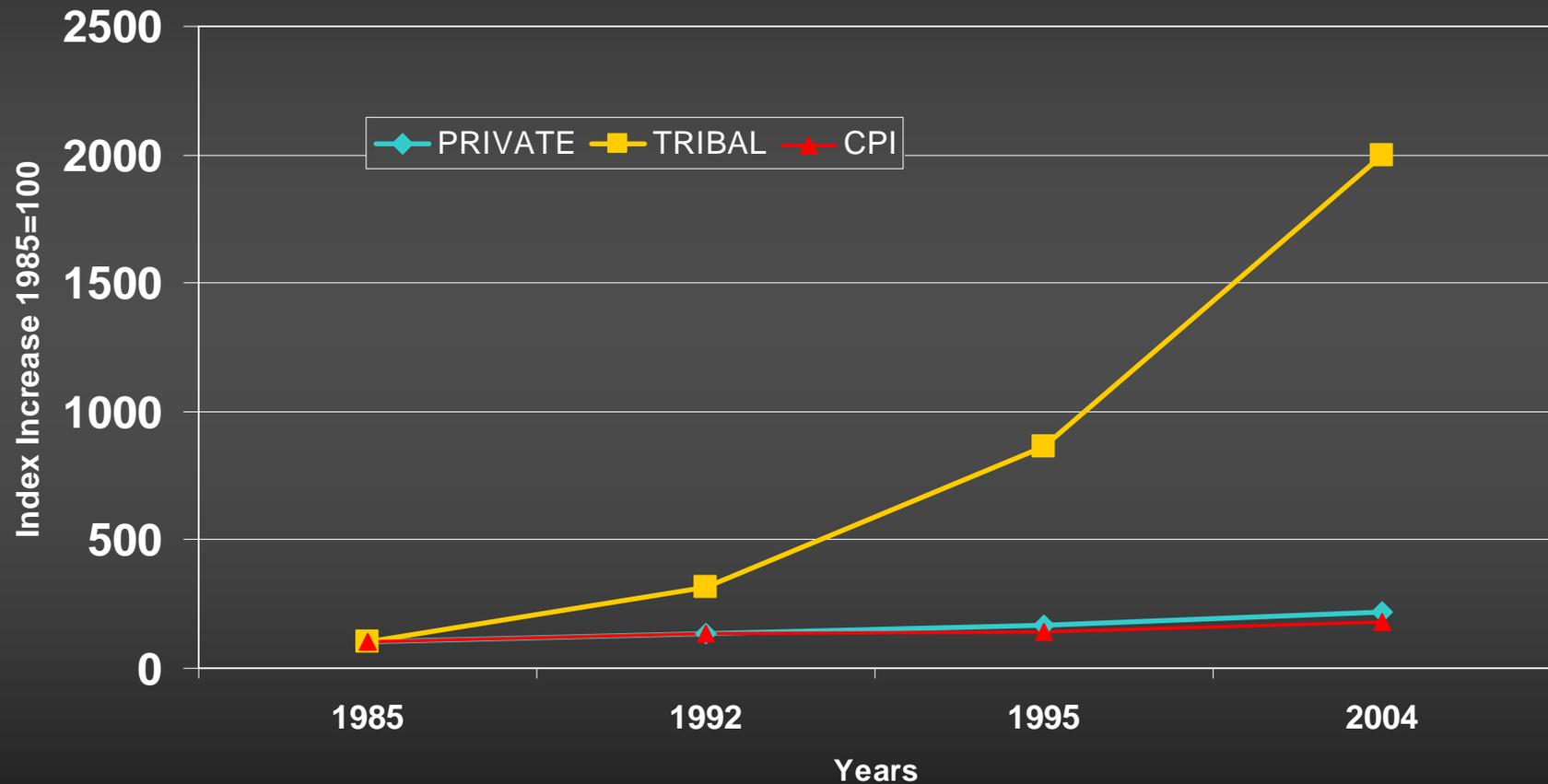
Historical Right-of-Way Fees on the Navajo Nation and Other Sovereigns

April 18-19, 2006

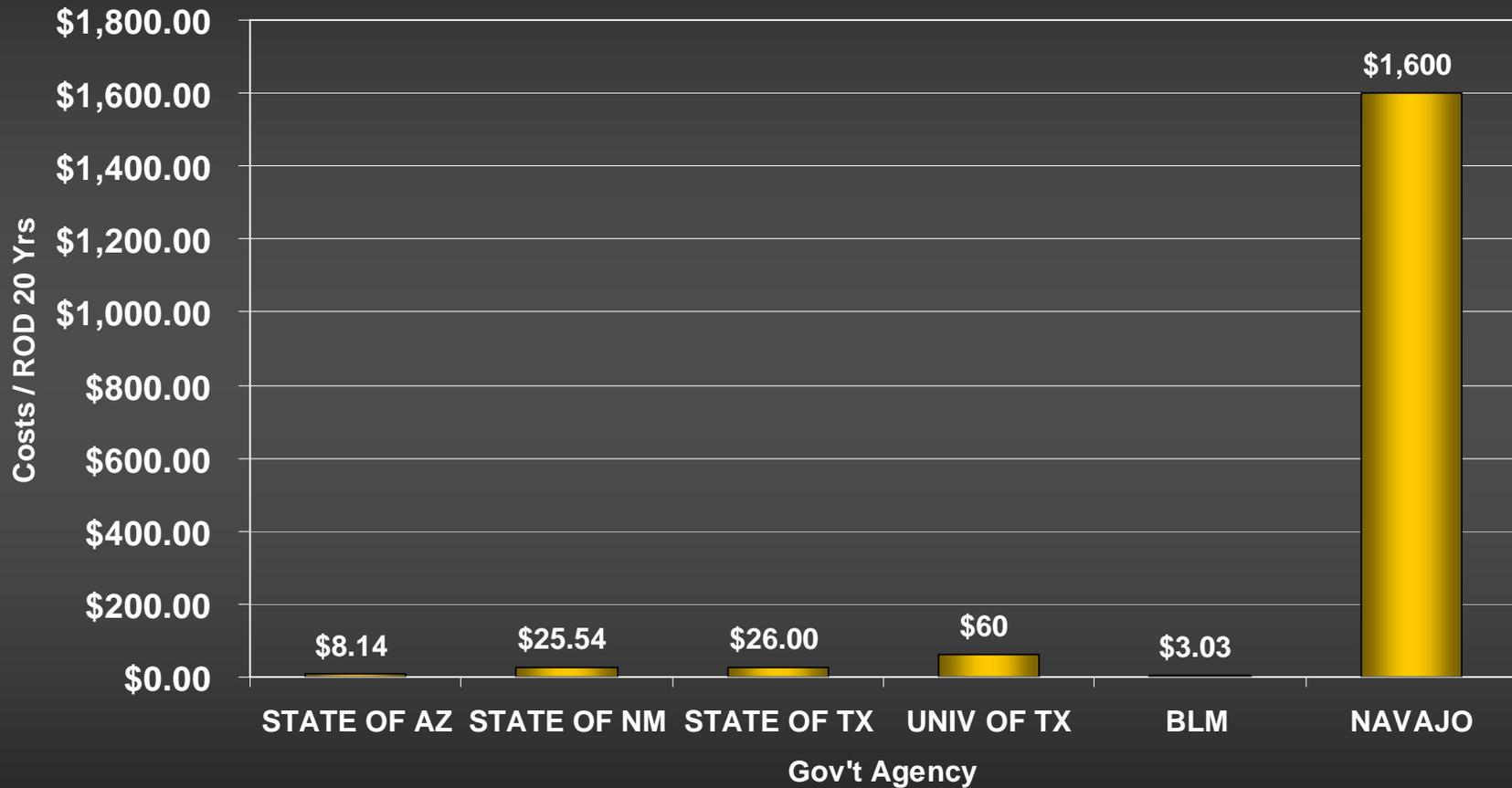
Navajo Nation- Gas Transmission 20 Year Term



Navajo ROW Costs Indexed Increase Since 1985



Right of Way Comparisons on Various Sovereign Entities



CASE STUDY: Forced Sale of Assets

- ▶ Late 1990's renewal of Transmission and Gathering System.
- ▶ Negotiations were at a standstill.
- ▶ Final result: Tribe acquired gathering assets for extreme discount and renewal of transmission line (20 years).



Case Study: Movement of Facilities

- ▶ In 2000 new fiber optic right of way across Reservation near large city.
- ▶ Company's offer: Multiple of FMV plus 2 conduits from Tribal Utility to Downtown-FREE.
- ▶ Tribal Utility wanted this since infrastructure was lacking on reservation.
- ▶ After 12 months of negotiations. Tribe demanded more money.
- ▶ Company moved around Reservation.



Conclusions

- ▶ This is a broad issue. Many Tribes, Many Companies.
- ▶ Tribes have been paid far more than private landowners and other sovereigns.
- ▶ “Move arounds” and acquisition of assets have also been utilized.
- ▶ Unchecked exponential increases of right of way costs are unsustainable.

