THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: 0263-26 **SPONSOR: Rickie Nez**

TITLE: **An Action Relating to Resources and Development and Naabik'íyáti' Committees and the Navajo Nation Council; Approving A Lease to the Navajo Tribal Utility Authority to Construct and Operate a Multi-Function Energy Park Including Solar Generation and Battery Storage, Natural Gas-Fired Generation, Advanced Computing or High-Performance Computing Data Center Facility(ies) and Advance Energy Component Manufacturing in Nenahnezad Chapter (San Juan County, New Mexico); Approval to Sublease all or Portion of Leased Premises to Subsidiaries or Affiliates**

Date posted: **November 06, 2026 at 5:02 PM**

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq*.

LEGISLATIVE SUMMARY SHEET
Tracking No. 0263-26

DATE: November 6, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; APPROVING A LEASE TO THE NAVAJO TRIBAL UTILITY AUTHORITY TO CONSTRUCT AND OPERATE A MULTI-FUNCTION ENERGY PARK INCLUDING SOLAR GENERATION AND BATTERY STORAGE, NATURAL GAS-FIRED GENERATION, ADVANCED COMPUTING OR HIGH-PERFORMANCE COMPUTING DATA CENTER FACILITY(IES) AND ADVANCED ENERGY COMPONENT MANUFACTURING IN NENAHNEZAD CHAPTER (SAN JUAN COUNTY, NEW MEXICO); APPROVAL TO SUBLEASE ALL OR PORTION OF LEASED PREMISES TO SUBSIDIARIES OR AFFILIATES

PURPOSE: The purpose of the resolution is to approve a Lease for 599.53 acres between the Navajo Nation and the Navajo Tribal Utility Authority for "*to develop a multi-function Energy Park including solar generation and battery storage, natural gas-fired generation, one or more advanced computing or high-performance computing (HPC) data center facility(ies), and advanced energy component manufacturing…*"; to waive the performance bond; and, to approve a Sublease between the Navajo Tribal Utility Authority and the Ne'zaad JV HoldCo, LLC.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: Majority vote

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.

5-DAY BILL HOLD PERIOD: 11/11/26
Website Posting Time/Date:
Posting End Date: 11/11/26
Eligible for Action: 11/12/26

Resources & Development Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

25th NAVAJO NATION COUNCIL -- Fourth Year, 2026

Introduced by:

(Prime Sponsor)

Tracking No. 0263-26

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; APPROVING A LEASE TO THE NAVAJO TRIBAL UTILITY AUTHORITY TO CONSTRUCT AND OPERATE A MULTI-FUNCTION ENERGY PARK INCLUDING SOLAR GENERATION AND BATTERY STORAGE, NATURAL GAS-FIRED GENERATION, ADVANCED COMPUTING OR HIGH-PERFORMANCE COMPUTING DATA CENTER FACILITY(IES) AND ADVANCED ENERGY COMPONENT MANUFACTURING IN NENAHNEZAD CHAPTER (SAN JUAN COUNTY, NEW MEXICO); APPROVAL TO SUBLEASE ALL OR PORTION OF LEASED PREMISES TO SUBSIDIARIES OR AFFILIATES

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. Pursuant to 2 N.N.C. Section §501 (B)(4), the Resources and Development Committee of the Navajo Nation Council has the authority "[t]o review and make recommendations to the Navajo Nation Council for final approval: a. ...energy development agreements."

B. Pursuant to 2 N.N.C. Section §164 (A)(9), "[a] proposed resolution that requires final action by the Navajo Nation Council shall be assigned to standing committee(s) having authority over the subject matter at issue and the Naabik'íyáti' Committee."

C. Pursuant to 2 N.N.C. Section §102 (A) The Navajo Nation Council is the governing body of the Navajo Nation. Pursuant to 2 N.N.C. Section §102 (B) "All powers not delegated are reserved to the Navajo Nation Council."

SECTION TWO. FINDINGS

A. The Navajo Tribal Utility Authority seeks approval of a lease "*to develop a multi-function Energy Park including solar generation and battery storage, natural gas-fired generation, one or more advanced computing or high-performance computing (HPC) data center facility(ies), and advanced energy component manufacturing...*" The lease is attached as **Exhibit A.**

B. The Lease states that Navajo Tribal Utility Authority is requesting a waiver of a performance bond in accordance with 16 N.N.C. § 2335(B). **Exhibit A,** at page 15 of 22.

C. The Navajo Tribal Utility Authority requests the authority to sublease the Lease to provide for financing: "*Notwithstanding anything to the contrary in this Lease, Lessee may sublease all or any portion of the Leased Premises for Project Developments (including HPC/data centers and over high-load industrial facilities) to Lessee's subsidiaries or affiliates without the prior consent of Lessor; provided, however, that the Lessee provide written notice of any Subleases of the Leased Premises to the Lessor within sixty (60) days of the effective date of such Subleases and any Sublease created by the Lessee shall not relieve, release, or discharge the Lessee from any of its duties, obligations, responsibilities, or liabilities existing pursuant to this Lease. Lessee may also assign this Lease or its interest herein, or enter into financing arrangements including leasehold mortgages and security instruments, to any affiliate or financing party of Lessee without Lessor's consent.*" **Exhibit A,** at pages 9 and 10 of 22.

D. The Site Sublease Between Navajo Tribal Utility Authority and the Ne'zaad JV Holdco, LLC, is attached as **Exhibit B.**

E. The Lease covers 599.53 acres, more or less, as described in the survey map and legal description of the leased premises attached as **Exhibit C.**

F. The Navajo Tribal Utility Authority memorandum dated December 3, 2025 requesting the Lease and explanation of the proposed use of the Lease are attached as **Exhibit D.**

G. The "Consent to Use Navajo Nation Lands" is attached as **Exhibit E.**

H. The Cultural Resources Compliance Form is attached as **Exhibit F.** The Biological Resources Compliance Form is attached **Exhibit G.** The Department of Fish and Wildlife memorandum is attached as **Exhibit H.** The General Land Development Department's Environmental Compliance Determination is attached as **Exhibit I.**

I. A supporting resolution from the Nenahnezad Chapter is attached as **Exhibit J.**

J. The proposed lease and supporting documentation have been reviewed through Executive Official Review Document Number 026860, which is attached as **Exhibit K.**

SECTION THREE. APPROVAL

A. The Navajo Nation Council hereby approves the Lease for 599.53 acres between the Navajo Nation and the Navajo Tribal Utility Authority, attached as **Exhibit A.**

B. The Navajo Nation Council hereby approves waiver of a performance bond as stated in the Lease, attached as **Exhibit A.**

C. The Navajo Nation Council hereby approves the Sublease between the Navajo Tribal Utility Authority and the Ne'zaad JV HoldCo, LLC., attached as **Exhibit B.**

D. The Navajo Nation Council hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to affect the intent and purpose of this resolution.