

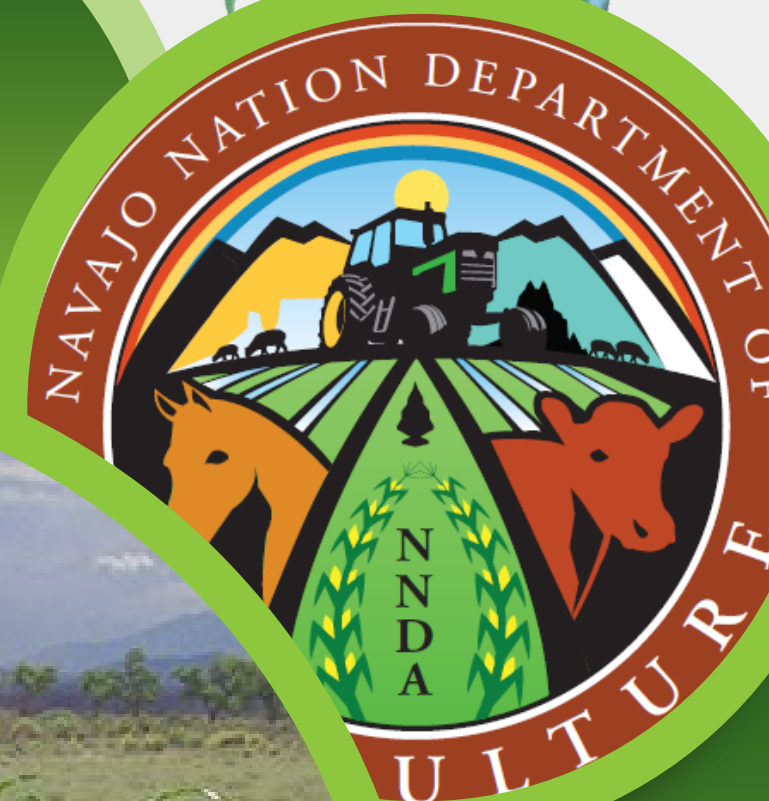
# AGRICULTURAL LAND USE PERMITS



2026  
DNR EXPO



## NAVAJO NATION DEPARTMENT OF AGRICULTURE



Presented by

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<https://agriculture.navajo-nsn.gov/>



# INTRODUCTION SUMMARY

- Overview of Agricultural Land Use Permits
- Importance of Permits in Agricultural Land Management
- Beneficial Use
- Role & Responsibilities
- Permitting and Cancellation





# WHAT IS AN ALUP? “AGRICULTURAL LAND USE PERMIT”

An ALUP (Agricultural Land Use Permit), also referred to as an LUP (Land Use Permit), or a Farm Permit, is issued by the Bureau of Indian Affairs and authorizes the use of tribal land specifically for crop production.

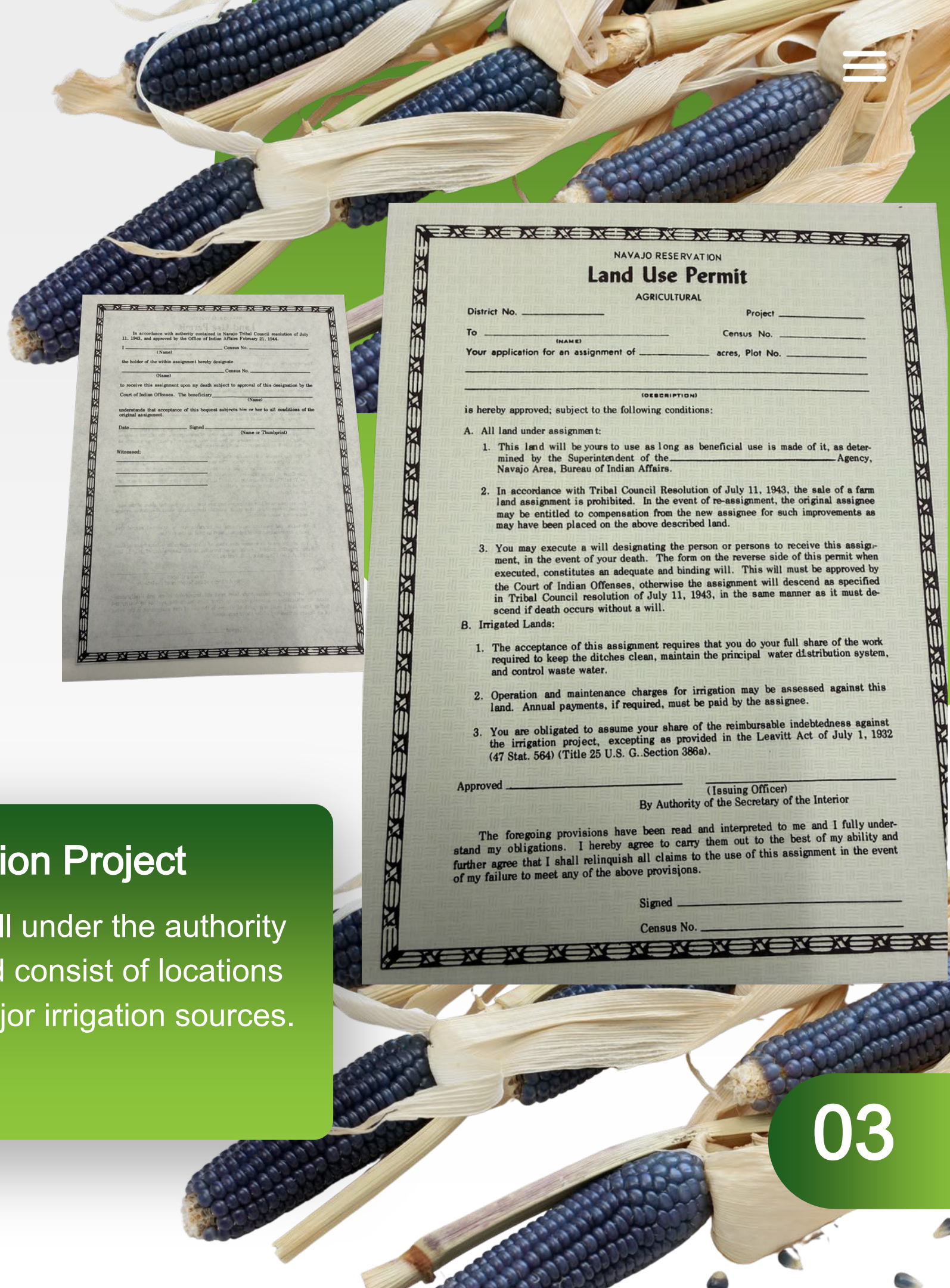
Permits may include one or multiple named permittees. Those listed are authorized to use the land solely for crop production. By accepting the permit, the permittee agrees to use the land responsibly, efficiently, and in accordance with ALUP requirements.

**Dry Land & Miscellaneous Projects**

These Project Areas fall under the authority of the District Grazing Committee and consist of locations that lack access to major irrigation sources (e.g., Reservoirs, Rivers, Lakes)

**Major Irrigation Project**

These Project Areas fall under the authority of the Farm Board and consist of locations that have access to major irrigation sources.



# PURPOSE OF ALUPS

- Authorizes the assignment and use of Navajo Nation trust land for agricultural purposes.
- Upholds Navajo Nation sovereignty over land use, occupancy, and resource management
- Establishes beneficial use requirements - land must be actively used and maintained
- Defines conditions, responsibilities, and obligations of the permittee
- Protects land from unauthorized sale, misuse, or improper transfer
- Provides a framework for inheritance or reassignment in accordance with tribal law
- Supports long-term stewardship of land, water, and agricultural infrastructure (e.g., irrigation system)



## Sovereignty & Authority

- Land remains tribal trust land - no private ownership is conveyed
- Authority is exercised through Navajo Nation and Federal trust responsibility (BIA)
- Ensures land use decisions reflect tribal governance and community interests

*NOTE: Use of land is conditional upon “beneficial use” and compliance with terms, policies, and laws; failure to comply may result in loss of the assignment.*

The Interior Board of Indian Appeals (IBIA) has affirmed that the Agency has the authority to issue land use permits under Article V of the Treaty of June 1, 1868 -Hunter v. Navajo Acting Director, 30IBIA 187 (1997)

# PERMITTING PROCESS OVERVIEW

 Cancellation of ALUP - Administrative Action

 Approval of Application - Administrative Action

 BIA review - ALUP survey & Con Plan

 NEPA (National Environmental Policy Act)

 ALUP will be reissued by BIA

*“Application for land assignment; land use permit”*  
3 N.N.C§ 151§152 & §211§212

**NAVAJO NATION**  
APPLICATION FOR AGRICULTURAL LAND USE PERMIT  
\*\*This form to be completed at a dually called meeting\*\*

Dry Land Farming  
 Major Irrigation Project

AGENCY (Circle one): CHINLE EASTERN FT. DEFIANCE WESTERN NORTHERN

GRAZING DISTRICT # \_\_\_\_\_ PLOT #/Coordinates: \_\_\_\_\_  
I, \_\_\_\_\_ CENSUS NO. \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City & State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_  
HEREBY MAKE APPLICATION FOR ONE FARM SUBDIVISION, DESCRIBED AS: \_\_\_\_\_  
GPS Coordinates: \_\_\_\_\_

\*\* I agree to fence only the number of assigned acres, and I will comply with all agriculture laws. Initial: \_\_\_\_\_

This section is completed by the Navajo Bureau of Natural Resources, in coordination with the Grazing Committee, Land Board or Farm Board recommendation.

Application taken by: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved / Unapproved: \_\_\_\_\_

ALUP Survey: \_\_\_\_\_  
Conservation Plan: \_\_\_\_\_  
Identified Heir: \_\_\_\_\_

CERTIFICATION:  
The following was recommended and voted upon at a dually called meeting of the \_\_\_\_\_  
on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Motioned by \_\_\_\_\_, Second by \_\_\_\_\_  
Vote: \_\_\_ in favor, \_\_\_ Not in favor, \_\_\_ Abstain

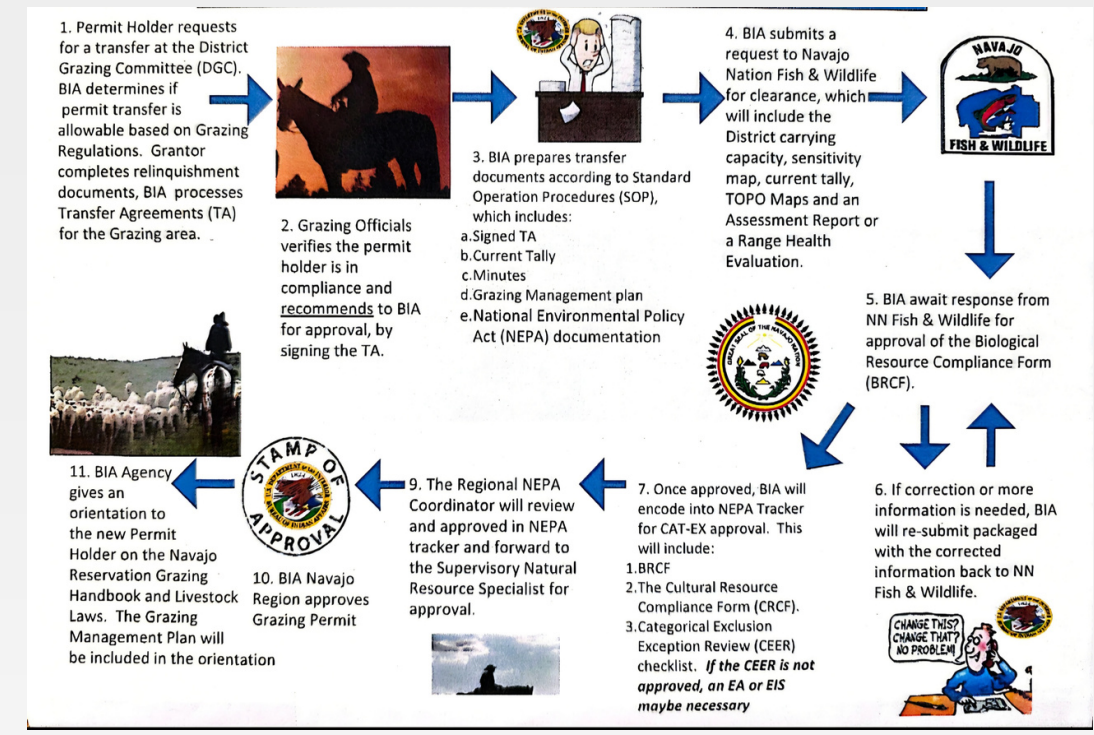
Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

Committee Chair	Date	Committee Vice Chair	Date	Committee Secretary	Date

APPROVED: \_\_\_\_\_

NATURAL RESOURCE MANAGER DATE SUPV. NATURAL RESOURCE SPECIALIST DATE

Revised 02/12/2025



**THE NAVAJO NATION**  
AGRICULTURE LAND USE PERMIT TRANSFER AGREEMENT

THIS IS TO CERTIFY, I \_\_\_\_\_, Census number: \_\_\_\_\_ submit this request to (circle one): transfer/gift/sell for the amount of \$ \_\_\_\_\_; all or a portion of my Agriculture Land Use Permit to \_\_\_\_\_, Census number: \_\_\_\_\_, to be utilized in District \_\_\_\_\_ Unit \_\_\_\_\_, GPS Coordinates: \_\_\_\_\_

**ALUP DATA BEFORE TRANSFER**

<b>Grantor Permit Information:</b> Permit Holder: _____ Permit Number: _____ Permit Type: Dryland or Irrigation Project Date Issued: _____	<b>Grantee Permit Information:</b> Permit Holder: _____ Permit Number: _____ Permit Type: Dryland or Irrigated Date Issued: _____
--	---

I agree to transfer \_\_\_\_\_ acres, to: \_\_\_\_\_, Census number: \_\_\_\_\_

**ALUP PERMIT TRANSFER DATA**

Recommendation: Motioned by: \_\_\_\_\_, Second by: \_\_\_\_\_  
Vote: \_\_\_ in favor, \_\_\_ not in favor, \_\_\_ abstained; on this \_\_\_\_\_ day of \_\_\_\_\_ month, 20\_\_\_\_.

**ALUP DATA AFTER TRANSFER**

<b>Grantor Permit Information:</b> Permit Holder: _____ Permit Number: _____ Permit Type: Dryland or Irrigation Project Date Issued: _____	<b>Grantee Permit Information:</b> Permit Holder: _____ Permit Number: _____ Permit Type: Dryland or Irrigation Project Date Issued: _____
--	--

GRANTOR SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_ GRANTEE SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

Committee Chair DATE Committee Vice Chair Date

Action taken by: \_\_\_\_\_ APPROVED / UNAPPROVED

Natural Resource Manager Date Supervisory Natural Resource Specialist Date

Revised 02/12/2025

## CHINLE AGENCY

- Tsaille/ Wheatfields Farm Board
- Many Farms Farm Board

## FT. DEFIANCE AGENCY

- Red Willow Farm Board
- Ganado Farm Board
- Crystal Farm Board
- Red Lake Farm Board
- Cornfields Farm Board

## WESTERN AGENCY

- Dennehotso Farm Board
- Kayenta Farm Board
- Tuba City Farm Board

## NORTHERN AGENCY

- San Juan River Farm Board
  - Aneth
  - Shiprock
  - Upper Fruitland
  - Gadi'l'ahi/To'koi
  - Nenahnezad
  - Tse'Daa'Kaan
- Red Valley Farm Board
- Rock Point Farm Board

# FARM BOARD PURPOSE

- Serves as a local oversight & advisory body for Agricultural Land Use Permits (ALUPs) within Major irrigation project areas.
- Represents the interests of farmers and land users
- Provides recommendations on administrative actions related to ALUPs
- Supports responsible management of soil, water, and farming resources
- Facilitates communication between the community and NNDA, represents community interests
- Ensure compliance with regulations
- Mediate disputes

**Grazing Officials and District Grazing Committees play similar roles for Dry Land and Miscellaneous farm plots.**

***NOTE: The Farm Board & District Grazing Committee provides recommendations ONLY and does NOT issue or cancel permits.***

# Permittee agrees to comply with all conditions & must carry out responsibilities to the best of their ability sign and date.

## FARMERS RESPONSIBILITIES ALUP PERMITTEE

**Land Use Permit**  
AGRICULTURAL

District No. \_\_\_\_\_ Project \_\_\_\_\_

To \_\_\_\_\_ (NAME) \_\_\_\_\_ Census No. \_\_\_\_\_

Your application for an assignment of \_\_\_\_\_ acres, Plot No. \_\_\_\_\_

(DESCRIPTION)

is hereby approved; subject to the following conditions:

A. All land under assignment:

1. This land will be yours to use as long as beneficial use is made of it, as determined by the Superintendent of the \_\_\_\_\_ Agency, Navajo Area, Bureau of Indian Affairs.
2. In accordance with Tribal Council Resolution of July 11, 1943, the sale of a farm land assignment is prohibited. In the event of re-assignment, the original assignee may be entitled to compensation from the new assignee for such improvements as may have been placed on the above described land.
3. You may execute a will designating the person or persons to receive this assignment, in the event of your death. The form on the reverse side of this permit when executed, constitutes an adequate and binding will. This will must be approved by the Court of Indian Offenses, otherwise the assignment will descend as specified in Tribal Council resolution of July 11, 1943, in the same manner as it must descend if death occurs without a will.

B. Irrigated Lands:

1. The acceptance of this assignment requires that you do your full share of the work required to keep the ditches clean, maintain the principal water distribution system, and control waste water.
2. Operation and maintenance charges for irrigation may be assessed against this land. Annual payments, if required, must be paid by the assignee.
3. You are obligated to assume your share of the reimbursable indebtedness against the irrigation project, excepting as provided in the Leavitt Act of July 1, 1932 (47 Stat. 564) (Title 25 U.S. G. Section 386a).

Approved \_\_\_\_\_ (Issuing Officer)  
By Authority of the Secretary of the Interior

The foregoing provisions have been read and interpreted to me and I fully understand my obligations. I hereby agree to carry them out to the best of my ability and further agree that I shall relinquish all claims to the use of this assignment in the event of my failure to meet any of the above provisions.

Signed \_\_\_\_\_

1. Maintain Beneficial Use of the Land (Condition A.1)
  - Land must be actively farmed and productive
  - Permit is held only while beneficial use is demonstrated
- 1.No unauthorized Transfer or Sale (Condition A.2)
  - Land assignments cannot be sold
  - Any reassignment must follow proper approval
  - Improvements may be compensated, not the land itself
- 1.Plan for Succession (Condition A.3)
  - Permittee may designate a successor through a valid will
  - Must follow the proper approval process
1. Irrigation Responsibilities (Condition B.1)
  - Maintain ditches and keep them clean
  - Maintain water distribution systems
  - Control and manage wastewater
- 1.Financial Obligations (Condition B.2 & B.3)
  - Pay operation and maintenance costs if assessed
  - pay annual irrigation -related charges
  - Share responsibility for project -related costs



## Required Documentation

### Navajo Nation Crop Report

Date: \_\_\_\_\_  
 Permittee Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 Census #: \_\_\_\_\_ ALUP #: \_\_\_\_\_  
 District #: \_\_\_\_\_ Unit #: \_\_\_\_\_  
 Chapter: \_\_\_\_\_  
 FB / DGC: \_\_\_\_\_  
 GPS Reading: \_\_\_\_\_  
 Total ALUP Acres: \_\_\_\_\_

REPORT : SPRING / FALL (Circle one)  
 Did you plant this year: Yes / No (Circle one)  
 Total number of acres planted: \_\_\_\_\_

**Hay Crop**

Hay Crop Type	Acres/Bales
Alfalfa/Grass Mix	
Grass	
Oat	
Wheat	
Sorghum	
Other	

**VEGETABLE CROP**

Vegetable Name (variety)	Acres/Bushels
Corn (kind)	
Squash (kind)	
Squash (kind)	
Potatoes	
Beans	
Other (name)	
Other (name)	
Other (name)	
Other (name)	
Other (name)	

**MELON CROP**

Melon Name	Acres/Bushels
Watermelon	
Honeydew	
Cantalope	
Other (name)	
Other (name)	

**FRUIT CROP**

Fruit Name	Acres/Bushels
Apples	
Peaches	
Apricots	
Pears	
Cherries	
Grapes	
Strawberries	
Other (name)	
Other (name)	

**Crop Loss**

Concerns	Acres/Bushels
Drought	
Wildlife	
Pest/Insects	
Water	
Other	

Do you have farm equipment? \_\_\_\_\_  
 Did you fertilize crop? \_\_\_\_\_  
 Type of fertilizer? \_\_\_\_\_  
 Was irrigation water available: \_\_\_\_\_  
 Was rain sufficient: \_\_\_\_\_

**WEEDS / INVASIVE**

Weed Name	Color

Did weeds cause problems: Yes / No (circle one)  
 Did you control weeds: Yes / No (circle one)

**WEED CONTROL**

Type of Control	Time of Year
Mechanical	
Chemical	
Other	

I certify all information is correct.  
 \_\_\_\_\_  
 Agriculture Land Use Permittee  
 \_\_\_\_\_  
 Farm Board / DGCM

### Conservation Plan:

- Navajo Nation Approved Conservation Plan Template
  - Approved through NN Resolution *RDCD-42-22*
- A Plan that is going to guide how land will be used, managed, and protected
- Identifies resource concerns
- Outlines farming practices
- Includes conservation measures to maintain long -term productivity

### Crop Inventory

- Due twice a year (June & November)
- A record of crops being grown and harvested on the ALUP
- Helps verify beneficial use
- Used for monitoring and reporting

# CANCELLATION OF AN AGRICULTURAL LAND USE PERMIT



## GROUND FOR CANCELLATION

An ALUP may be canceled when the permittee fails to comply with the conditions of the permit. This includes, but is not limited to:

### 3 N.N.C §153 “Cancellation of Land Use Permits”

- Non-use of permitted land (2 years +)
- Failure to pay required assessments
- Voluntary relinquishment by permittee
- Other valid reasons consistent with Navajo Nation Law

### Lack of Beneficial Use

- Permitted land must be actively used for its approved farming purpose only
- Use must align with the conservation plan and land management expectations
- Lack of land stewardship and productivity

### Bottom Line:

When an ALUP no longer meets the standard of beneficial use and compliance under 3 N.N.C., it may be subject to cancellation to protect the land and allow for productive use by others.

## CANCELLATION PROCESS

- 1 Issue Identified**
  - Non-use, non-compliance, or mediation request has been filed or identified.
- 2 Review and Verification**
  - Site inspection and documentation
  - Evaluation of crop inventories, conservation plan, and “beneficial use.”
- 3 Formal Notice (Farm Board/DGC)**
  - Written notice provided to permittee
  - Specifies violations or non-use
  - Provides a clear timeframe for response and correction
- 4 Opportunity to Cure Non-compliance (Farm Board/DGC)**
  - Permittee is given a reasonable period to take corrective action
  - May submit documentation to demonstrate corrective action
- 5 Opportunity to Be Heard (Farm Board/DGC)**
  - Permittee may present an explanation, evidence, or justification
- 6 Decision & Final Recommendation**
  - The Farm Board/DGC will make a recommendation based on record, compliance and 3N.N.C. The recommendation is provided to BIA for final decision

### Bottom Line:

Cancellation is a case-by-case process; every case is unique and may require a different approach depending on the issue identified. The Navajo Nation Department of Agriculture provides technical support to elected officials.

**PROOF OF SERVICE  
PROOF OF PERSONAL NOTICE**  
THE NAVAJO NATION  
DEPARTMENT OF AGRICULTURE

NAME/RESPONDENT (please print): \_\_\_\_\_  
CASE NAME (please print): \_\_\_\_\_  
(Complainant v.s. Respondent)

SUBJECT/CITATION: \_\_\_\_\_

INITIAL MEDIATION MEETING DATE (1<sup>st</sup> Notice): \_\_\_\_\_  
SECOND MEDIATION MEETING DATE (2<sup>nd</sup> Notice): \_\_\_\_\_

This will certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a true and correct copy of the foregoing notice was served by a District Grazing Committee, Eastern Navajo Land Board, or Farm Board (DGC/ENLFB) Member.

By certified mail, return receipt requested, postage prepaid, and or;  
 By personal delivery at the following location:

**IT IS YOUR RESPONSIBILITY TO ATTEND THE MEETINGS OR YOUR FAILURE WILL RESULT IN THE WAIVING OF YOUR RIGHTS IN THIS DISPUTE RESOLUTION PROCESS.**

If you have any questions call 928-871-7405, if you need to submit information please mail it to the address below, hand deliver to NNDA in Window Rock, AZ (east of fair grounds Civic Center), fax to 928-871-6679, or submit to the DGC/ENLFB Member at the Mediation Meetings.

Signature of Respondent: \_\_\_\_\_  
Signature of DGC/ENLFB MEMBER: \_\_\_\_\_  
Signature of Witness: \_\_\_\_\_

NAVAJO NATION DEPARTMENT OF AGRICULTURE - GRAZING MANAGEMENT PROGRAM  
P.O. BOX 488, WINDOW ROCK, ARIZONA 86515  
Phone # 928-871-7405/666666 or Fax # 928-871-6679

White - Respondent    Yellow - NNDA    Pink - NNDRE    Green - DGCENLFB

**Navajo Nation Crop Report**

Date: \_\_\_\_\_  
Permittee Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
County: \_\_\_\_\_  
Census #: \_\_\_\_\_ ALUP #: \_\_\_\_\_  
District #: \_\_\_\_\_ Unit #: \_\_\_\_\_  
Chapter: \_\_\_\_\_  
FB / DGC: \_\_\_\_\_  
GPS Reading: \_\_\_\_\_  
Total ALUP Acres: \_\_\_\_\_

FRUIT CROP	Fruit Name	Acres/Bushels
	Apples	
	Peaches	
	Apricots	
	Plums	
	Cherries	
	Corn	
	Strawberries	
	Other (name)	
	Other (name)	

REPORT - SPRING / FALL (Circle one)	Concerns	Acres/Bushels
	Drought	
	Wildfire	
	Pests/Insects	
	Water	
	Other	

Did you plant this year: Yes / No (Circle one)  
Total number of acres planted: \_\_\_\_\_

Hay Crop	Hay Crop Type	Acres/Bales
	Alfalfa/Grass Mix	
	Grass	
	Hay	
	Wheat	
	Sorghum	
	Other	

VEGETABLE CROP	Vegetable Name (variety)	Acres/Bushels
	Corn (field)	
	Squash (leaf)	
	Squash (fruit)	
	Peas/beans	
	Beans	
	Other (name)	
	Other (name)	
	Other (name)	
	Other (name)	
	Other (name)	

MELON CROP	Melon Name	Acres/Bushels
	Watermelon	
	Hampe melon	
	Cantaloupe	
	Other (name)	
	Other (name)	

Do you have farm equipment?  
Did you fertilize crop?  
Type of fertilizer: \_\_\_\_\_  
Was irrigation water available:  
Was it sufficient?

WEEDS / INVASIVE	Weed Name	Color

Did weed cause problems: Yes / No (circle one)  
Did you control weeds: Yes / No (circle one)

WEED CONTROL	Type of Control	Color of Year
	Mechanical	
	Chemical	
	Other	

I certify all information is correct.  
Agriculture Land Use Permittee  
Farm Board / DGC

Revised 08/15/2023



# THANK YOU! QUESTIONS? VISIT OUR BOOTH



 [LACEY.SALABYE@NAVAJO-NSN.GOV](mailto:LACEY.SALABYE@NAVAJO-NSN.GOV)