



GUIDE TO THE NEGOTIATION TEMPLATE

Negotiations are not something most individuals look forward to. The reasons for negotiating can be many, but they often arise from a difference in opinion, conflicting perspectives, or a desire to settle the matter outside of a courtroom.

Much has been written about techniques and approaches for negotiating. However, many individuals wonder how to get started and, perhaps most importantly, how to organize their thoughts before entering into a negotiation. The Negotiation in Agriculture guide “Preparing a Negotiation Template” offers a number of insights into organizing your preparations for a negotiation.

This guide is intended provide a few instructions and a brief example of how to complete the Negotiation in Agriculture “Negotiation Template”.

Template Segments

Each party or potentially every individual that will be involved in the negotiation could complete a template for themselves. The idea of the template is to help you think through the points that may come up when the parties begin the process.

It is not meant to suggest that every point or suggested line of thinking must be brought out in the discussions. Instead, it is aimed at helping you to consider the different perspectives of the parties involved and what their priorities and perspectives might include. This is done with the goal of preparing what your reactions and responses might be if they are raised.

A. Issues to Address

The left-most column in the Negotiation Template offers a series of blanks for listing the issues that might be raised in the negotiation. This list of issues should include the issues you are most familiar with from your point of reference. In addition, it should include the concerns that might be raised by the other parties involved.

It may even be helpful to include the viewpoints of parties not directly involved in the negotiation, where those interests are viewed as important to take into consideration. Also, keep in mind that more than a single meeting or discussion may be required to address all the issues included in the list.

In general, this list of issues might be viewed as an outline of all that needs to be agreed upon thorough the process of negotiation.

B. Interests to Consider

The second or center column of the template is titled Interests to Consider. This is the place to record the interests of each party as they relate to the issues listed in the first column. Interests here would include the concerns, worries, desires, hopes, even fears that each party might bring to the negotiation.

Keep in mind, these are projections or guesses on your part about where each party is coming from, not certainties. The idea is it try to think ahead about why each person may have the perspective that they do, what may be important to them, or aspects that may need to be taken into account as the negotiation process unfolds and potential solutions are considered.

In many cases, this list of interests is likely to include some of the reasons behind why one party or another holds a particular position around the issues of concern. When the parties are able to talk through and better understand the interests of the others



involved, they become more able to support potential solutions that address those interests.

In general, interests and needs listed in the center column are more easily understood and identified with than problems or positions.

C. Potential Solutions

The far right column of the template is labeled Potential Solutions. In this column you are asked to brainstorm possible methods or approaches for addressing the issues listed on the left, while taking into consideration the interests in the center of the template.

These possible solutions are only suggestions. Some alternatives may only address one or two issues, while others might resolve all the concerns identified. The idea is to try to get as many possible ways of addressing the challenges and points of view as possible recorded in the template.

The actual negotiation and discussions that follow are where the details and refinements will be made. Listing the general ideas for resolving one or more of the concerns is enough at this stage.



NEGOTIATION TEMPLATE

Issues to Address	Interests to Consider	Potential Solutions	
<p><i>ISSUE #1:</i></p> <p><i>Water line is leaking.</i></p> <p><i>Neighbors are complaining about runoff.</i></p>	<p><i>INTEREST #1: <<landowner>></i></p> <p><i>Crops without adequate irrigation water will result in reduced or no yield, increasing the total cost of the damages</i></p>	<p><i>Agree to repair the line after the irrigation season is over</i></p> <p><i>File a lawsuit to force the Board to cover the lost crop sales and the cost of repairing the water line</i></p> <p><i>Petition the Board to pursue a collaborative effort solution; for example splitting costs of repair.</i></p>	
	<p><i>INTEREST #2: <<neighbor>></i></p> <p><i>Neighbors are experiencing access issues or other harm as a result of the ongoing leak</i></p>	<p><i>Landowner approaches the neighbors about sharing the cost of repairing the water line</i></p> <p><i>Landowner agrees to repair the line after the irrigation season is over</i></p>	
	<p><i>INTEREST #3: <<Water Board>></i></p> <p><i>Water is being wasted. Water is in short supply in the region</i></p>	<p><i>Repair the water line during the irrigation season. Use Board-provided equipment to continue irrigating while repairs are completed.</i></p> <p><i>Charge the landowner for wasted water at double the normal rate until the landowner repairs it, given the regional short supply</i></p> <p><i>File a lawsuit against the landowner for failure to maintain the water line. Recover damages to compensate the neighbors and the Board for wasted water, as well as incidental expenses.</i></p>	
	<p><i>ISSUE #2:</i></p> <p><i>Water line was installed under the direction of the Board.</i></p> <p><i>The Board shares responsibility for any leaks.</i></p>	<p><i>INTEREST #1: <<Water Board>></i></p> <p><i>The Board does not maintain nor does it have rights to access water structures installed on private lands</i></p>	<p><i>Board turns off the water before it reaches the leaking water line in order to force the landowner to repair the line</i></p> <p><i>Landowner grants access to the Board to allow the needed repairs to be made</i></p>
		<p><i>INTEREST #2: <<landowner>></i></p> <p><i>The landowner did not install the water line</i></p>	<p><i>Landowner files a lawsuit against the <u>previous</u> landowner for failure install the water line correctly. Recover damages to compensate the neighbors and the Board for wasted water, as well as the repair</i></p> <p><i>Current landowner and Water Board agree to share in the cost of repairing the leaking line</i></p>
		<p><i>INTEREST #3: <<landowner>></i></p> <p><i>Water leaked from the line is increasing yields for some of the crops grown by the landowner</i></p>	<p><i>Landowner repairs the line after the irrigation season is over</i></p> <p><i>Landowner files a lawsuit against the Board to delay repairing the line until the irrigation season is over. Continues to receive the extra water</i></p>

NOTE: This example is not intended to include all possible issues, interests or solutions outlined in the example described; it is meant to demonstrate how the template might be used to consider the many facets of a negotiation ahead of an actual meeting.



Example Template

The local Water Board has been trying to motivate Cyé Wilmott to address the leaking mainline on his property for several years. Cyé's position is that the previous owner installed the line under the direction of the Board. He contends that if it leaks, it should be the Board's responsibility to pay for any repairs, since he was not responsible for installing the line.

The Board's position is that the line is on Cyé's private property and, although he purchased it from someone else, it is his responsibility to repair the leaks. In addition, the Board is receiving complaints from property owners below Cyé's property about runoff onto their land. As a result, the Board is threatening to shut off the water until the line is repaired.

The Water Board and Cyé recently agreed to meet to learn if the issues can be negotiated. Cyé is completing a Negotiation Template in preparation for that meeting.

Negotiation in Agriculture offers a series of guides and other educational materials to assist those involved in agricultural operations find solutions where perspectives differ. Settings may include a diverse range of situations: working out the terms of a lease, establishing an agreement for a crop-share, or resolving a point of contention. Negotiation in Agriculture is a joint effort of the Western Extension Committee, an association of Extension professionals in the 13 western states.

For more information see: [Negotiation.FarmManagement.org](https://www.negotiationfarmmanagement.org).

RESOURCES:

Fuller, K.B. and J.P. Hewlett. "Preparing for Negotiation: Questions to Answer Before Meeting." Negotiation in Agriculture | Western Extension Committee. NIA-20200601.01. [Negotiation.FarmManagement.org](https://www.negotiationfarmmanagement.org). May, 2020.

Hewlett, J.P. - University of Wyoming, H. Tejada - University of Idaho, K.B. Fuller - Montana State University, and P. Hatzenbuehler - University of Idaho. "Negotiation Template." Negotiation in Agriculture | Western Extension Committee. NIA-20210316.01. [Negotiation.FarmManagement.org](https://www.negotiationfarmmanagement.org). March, 2021.

Lewicki, R., D. M. Saunders, and B. Barry. Negotiation 7th ed. McGraw Hill Education. New York, NY. 2015.

Negotiation in Agriculture | Western Extension Committee. [Negotiation.FarmManagement.org](https://www.negotiationfarmmanagement.org).

Tejada, H., University of Idaho, J.P. Hewlett - University of Wyoming, K.B. Fuller - Montana State University, P. Hatzenbuehler - University of Idaho and S. Sand - University of Hawai'i. "Preparing a Negotiation Template." Negotiation in Agriculture | Western Extension Committee. NIA-20210317.01. [Negotiation.FarmManagement.org](https://www.negotiationfarmmanagement.org). March, 2021.

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<https://www.wec.farmmanagement.org>



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