



# THE GIFT OF WATER TO OUR CHILDREN, THE NATION THEY WILL INHERIT IS BEFORE US

BY

NAVAJO NATION PRESIDENT BUU NYGREN

**T**hrough long hours and lengthy drives to Phoenix, our Legal and Technical Team is on the verge of an agreement to gain enforceable rights to the water we need in the State of Arizona.

Over the past year, our Navajo Nation Water Rights Commission, most of our Navajo Nation Council delegates who represent Arizona communities, the Speaker, lawyers from the Navajo Nation Department of Justice and my office, hydrologists from the Navajo Nation Department of Water Resources, and experts who are intimately familiar with our water sat down with their counterparts from the United States, the State of Arizona, the Hopi Tribe, San Juan Southern Paiute Tribe, Salt River Project, the cities of Flagstaff and Winslow, and others who use the Colorado River, Little Colorado River, Gila River and the groundwater beneath our land.

From those meetings, the agreement you've heard about is now nearing completion. Right now, 13 community education meetings are underway to explain to the Navajo people in Navajo and English the benefits of the proposed settlement so they understand the opportunity before us.

Within days, we expect Navajo Nation Council Speaker Crystalyne Curley to have the honor of introducing historic legislation before the 25<sup>th</sup> Navajo Nation Council to approve the Northeastern Arizona Indian Water Rights Settlement Agreement of 2024, a comprehensive settlement of the Nation's water rights in Arizona. From there the settlement will go to Congress for approval.

This is the Nation's third significant attempt to achieve a water rights settlement to the Little Colorado River Basin, which includes both the river and groundwater.

The first attempt at a settlement was in 2010. That did not move forward because Congress did not support the cost of settlement. A second attempt was made in 2012 which our Council did not agree to.

This settlement is different from those two prior attempts because it concerns all the Nation's water rights in Arizona, not just the Little Colorado River Basin.

I want to focus on what has happened and what is happening in the Upper Basin and Lower Basin of the Colorado River. When Colorado River water was divided through the Colorado River Compact of 1922 by the states of Wyoming, Utah, Colorado, New Mexico, Arizona, Nevada and the biggest water user, California, there were no big dams on the river as there are today.

Now we have the Hoover Dam (formerly Boulder Dam) that was authorized by Congress in 1928 that creates Lake Mead, and the Glen Canyon Dam that was authorized in 1956 and creates Lake Powell.

Both are the largest man-made reservoirs in the country. Lake Mead – 296 river miles below Lee’s Ferry – is in the Lower Basin and Lake Powell is in the Upper Basin. Our proposed settlement will include the Nation’s claims in both of these basins.

Since early 2000, the Southwest has entered what meteorologists and climatologists have called a “megadrought.” A drought this long and severe has not been experienced in approximately 1,200 years. It has caused the biggest drop in river water levels since both Lake Mead and Lake Powell began to fill.

When the Colorado River was divided, not only was there far more water in it than there is today, it was a high water year that was used to calculate each state’s portion. There is now 20 percent less water in the river than there was 102 years ago.

Studies tell us that water in the Colorado River is unlikely to return to what we’ve seen in the past. The risk of continued low water levels and supply is high. That is one of the reasons why the success of this water settlement is so important.

It’s not just getting water rights that is needed; it is about putting that water to use that is critical. That is what a settlement agreement offers us that going to court and litigating for water rights does not.

After Council adopts the settlement, the Navajo Nation, Hopi Tribe and San Juan Southern Paiute Tribe will ask Congress for billions of dollars to build water projects that will bring surface water and groundwater to our people – just as the Navajo-Gallup Water Supply Project is doing through the Nation’s settlement of our water rights in the San Juan River Basin in New Mexico.

Among the many projects you have heard about in our community education meetings is the proposed Navajo-Hopi pipeline that will divert water from Lake Powell to the communities of Lechee, Kaibeto, Coppermine, Bodaway/Gap, Cameron and Tuba City.

The Four-Corners Project will develop and expand public water systems to deliver Colorado River water to Chinle, Many Farms, Nazlini, Rock Point, Rough Rock, Round Rock, Sweetwater, Teec Nos Pos and Tsaile/Wheatfields/Blackrock.

The Southwest Navajo Regional Project will extend a groundwater distribution system from Leupp to Bird Springs, Tolani Lake, Dilkon, Teesto, Indian Wells, White Cone and Greasewood. The Ganado Area Project will bring water to Kinlichee, Ganado, Klagetoh, Cornfields, Wide Ruins, Jeddito and Steamboat.

There is still much more our Nation wants and needs. There is no guarantee that Congress will fund all of our needed infrastructure. A lot of work remains to be done. But right now, we have the right congress people, the right senators, the right Interior secretary and the right President of the United States to get this done.

We are Navajo. We have our prayers, songs and ceremonies. They have brought us to this point in our history. I encourage us all to make good use of what our elders have blessed us with, stand united as *Diné*, and let us leave a legacy of water security and certainty for our children and their children so our great Navajo Nation can prosper and be bountiful far into the future.