



The Navajo Nation
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FOR IMMEDIATE RELEASE: Sept 25, 2024

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Navajo President Buu Nygren tells Senate Committee on Indian Affairs two water settlements end decades of litigation, brings certainty to tribes

WASHINGTON – Navajo Nation President Buu Nygren told the Senate Indian Affairs Committee today that two water rights settlements now before Congress will help end the expensive need to haul water for thousands of Navajos in Arizona and New Mexico.

and the Rio San José Water Rights Settlement Agreement Act, S. 4998.

“This water is among the most expensive in the country for a population that is among the poorest,” he said. “Congress must act to end the water crisis on the Navajo Nation.”

The average cost for Navajos to haul water to their homes, ranches and sheep camps is \$133 per thousand gallons.

The President said while S. 4633 won’t eliminate water hauling completely, it will bring a source of higher quality, more reliable, potable water closer to homes.

Without Congress to authorize the North-eastern Arizona Indian Water Rights Settlement, thousands of Navajos will continue to haul water an average of more than 30

miles round trip on unpaved, wash-board dirt and sandy roads to meet their daily water demands, he said. “Hauling water is incredibly expensive,” President Nygren said.



Navajo Nation President Buu Nygren testifies before the Senate Indian Affairs Committee on two water rights settlements. Seated left to right is Assistant Secretary for Indian Affairs Bryan Newland, Crow Tribal Chairman Frank White Clay, Zuni Tribal Governor Arden Kucate and Yavapai-Apache Nation Chairwoman Tanya Lewis.

“Roughly a third of the Navajo Nation households lack running water, and that is how I grew up,” the President said testifying on the Northeastern Arizona Indian Water Rights Settlement Act, S. 4633,



Testifying in support of the Northeastern Arizona Indian Water Rights Settlement Act with President Nygren was Hopi Tribal Chairman Timothy Nuvangyaoma and San Juan Southern Paiute Tribal Vice Chairman Johnny Lehi, Jr.

This historic water rights settlement will resolve water rights for three tribes sharing the same geographic area and represents the interests of 39 parties, Vice Chairman Lehi said.

The Paiutes are currently the only federally recognized tribe in Arizona without its own reservation, he said, and the Northeastern Arizona Indian Water Rights Settlement Act changes that with the authorization of its own reservation.

U.S. Sen. Ben Ray Luján, a sponsor of both pieces of water rights legislation, asked Asst. Secretary for Indian Affairs Bryan Newland if the legislation would benefit the Navajo and other Arizona and New Mexico tribes in the Upper and Lower Basins of the Colorado River.

“What would resolving the water rights mean for the three tribes (Navajo, Hopi, San Juan southern Paiute) and for the United States as a trustee?” the senator asked. “We can get this done?”

Yes, said Asst. Secretary Newland, who testified that the Interior Dept. supports both piece of water rights legislation.

“It would bring water to people who need it,” Newland said. “And it would reduce or eliminate a lot of the contentious claims and disputes that have existed over that water in the first place, and so I think it's a net benefit for everybody who has an interest.”

The senator agreed.

“This is just another reminder of water that was stolen and diverted and taken,” Sen. Luján said. “It takes money. I certainly hope that, with all of these, we can find a path forward to find the language necessary to correct them, to get these all done.”

“It is a resolution to several decades of living as strangers in our own homeland,” Vice Chairman Lehi said. “It provides our members with water, and it ratifies a 24-year-old treaty (with the Navajo Nation) to establish and recognize the San Juan Southern Paiute Tribe Reservation.”

Chairman Nuvangyaoma said his tribe supports the water settlement to gain access to what was lost when the federal government expanded the Navajo Reservation.

“The current water supplies on the reservation cannot sustain our population or growth into the future,” the Chairman said. “Fortunately, this settlement act will ensure that my people have water for our current and future needs.”

Addressing S. 4998, the Rio San Jose Water Rights Settlement Agreement, President Nygren said it would resolve the Nation's water rights in the Rio San Jose Basin and address its claims in the Rio Puerco Basin of New Mexico.

This agreement “provides a path forward that will protect the flow that remains in the Rio San José and provide the Navajo Nation with funding that would enable us to import water to serve Navajo chapters in the Rio San José and Rio Puerco Basins,” he said.

In his written testimony, President Nygren said S. 4998 is a counterpart to the Pueblos' Local Settlement Agreement addressing the water rights claims of the Pueblos of Acoma and Laguna in the same geographic area and is written as an addendum to the Pueblos' Local Settlement Agreement.

"If implemented, these fully compatible water rights settlement agreements provide a comprehensive settlement of tribal claims in the Rio San José Stream System," President Nygren said.

The water within the Rio Grande Basin, he said, is *Tó Ba'áadii* (the Female River – the Rio Grande).

"It is born from one of our sacred mountains, is one of the four sacred rivers that sets the boundaries for *Diné'tah* (Navajoland) and is a protector for the

Navajo people," he said. "Since Navajo creation, water has served as a fundamental element of

Navajo life. *Tó éí iiná até*, (with water, there is life), and it is elemental to *Hózhóogo Oodáát* (the Navajo Way of Life). We pray and make offerings

for rain to fill our rivers so our animals, crops, land and people can grow and thrive. In the *Hózhóóji* (Blessingway Ceremony), we cleanse our bodies with water and wash our hair to restore harmony to our lives."

Once confirmed by Congress, President Nygren said, these settlements will put to rest decades of expensive litigation and bring certainty to water users throughout the Colorado River Basin.

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