



NAVAJO NATION OFFICE OF THE
PRESIDENT AND VICE PRESIDENT

NAVAJO NATION
OFFICE OF THE SPEAKER

NAVAJO NATION
WATER RIGHTS COMMISSION

JOINT PRESS RELEASE

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Navajo Nation Agreement to Settle All Water Rights Claims in Arizona up for Approval by Navajo Council

WINDOW ROCK, Ariz. – The Navajo Nation recently reached a historic water rights settlement for all of its water rights claims in the State of Arizona, including to the Colorado River upper and lower basins, and the Little Colorado River Basin. Through the settlement, the Nation will affirm and quantify its enforceable rights to water in Arizona and secure funding to build much needed water delivery infrastructure that will provide long overdue access to water to tens of thousands of homes in Arizona Navajo communities.

Legislation to approve the Northeastern Arizona Indian Water Rights Settlement Agreement was introduced to the Navajo Nation Council late Monday, May 12 by Speaker Crystalyne Curley and co-sponsored by Delegate Germaine Simonson who represents Navajo communities impacted by coal mining.

Speaker Curley said the settlement serves as a cornerstone to providing essential water infrastructure that is crucial to Navajo families and communities.

“The lack of accessible water sources has unfortunately led to the displacement of many Navajo community members, compelling them to relocate themselves closer to these vital resources and related opportunities. With the introduction of this settlement, we anticipate a profound impact on Navajo investments in essential infrastructure projects, such as roads, housing, education, and healthcare, all of which require water. This will not only foster growth, health, and prosperity within our nation but also ensure a sustainable future for generations to come,” added Speaker Curley.

The 17 parties to the settlement include the United States (U.S.), the State of Arizona, and the Hopi and San Juan Southern Paiute tribes. The settlement calls for the Navajo Nation to receive a substantial amount of Arizona’s allocation of Colorado River Upper Basin water, some Lower Basin water, all groundwater underlying the Navajo Nation, and all surface water that reaches the Navajo reservation from the Little Colorado River. Wash water and Navajo Aquifer water will be governed by an intertribal management plan.

Navajo Nation Attorney General Ethel Branch said the proposed settlement agreement offers the Nation an opportunity to ensure that water will continue to be available to protect the Navajo people and sustain life on Navajo lands 100 years into the future.

"If authorized and funded by Congress, this settlement will provide billions of dollars' worth of water infrastructure and development for Navajo communities in Arizona. Our Navajo communities have endured great hardship for decades due to severe water infrastructure deficiencies that have negatively impacted our peoples' health, longevity, financial wellbeing and general welfare" Attorney General Branch said. "The settlement offers the Navajo Nation an opportunity for growth and economic prosperity, and a pathway home for our children, our grandchildren and generations yet to come,"

The settlement authorizes the Navajo Nation to divert Arizona water in Utah and New Mexico for delivery to Navajo communities in Arizona. It also gives the Nation the ability to move water across the upper and lower basins to provide Arizona Navajo community residents with access to Colorado River surface water.

Navajo Nation President Buu Nygren said after waiting since the 1960s to achieve access to water along its border, this settlement "is a monumental step to ensure the Navajo Nation can provide water to our people."

"Securing this settlement, delivering water to our homes, is not just a promise, it's my priority," he said. "This agreement brings us closer to making that a reality for every Navajo family. This water is needed to build roads, schools, clinics, businesses, housing and all kinds of economic development across our Nation to secure our future."

Shortly after the Navajo Nation Council approves the legislation and President Nygren signs it, federal legislation is expected to be introduced in Congress. Funding from the settlement, once authorized by Congress, will provide much needed water delivery infrastructure to Navajo families in Arizona who have never had access to piped water.

Projects in the settlement include the iiná bá-paa tuwaqat'si pipeline (formerly known as the Western Navajo Pipeline), the Four Corners Project, the Southwest Regional Groundwater Project, the Ganado Regional Groundwater Project, the Black Mesa Regional Groundwater Project, the Lupton Area Project, the Kayenta Aquifer Storage and Recovery Project and the Code Talker Lateral Extension.

"The Navajo Nation is committed to safeguarding a permanent homeland for the Diné and preserving the Navajo way of life," said Navajo Nation Water Rights Commissioner Chair Joelynn Ashley. "This settlement helps close the severe equity gap all across our Navajo communities. It will ensure that our Navajo families will have equal access to water in their homes."

Next week, three Navajo Nation Council committees will review the legislation before a special session of Council is called to vote on it. A two-thirds vote is needed for passage. Public comments can be sent to comments@navajo-nsn.gov.

Learn more at <https://nnwrc.navajo-nsn.gov/>.

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Navajo Nation Settlement for Water Claims in the Rio San José, Rio Puerco Basins in New Mexico Up for Consideration by the Navajo Nation Council

WINDOW ROCK, Ariz. – Legislation was introduced before the 25th Navajo Nation Council on Friday, May 10 to approve a settlement addressing the Navajo Nation’s water rights claims in the Rio San José Stream System and the Rio Puerco Basin in New Mexico.

The legislation was sponsored by the Speaker of the Navajo Nation Council, Crystalyne Curley, who said the proposed Settlement marks a transformative moment for the Navajo people, heralding a future of stability and prosperity for Eastern Navajo communities.

“We are immensely proud to announce the Navajo Nation Rio San José Water Rights Settlement, a monumental step forward in securing water sovereignty for our communities. This agreement not only acknowledges our inherent rights but also empowers our communities to manage and sustain our water resources for generations to come. Together, we are ensuring a more resilient and thriving future for the Navajo Nation,” said Speaker Curley.

Once approved by all parties, it will be up for consideration by Congress, likely as part of broader settlement legislation with the Pueblo of Acoma and the Pueblo of Laguna. As drafted, the Settlement Agreement is an addendum to a broader settlement agreement with the Pueblos and a number of other parties. The Navajo settlement is expected to fund infrastructure for water delivery to a number of rural Navajo communities in New Mexico.

The Navajo Nation’s water claims quantified in the settlement include:

- 2,444 AFY of groundwater for the two basins.
- 417 AFY for livestock use.
- 493 AFY additional storage rights for stock ponds in the Rio San José Basin.
- Livestock water rights for the Rio Puerco Basin to be determined later.
- The settlement agreement does not address allottees’ water rights.

The settlement is proposed to cost \$243 million. Funding will go towards wastewater development, chlorination stations, water hauling stations, an operation and maintenance trust fund, a regional water system to import water, and a water acquisition fund.

“This Rio San José Water Rights Settlement legislation represents hope and vital resources for the Navajo communities in New Mexico,” said Navajo Nation President Buu Nygren. “I urge

Congress to act swiftly on the settlement. It's more than just water. It's about health, sustainability and the future of our people. We look to our allies in Congress to help make this a reality."

This settlement will directly impact nine Navajo chapter communities nestled within the Rio San José Basin, including Baca/Prewitt, Casamero Lake, Crownpoint, Littlewater, Mariano Lake, Ramah, Smith Lake, Thoreau, and Tóhajiilee, as well as seven chapters within the Rio Puerco Basin: Tóhajiilee, Torreon, Ojo Encino, Pueblo Pintado, Whitehorse Lake, Counselor, and Littlewater. Many Navajo households in these basins have no running water and have relied on water hauling to meet daily water needs.

"Communities in Navajo's Eastern Agency like Tohajiilee and Smith Lake will finally have access to clean, safe water that they can drink and cook with," Navajo Nation Attorney General Ethel Branch said. "These are communities where water access is scarce or the supply has been contaminated by uranium mining. The Rio San José Stream System Water Rights Settlement Agreement provides a solution to these challenges and will ensure equity in water access for our Eastern Navajo communities."

Funding from the settlement will bring needed waterline extensions and bathroom additions to many families living without these modern conveniences. Livestock will also benefit from settlement water projects, she added.

Existing groundwater supplies are limited and of poor quality. Drought conditions have also impacted available water supplies.

"All across the Navajo Nation, access to water is a major concern for our people," said Navajo Nation Water Rights Commission Chair Joelynn Ashley. "We need water to live, to feed our animals and grow our crops. A water rights settlement for New Mexico communities is needed and wanted by the people."

With the introduction of the settlement agreement legislation, Navajo Nation Council committees will review it before a special session. Public comments can be sent to comments@navajo-nsn.gov.

Learn more at <https://nnwrc.navajo-nsn.gov/>.

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