



Navajo Nation Council expresses gratitude and support for Navajo-Utah Water Rights Settlement Act passed by US Senate

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WINDOW ROCK, Ariz. — The United States Senate approved the Navajo-Utah Water Rights Settlement Act through unanimous consent on Thursday, June 4, that would create a final settlement of all water rights claims between the Navajo Nation, the State of Utah and the U.S. government. The settlement would also establish the quantified water right of the Navajo Nation to use up to 81,500 acre-feet from water sources located in Utah. The settlement act requires further approval of H.R.644, sponsored by U.S. Rep. Rob Bishop (R-UT), by the U.S. House of Representatives before becoming law.

“On behalf of the 24th Navajo Nation Council, I want to thank our U.S. Senators for approving the long-awaited Navajo Utah Water Rights Settlement Act today. This is a momentous day, and we must thank, first and foremost, the Navajo advocates and leaders that came before us who worked to make this day possible. The Navajo Nation Council also thanks Senator Mitt Romney (R-UT) for his sponsorship of the Senate bill on our behalf, Senator Tom Udall (D-N.M.) for his continuing support and Senator Martha McSally (R-AZ) for hearing our voices and moving swiftly to resolve any holds that kept this important Act from proceeding,” said 24th Navajo Nation Council Speaker Seth Damon (Baahaali, Chilchiltah, Manuelito, Red Rock, Rock Springs, Tsayatoh).

“This legislation has been a very long time in the making, and I am proud that the Senate has come together to see it through the finish line,” Sen. Romney said. “The COVID-19 pandemic has disproportionately impacted the Navajo Nation in our state, and the shortage of running water in nearly half of homes is contributing to the spread. With this legislation, we will be able to provide access to water and wastewater facilities for the Navajo Nation and also provide the long-needed water infrastructure for its citizens. I urge my House colleagues to pass this without delay so we can keep the longstanding promise by the federal government to the Navajo Nation in Utah.”

The 23rd Navajo Nation Council first considered the settlement act language in 2015 after the Navajo Nation and the State of Utah came to a negotiated agreement. With the help of federal negotiators, the Navajo Nation Water Rights Commission, Navajo Nation Department of Water Resources and the Navajo Department of Justice arrived at an agreement with the state to settle claims, establish quantified water rights and to provide for more than \$210 million in federal funding for Navajo Utah water projects. Additionally, the State of Utah will contribute \$8 million to the Navajo Utah Settlement Trust Fund that will be established through the settlement act, if approved by the House.

That negotiated settlement language was approved through Navajo Nation Council Resolution No. CJA-7-16, sponsored by 23rd Navajo Nation Council Delegate Davis Filfred and cosponsored by Council Delegate Herman M. Daniels, Jr. (Tsah Bii Kin, Navajo Mountain, Shonto, Oljato).

“It is good to hear the news that the Navajo Utah Water Rights Settlement Act went through the Senate today. Moving forward, this will definitely help our constituents of Utah San Juan County with water. Homes without running water are closer than ever to getting help. I want to express a great ‘Thank you’ to my colleagues and to the 23rd Navajo Nation Council. Delegates advocated every chance they had at the D.C. level to get this settlement approved. I thank State Task Force Chair Mark Freeland and

our State Legislators for their support and advocacy. This all started at the grassroots level and grew into a team effort by all involved,” said Delegate Daniels.

Delegates also commended Sen. McSally for working through a standstill in D.C. to get the Navajo-Utah Water Rights Settlement Act included in the amendments to S.886.

“I have worked tirelessly to advance water security for the Navajo Nation and other rural tribes across Arizona and played a key role in helping to expedite this legislation following several delays,” Sen. McSally said. “In the desert southwest, we know that water is life. Reliable access to clean water has long been a challenge for remote areas on the Navajo Nation, but this legislation is a positive step toward addressing this issue. The rapid spread of the coronavirus within Arizona’s tribal communities underscored the importance of federal investment in our tribes, which overwhelmingly lack access to running water. Water security has been a priority of mine as a member of the Indian Affairs and Energy and Natural Resources Committees and I will continue to advocate for Arizona’s tribal communities.”

“As a representative of the Utah/Arizona portion of the Navajo Nation, I am very thrilled,” said Council Delegate Charlene Tso (Mexican Water, To’likan, Teenospos, Aneth, Red Mesa). “For years, we had been imploring our State and Tribal Partners to remove barriers to make clean water accessible to my constituents and to their family farms. This settlement moves us forward to establishing fundamental water infrastructure that will help our farms and ranches prosper. We also look forward to avoiding a costly legal fight without the agreement. This is a phenomenal victory for the Navajo Nation and I thank Sen. McSally for her tireless dedication to seeing this settlement through. And thank you, Sen. Romney, for being a faithful partner to the Navajo People.”

Upon receiving the news, Council Delegate Nathaniel Brown (Chilchinbeto, Dennehotso, Kayenta) said, “This day has been a long time coming and it’s what Utah Navajos have been fighting for for years. I want to thank Sen. Martha McSally for picking this up on behalf of the Navajo People and for being persistent. I also want to acknowledge the Navajo Utah leadership, grassroots groups and our Navajo Utah communities that brought this Act to this point. Water is especially important right now as we endure the challenges of hauling water for everyday use during the COVID-19 pandemic. We look forward to the day when our Navajo Utah families can turn on the faucet in their homes and see water flowing for the first time.”

“It is a great day for the Navajo People. Finally, after waiting decades, Navajos living in Utah can see the precious water flowing through the land and they can feel hopeful once again. Our fight, as a Nation, has brought us closer to seeing running water in our homes within our lifetime. I want to join my colleagues on the 24th Navajo Nation Council to respectfully ask our U.S. Representatives to pass this Act when it reaches the House of Representatives,” said Council Delegate Paul Begay (Coppermine, K’aibii’to, LeChee, Tonalea/Red Lake, Bodaway/Gap).

The House is currently out of session until the end of June, at which point H.R.644 is likely to be added to their calendar for consideration. The 24th Navajo Nation Council will continue working with Congressional partners to advocate for the passage of H.R.644 as quickly as possible.

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