



25th Navajo Nation Council

25TH NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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FOR IMMEDIATE RELEASE

May 22, 2024

Naabik'iyáti' Committee unanimously approves Northeastern Arizona Indian Water Rights Settlement Agreement for all Colorado River water in Arizona



Navajo Nation Speaker Crystalyne Curley was joined by the Navajo Nation Department of Water Resources Director Jason John in presenting the Northeastern Arizona Indian Water Rights Settlement Agreement before the Naabik'iyáti' Committee.

WINDOW ROCK, Ariz. – Today, the 25th Navajo Nation Council's Naabik'iyáti' Committee unanimously approved Legislation No. 0109-24, the Northeastern Arizona Indian Water Rights Settlement Agreement, which seeks to settle the Navajo Nation's claims to water rights to all Colorado River water in Arizona. The legislation moves forward to the Navajo Nation Council for consideration.

Legislation sponsor Speaker Crystalyne Curley said securing much needed water resources for Navajo communities is a priority for the 25th Navajo Nation Council. Speaker Curley thanked her colleagues who assisted in negotiating the settlement.

"Our Council Delegates and legal team worked hard to negotiate this settlement. Our core water rights settlement team were Navajo attorneys who successfully addressed all the Navajo Nation's claims to water in Arizona. This settlement prioritizes the need to provide essential water infrastructure to Navajo families and communities," Speaker Curley said.

Speaker Curley noted that the settlement will have a profound impact on Navajo investments

in essential infrastructure projects, such as roads, housing, education, and healthcare. Through the settlement, the Navajo Nation affirms and quantifies its enforceable rights to water in Arizona and to secure funding to build much needed water delivery infrastructure on the Navajo Nation.

The 17 participants 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 the Colorado River Upper Basin water, some Lower Basin water, all groundwater underlying the Navajo Nation, all surface water that reaches the Navajo Nation from the Little Colorado River, and all wash water that reaches the Nation south of the Hopi Reservation.

Navajo Nation Attorney General Ethel Branch said the finalization of the settlement signifies an incredible moment in Navajo history.

“We’re at a moment of great change in settling our claims to water in the Arizona portion of the Colorado River system. This settlement provides the Nation the flexibility to move our Arizona water from the upper basin to lower basin Navajo communities, and to divert our Arizona water in New Mexico and Utah, which in some cases is closer to our Arizona communities. This settlement will also secure billions of dollars’ worth of funding to build critical water delivery infrastructure for the Nation that won’t be possible through litigation,” Attorney General Branch said.

Once the proposed settlement is authorized and executed by the Navajo Nation and the U.S., funding will, in the near-term, provide needed water infrastructure to bring water to hundreds of Navajo families in Arizona who do not currently have access to piped water.

Projects in the settlement include the iiná bá–paa tuwaq’atsi 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.

If the Council approves the legislation and Navajo Nation President Buu Nygren signs it, federal legislation is expected to be introduced in Congress.

Council Delegate Germaine Simonson said the turbulent history of Navajo and Hopi relations is troublesome when considering that the tribes must work together to finalize the settlement.

“There are outstanding concerns when we consider that the Navajo and Hopi tribes can’t come to terms on improving a road like Hopi Route 60 that connects and benefits both Nations,” Simonson said.

Attorney General Branch noted there is a dispute process in place that will help to resolve differences in moving the settlement forward for Congressional approval.

Speaker Curley said the settlement provides the Nation an opportunity for growth and economic prosperity, and a pathway home for tribal members who have moved off the Nation to find career and financial stability.

"We have to stand by and support this settlement that will provide a path forward to prosperity for our people," Speaker Curley said.

The Naabik'iyáti' Committee unanimously supported Legislation No. 0109-24 with a vote of 18 in favor and none opposed. The 25th Navajo Nation Council is scheduled to consider the legislation during a special session beginning at 9:00 a.m. on Thursday, May 23rd at the Council Chamber in Window Rock, Ariz. The special session will also be live-streamed on the Council's YouTube channel.

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