

Tribes take a greater role in managing the Colorado River, still seek water rights



LAS VEGAS — Tribes from across the Colorado River basin came to Las Vegas this week looking for a more significant role in managing water supplies amid an ongoing drought, while still fighting for rights to the water they need to sustain their communities.

Tribal leaders joined other water officials, experts and advocates at the annual gathering of the Colorado River Water Users Association. The tribes' growing clout was evident in the latest plan to stretch the river's flow in Arizona, Nevada and California, but leaders said they wanted to remain a vital voice on the 246,000 square-mile watershed.

This year's conference included flags of the members of the [Ten Tribes Partnership](#), a consortium of communities on the Colorado River, alongside federal and state flags. Tribal officials spoke on panels throughout the three days of meeting, a change from the past, when tribes appeared mostly in Native-focused panels.

Water officials recognized the need to include Indigenous leaders in future decisions.

"Absolutely, tribes will be at the table," said Terry Goddard, president of the Central Arizona Water Conservation District. Tribal governments are currently working with state, federal and other water agencies to develop the new Colorado River management guidelines that are set to take effect Jan. 1, 2026. In contrast, tribes were left out of talks when developing the 2007 interim guidelines to address shortages.

Camille Calimlim Touton, the recently confirmed Bureau of Reclamation commissioner, said on Wednesday that the recent infrastructure bill enacted by Congress will provide \$2.5 billion to settle Indian water rights settlements to help the Department of the Interior fulfill its obligations to Indian tribes.

"We stand ready to be a full partner with those that want to work with us," Touton said.

She singled out Gila River and CRIT for stepping up to help reduce the risk of Lake Mead falling to more precarious levels.

"The drought has very real implications on people and the environment," Touton said, "including tribal communities who too often have seen their dreams denied and denied, who fear the loss of species of cultural significance."

Maria Dadgar, executive director of the Inter Tribal Council of Arizona, offered a land acknowledgment — a statement that names the tribe or tribes

whose ancestral lands the event or venue is located — believed to be the first-ever at the gathering.

"We can all agree whether we're Indigenous or not that water is essential for life, and therefore water is life," said Dadgar, a member of the Piscataway Tribe in southern Maryland. "We also believe that where there is a body of water, this is a sacred place."

The importance of a river's health

The Inter Tribal Council of Arizona recently met with Maori tribal leaders from New Zealand and discovered that the far-flung Indigenous peoples shared that sentiment with Arizona tribes, she said.

"The Maori tribes said that the health of the people correlates with the health of the river," Dadgar said. "When you understand that, you'll begin to see the viewpoint that tribes have when they approach their work around negotiations for the Colorado River."

But while Native nations hold the most senior of senior water rights, tribes historically have not been a part of the negotiations around the management of the Colorado River, she said. Dadgar said that should be considered history, because tribes are playing a critical role in the implementation of the Drought Contingency Plan.

"We are going to see that tribes are here to play an integral role in all of the Colorado River management decisions," she said.

Dadgar pointed to three different collaborations the Arizona-area tribes are engaging in to build water management capacity collectively as they grow into key stakeholders in the health of the Colorado River, which supplies water to some 40 million people in the Southwest.

A new agreement signed Wednesday at the conference affirmed the Colorado River Indian Tribes' and Gila River Indian Community's

commitments to leave a combined 179,000 acre-feet of their water allocation in Lake Mead as part of a pledge by several states and water districts to conserve 500,000 acre-feet. The two tribes' contributions made Arizona's contribution to the effort possible.

Drought plan: [Arizona joins Nevada, California and tribes in a pledge to slash Colorado River water use](#)

The Colorado River Tribal Roundtable, an Inter Tribal Council initiative, [signed an agreement with the Bureau of Reclamation](#) in March that created a platform for the council's 21 tribal members to engage directly with the bureau on issues related to the management of the Colorado River.

"It's really was like a handshake on paper to say that we will be working together," Dadgar said. The Tribal Leaders Water Policy Council, a longtime Inter Tribal Council group, will direct the collaboration.

Tribal rights predate states' rights

While some tribes like the Gila River Indian Community and the Colorado River Indian Tribes look forward to playing leading roles in river management, others still struggle simply to firm up their own water rights.

Shaun Chapoose, chairman of the Ute Indian Tribe of the Uintah and Ouray, led a delegation of tribal officials to advocate for those rights. The Upper Basin tribe, located in northeastern Utah, has been battling for its water since its 4.2-million-acre reservation, the second-largest in the U.S., was established in 1861.

"Our Indian water rights predate state rights," said Chapoose.

But he and other tribal officials at the conference said both Utah and the U.S. governments have interfered with their ability to claim their water rights and use the water for the benefit of the tribe's nearly 2,100 members for decades. Tribal officials cited several examples, including taking water from

the tribe to help fill the Flaming Gorge Reservoir in the mid-20th century.

The tribe held a referendum in 2018 to codify its own water law only to have it rejected by the Bureau of Indian Affairs, said Emmett Duncan, assistant director of the tribe's administration.

"We have a complicated history with water rights," Chapoose said.

The Ute Indian Tribe is a member of the Ten Tribes Partnership.

Taking steps:[One tribe seeks to offer water for lease, another moves to conserve more](#)

Another tribe that has long sought to quantify its water is the Navajo Nation. The tribe with the largest land base in the U.S. has sought to claim its fair share of water for decades and is currently in litigation.

Stanley Pollack, a water law attorney who worked with the Navajo Nation before he retired in October, said the situation is dire in the nation.

"About 40% of Navajos have to haul their water," he said.

The widespread lack of access to public water supplies hit hard when COVID-19 hit. People were unable to wash their hands properly, which facilitated the spread of the virus. And even though the nation sits almost entirely within both the upper and lower basin, he said the special master in the landmark case [Arizona v. California](#) that affirmed the current river allocations did not award mainstem rights to the more than 300,000-member nation.

That led to numerous and ongoing efforts to acquire water rights and to build the infrastructure to bring water to the scattered communities within the 17.5-million-acre reservation.

On the other side of Arizona, the Colorado River Indian Tribes will

fallow enough of its farm fields to contribute 50,000 acre-feet to keep Lake Mead levels high enough to forestall more shortages. But tribal citizens still want to continue farming, said Vice Chairman Dwight Lomayesva.

"We're doing our part to save the river," said Lomayesva, "not just because it's important but because the river is sacred to us."

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