



NAVAJO NATION DEPARTMENT OF JUSTICE

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Utah Seventh Judicial District Court Interlocutory Decree Determines and Adjudicates All Navajo Nation Water Rights in Utah

WINDOW ROCK, NAVAJO NATION - February 7, 2025 - On January 31, 2025, the Utah Seventh Judicial District Court determined and adjudicated all Navajo Nation rights to the use of surface and underground water in the State and fully incorporated the Navajo Nation / State of Utah Water Rights Settlement Agreement.

Navajo Nation President Dr. Buu Nygren stated, "I applaud this historic achievement. Securing the Nation's water rights is one of my top priorities and the court's entry of the decree on January 31, 2025, was the final step in securing the Nation's water rights in Utah. Now that we have secured our water rights in Utah, I look forward to the State of Utah collaborating with the Navajo Nation to have Congress take swift action in passing the Northeastern Arizona Indian Water Rights Settlement Act."

Water rights negotiations began in 2003 and the Navajo Utah Water Rights Settlement (NUWRS) Agreement was reached between the Navajo Nation and the State of Utah in 2015. NUWRS was approved by Congress in 2020 and the Act was finalized by the Navajo Nation, State of Utah and the Department of the Interior on May 27, 2022. The Utah Seventh Judicial District Interlocutory Decree determines and establishes the Nation's right to use 81,500 acre-feet of water per year (AFY) on its lands within in the State of Utah.

25th Navajo Nation Council Speaker Crystalyne Curley commented, "The 25th Navajo Nation Council commends Utah's Seventh District Court for affirming our water rights to 81,500 AFY from the Colorado River in Utah. Our partnership with the state is rooted in respect and sovereignty, and we will continue working together to secure passage for the Northeastern Arizona Indian Water Rights Settlement Act in Congress."

Navajo-Utah Water Rights Settlement Act (Sec. 1102, 134 Stat. 1182, 3224-34, Pub. L. 116-260) authorized \$210,400,000 for water infrastructure development:

- \$198,300,000 for the Navajo Water Development Trust Fund
- \$11,100,000 for the Navajo Operation, Maintenance & Replacement Trust Fund
- \$1,000,000 for implementing the Act

Department of Water Resources Director Jason John points out, “this decree is a critical step towards getting access to the federal funding for the water projects in Utah pursuant to the Settlement Agreement.”

According to United States Census 2020, over 6,000 Navajo people reside in the Navajo Utah region. Approximately half of the households within this area lack access to clean drinking water and must haul water over vast distances; the other half of the households have running water and indoor sanitation facilities.

25th Navajo Nation Council Delegate Curtis Yanito remarked, “This is a victory in our pursuit of water rights and all future access to water for our Navajos residing in Utah. It has been a 36 years legal sojourn. Our efforts prevailed. Our gratitude goes to the many people who have worked on this case since 1988. Thank you to the Water Rights Unit at the Navajo Department of Justice.”

The Navajo Nation Department of Justice looks forward to recognizing this monumental document and celebrating the NUWRS interlocutory decree at the February 11, 2025 Navajo Utah Commission Meeting.

“The Navajo Utah Water Settlement (NUWRS) decree signifies an important milestone, by the Navajo Legal and Technical Team in conjunction with our Navajo Nation Council Delegates, for the Navajo people in securing and protecting our water.” Joelynn Ashley, Chair for Navajo Nation Water Rights Commission (NNWRC) said, “I look forward to the passage by Congress of the Northeastern Arizona Indian Water Rights Settlement Act that will provide the delivery of safe drinking water to many Navajo families who continue to haul water on a daily basis. It takes a team to accomplish what is being pushed forward for the future of the Navajo Nation.”

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