



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

682 East Vine Street / Suite 7 / Murray, UT 84107 / (801) 685-2555 / Fax 685-2559 / www.westernstateswater.org

Chair - Jon Niermann; Executive Director - Tony Willardson; Editor - Michelle Bushman; Subscriptions - Julie Groat

ADMINISTRATION/WATER QUALITY

Drinking Water/Infrastructure/Tribes

On October 31, DOI announced a nearly \$82M investment to bring clean drinking water to tribal communities in the West. The investment will fund 23 projects through the new Tribal Domestic Water Supplies Program, established through the Inflation Reduction Act. Bureau of Reclamation Deputy Commissioner David Palumbo and Deputy Assistant Secretary for Water and Science Gary Gold made the announcement during a visit to the San Carlos Apache Tribe in eastern Arizona, which is receiving \$7.3M to plan, design and obtain approvals and permits for a new raw water delivery and domestic drinking water treatment facilities for the San Carlos Regional Water System. Twenty-one projects were selected to receive funding for planning and design and two were selected to receive funding for construction. Department of the Interior (DOI) Secretary Deb Haaland said: "Investing in water infrastructure projects is crucial to ensuring the health, safety and economic prosperity of Indigenous communities. This new program, funded by the President's Investing in America agenda, will help us ensure all Tribal families and communities have access to the clean, safe drinking water they need in order to thrive."

ADMINISTRATION/WATER RESOURCES

Infrastructure/Water Recycling

On November 18, DOI announced a \$125M investment for five projects in California and Utah under its Large-Scale Water Recycling Program, launched in 2023. The projects selected are: (1) \$60.4 million for the City of San Buenaventura's Ventura Water Program, estimated to produce 3,600 acre-feet of recycled water annually; (2) \$30 million for the Los Angeles Groundwater Replenishment Project, estimated to produce 26,000 acre-feet annually; (3) \$26.2 million for the Metropolitan Water District of Southern California's Pure Water Southern California Project, estimated to produce 118,590 acre-feet annually; (4) \$10.8 million for the Inland Empire Utilities Agency of California Advanced Treatment of Recycled Water to Enhance Chino Basin Resiliency Project, estimated to produce 15,000 acre-feet annually; (5) \$641,222 for the Washington

County Water Conservancy District's Regional Reuse System, in southwestern Utah, that is estimated to produce 28,373 acre-feet annually. Secretary Haaland said: "The President's Investing in America agenda is making transformational investments in climate resilience in communities across America. Through the Large-Scale Water Recycling program, the Department is ensuring that communities in the West have the resources they need to safeguard water supplies and ensure this precious resource is available for generations to come."

WATER RESOURCES/WATER RIGHTS

Arizona/Indian Water Rights

On November 19, Governor Katie Hobbs signed the Northeastern Arizona Indian Water Rights Settlement Agreement (NAIWRSA) and the Yavapai-Apache Nation Water Rights Settlement Agreement (YANWRSA) resolving four Tribal Nations' water rights claims. The NAIWRSA settles outstanding tribal water rights claims to the Colorado River, the Little Colorado River, and groundwater sources in northeastern Arizona. It also ratified a treaty, providing the San Juan Southern Paiute Tribe with 5,400 acres of exclusive reservation. The YANWRSA secures safe and sustainable water supplies for the Yavapai Apache Nation, while also preserving and protecting the Verde River. It includes building a 60-mile water pipeline from C.C. Cragin Reservoir on the Mogollon Rim to deliver water to the Nation.

Hobbs said: "This is a historic moment for the State of Arizona, Tribal nations, and all parties to these agreements. They create a consequential and lasting impact by securing a sustainable water supply for tens of thousands of Arizonans and helping local economies thrive. I'm proud to be a part of this solution that many Arizona families have fought to get for generations. It's a testament to their strength and determination, as well as my commitment to collaborate with Arizona's Tribal nations and protect water supplies for all Arizonans."

Chairwoman Tanya Lewis of the Yavapai-Apache Nation said: "We are proud to have reached this critical milestone for the Yavapai-Apache Nation and the Verde River, which is at the heart of our cultural way of life. This

comprehensive water rights settlement not only ensures water certainty for the Nation but also supports a healthy Verde River, benefiting the entire Verde Valley and our downstream neighbors in metropolitan Phoenix.”

The NAIWRSA would be approved by H.R.8940/S.4633, introduced in July by Representative Juan Ciscomani (R-AZ) and Senator Mark Kelly (D-AZ) respectively. The YANWRSA would be approved by H.R.8949/S.4705, introduced in July by Representative David Schweikert (R-A) and Senator Kelly respectively. Hearings were held for both Senate bills in September.

Idaho/Eastern Snake Plain Aquifer

Governor Brad Little and Lt. Governor Scott Bedke declared November 22, 2024, as Idaho Water Day in celebration of the completion of the Eastern Snake Plain Aquifer (ESPA) Ground Water Management Plan and the ESPA Mitigation Plan. In June, the Idaho Department of Water Resources, responded to a delivery call from the Surface Water Coalition (SWC) and issued a curtailment order for nine groundwater districts (WSW #2616). The mitigation plan is the result of negotiations between SWC and the junior groundwater districts, which reached agreement on November 14.

The ESPA Mitigation Plan provides a framework for conjunctive management, ensures senior water rights holders receive their share of water, and informs junior water right users of their requirements to protect the ESPA and remain protected from curtailment. Among its provisions: (1) water users have agreed to terminate all pending litigation in the matter; (2) groundwater districts will be evaluated for compliance individually rather than collectively; (3) groundwater users will now take their water share in four-year increments rather than annually allotments; (4) groundwater districts agree to conserve 205,000 acre-feet of water annually, and can now include private recharge; and (5) all water users are now required to implement accurate and timely measurement practices.

Governor Little said: “Today’s celebrations are about thanking our farmers for putting Idaho first. They spent months during their busiest season coming together to compromise and keep Idaho in control of our water. With Thanksgiving upon us, it was important for us to get together and reflect on one of this year’s greatest blessings – the completion of a new mitigation plan that protects agriculture, secures our water, and upholds Idaho’s water sovereignty.”

Lt. Governor Bedke said: “I firmly believe there are virtually no problems, no conflicts, no disagreements that are beyond a solution. Idaho’s newly-minted,

farmer-crafted water agreement is a case in point.”

Alan Hansten, Chair of the SWC said: “Water is our most precious resource and highest-valued commodity here in Idaho, and in southern and eastern Idaho, that resource comes from the Eastern Snake Plain Aquifer. How we manage this finite resource is of the utmost importance to both today’s farmers and tomorrow’s generations.... The [SWC] is thankful for all involved parties for taking the time to come together and work to address our water crisis head on.” <https://lgo.idaho.gov/pressrelease/>

Texas/Rio Grande/1944 Water Treaty

On November 19, Governor Gregg Abbott directed the Texas Commission on Environmental Quality (TCEQ) to accept an offer of 120,000 acre-feet (AF) on San Juan River water from Mexico, delivered into the Rio Grande. The 1944 Water Treaty requires Mexico to deliver 1.75 million AF from the Conchos, San Diego, San Rodrigo, Escondido and Salado Rivers and the Las Vacas Arroyo during the present five-year cycle, which closes in October 2025. Mexico has requested Treaty credit for delivering water from the San Juan River, but Abbott argued that the agreement is not in accordance with the treaty. In a press release, Abbott wrote: “Because our farmers and cities can wait no longer, Texas accepts the offer, pending TCEQ’s ultimate approval of the operational procedures. While the International Boundary and Water Commission apparently takes the position that water from the San Juan River may be credited against Mexico’s five-year Treaty commitments, Texas stands firm in its position consistent with the text of the Treaty — that those commitments may be satisfied only with water from the six named tributaries.... Mexico’s deficit under the 1944 Water Treaty has never been greater. Barring action by Mexico, in October 2025, Texans will be facing a projected deficit of 1.3-million acre-feet of water.”

TCEQ reiterated its call for Mexico to meet its obligations: “The Amistad and Falcon reservoirs, primary sources of water for the Rio Grande Valley, are at historic lows while reservoirs in Nuevo León and Tamaulipas are retaining upwards of 120% of their capacity. Additionally, Mexico delaying their delivery obligations under the 1944 Treaty has resulted in its largest-ever deficit. Since Mexico continues to disregard its Treaty obligations while enjoying historic surpluses, Mexico must quickly enact the tools within Minute 331. These include: Mexico’s transfer of water at Amistad and Falcon reservoirs, allocating a greater than one-third share from the six named Mexican tributaries, developing new water sources with firm annual delivery commitments, and recognizing Treaty obligations in its annual planning process.” <https://www.tceq.texas.gov/news>

The WESTERN STATES WATER COUNCIL is a government entity of representatives appointed by the Governors of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.