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Upper Division States Approve a Memorandum of Understanding between the UCRC and Upper Basin Tribal Nations

On March 4, 2024, the States of the Upper Division of the Colorado River Basin (Colorado, New Mexico, Utah, and Wyoming) acting through the Upper Colorado River Commission (UCRC) took the historic step of approving a memorandum of understanding with the Tribal Nations (Jicarilla-Apache Nation, Navajo Nation, Ute Mountain Ute, Southern Ute Indian Tribe, Ute Indian Tribe, and Shivwits Band of Paiutes) to engage and cooperate on Colorado River issues of shared interest.

The proposed agreement is a culmination of a year and half of meetings and discussions between the Governors' representatives of the four Upper Division States and Tribal Leaders. The shared goals of the States and Tribes are to seek common understanding and cooperation on interstate Colorado River issues. Tribal leaders have hosted meetings with the UCRC Commissioners on their homelands to share their personal perspectives and experiences regarding Colorado River management and identify issues of concern. The next step is for the Tribes to consider approving the MOU. The full execution of the MOU between Tribes and the UCRC is expected to take place in April.

Federal Commissioner Anne Castle – *“The UCRC’s approval of the Memorandum of Understanding today marks an important milestone in the relationships among the States and Tribes of the Upper Colorado River Basin. This formalized mechanism for ensuring the involvement of the sovereign tribes in the Basin, regardless of changes in leadership and personnel, demonstrates the commitment of all the parties to working together and recognition of the critical role of these Tribal Nations in moving toward a sustainable water supply for all. We look forward to the Tribes’ consideration of this proposed joint method for ensuring ongoing collaboration.”*

Vice-Chair and Colorado Commissioner Becky Mitchell – *“When we started the journey with our Tribal partners, hosted by the Southern Ute Indian Tribe in Ignacio, Colorado, we collectively acknowledged that our meetings and discussions were historic but that they shouldn’t be. I am pleased that the UCRC took this step today. I also want to acknowledge that after more than 100 years since the Compact was signed – it is time to more fully engage and collaborate with our Tribal partners. We also acknowledge there is more work to be done: it is time that we support the Upper Basin Tribal Nations in realizing benefits from their settled but undeveloped water supplies.”*

New Mexico Commissioner Estevan Lopez – *“Today the UCRC took an important step to formalize an engagement process with Tribes that we collectively started in the summer of 2022. It has taken too long to get to this point, and we still have further to go. I want to thank Tribal leaders, my colleagues on the Commission, UCRC, State and Tribal staff and the many people who have worked hard to get to this point. I am hopeful that we are entering a new era of cooperation among Tribes and States. Going forward, Tribal perspectives must be considered as we manage the waters of the Colorado River which we all depend upon.”*

Utah Commissioner Gene Shawcroft – *“When the Commissioners and Tribal leaders began our meetings over 1.5 years ago, we engaged in some honest and uncomfortable conversations regarding our shared history. However, through the joint efforts between Tribes and States, we have reached a point of shared optimism that moving forward we can do better together. I am hopeful that this approach can be a positive model for difficult discussions across the Basin.”*

Wyoming Commissioner Brandon Gebhart – *“Wyoming supports the Tribes-States Dialogue process and appreciates the forthright discussions that have led us to this agreement. The process underway with Tribal leaders and the Commissioners to talk openly about the unique and difficult issues we face together on the Colorado River can help us all as we consider the post-2026 operations.”*

Vice Chairman Lorelei Cloud of the Southern Ute Indian Tribe – *“As Mouache and Kaputa, we have stewarded the lands and waters of the State of Colorado since time immemorial. This MOU is a testament to our enduring connection to this sacred resource and a recognition of the critical role Tribal voices play in its protection. Together we are united in ensuring that the Colorado River flows, today and for generations to come.”*

Chairman Manuel Heart of the Ute Mountain Ute Indian Tribe – *“The Ute Mountain Ute Tribe appreciates the open communication that has developed between the UCRC and the Upper Basin Tribes over the past two years. We thank Colorado Commissioner Becky Mitchell and Commissioners from the other Upper Basin States for consistently engaging the Tribes.*

The UCRC-Upper Basin MOU formalizes these important relationships by providing a cooperative structure for coordinating the work that lies ahead in creating post-2026 Guidelines to support the sustainable and equitable operation of Lake Powell and Lake Mead. The Upper Basin Tribes are entitled to approximately 25% of the water rights in the Upper Basin and are working diligently to exercise and benefit from these rights. The alignments between the UCRC and the Upper Basin Tribes provide an important foundation for making sure that we all benefit from the negotiations that lie ahead.

The Ute Mountain Ute Tribe approves the MOU as an important step forward, and a basis for building on and advancing our working relationships in the best interests of all partners in this agreement.”

During the UCRC’s 306th Special Meeting, held via webinar on March 4th, 2024, Tribal Leaders provided further positive comments on the Tribes-UCRC MOU, including Stanford Salazar from the Jicarilla-Apache Nation, Vanessa Torres from the Southern Ute Indian Tribe, Mike Preston from the Ute Mountain Ute Indian Tribe, Crystal Tulley-Cordova from the Navajo Nation, and Emmett Duncan from the Ute Indian Tribe.