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Upper Basin Tribes Sign Historic Memorandum of Understanding with Upper Division States

[DULCE, NM] – The Upper Basin Tribes (Jicarilla Apache Nation, Navajo Nation, Ute Mountain Ute Tribe, Southern Ute Indian Tribe, Ute Indian Tribe, and the Paiute Indian Tribe of Utah) and the Upper Basin States of the Upper Division of the Colorado River Basin (Colorado, New Mexico, Utah, and Wyoming) acting through the Upper Colorado River Commission (UCRC), are proud to announce the signing of a historic memorandum of understanding (MOU). This document commemorates the parties’ commitment to timely sharing of information regarding Colorado River developments, identification of Colorado River issues of mutual concern, and engagement and cooperation on measures aimed at achieving common goals.

The agreement follows almost two years of close coordination between the Upper Basin Tribal Leaders and Governors’ representatives of the four Upper Division States. Tribal leaders have previously hosted meetings with the UCRC Commissioners on their homelands to share their personal experiences and community perspectives regarding Colorado River management, and to jointly identify issues of mutual concern. On April 22, 2024, the Jicarilla Apache Nation hosted the MOU signing ceremony and celebration on Jicarilla Apache Nation lands at the Nation’s Lodge at Chama.

Vice President of the Jicarilla Apache Nation Sonja Newton – *“The Nation is honored to have had the opportunity to host this historic event. Today we have made a strong commitment, as sovereigns, to meaningful communication and governmental collaboration on Colorado River issues in the Upper Basin for many years to come. This MOU is the culmination of the Tribal Nations’ decades of hard work to change the status quo regarding tribal involvement in Colorado River management and decision-making. This MOU is a major achievement in our continuing work to ensure that Tribes are included in a manner that is consistent with their sovereign status.”*

Federal Commissioner Anne Castle – *“The execution today of this Memorandum of Understanding 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 in meaningful discussions about operation of the Colorado River, regardless of changes in leadership and personnel, demonstrates recognition of the critical role of these Tribal Nations in moving toward a sustainable water supply for all. We look forward to this ongoing collaboration and a more equitable future.”*

Vice Chairman Lorelei Cloud of the Southern Ute Indian Tribe – *“Colorado’s very foundation rests on the stewardship of the Ute people, including the Mouache and Kaputa. We have safeguarded these lands and waters since before there was a state, and our responsibility continues to this day. This MOU, signed by our Tribe, stands as a powerful symbol of our enduring connection to this sacred resource. It also recognizes the essential role Tribal voices play in ensuring its well-being. We are thrilled to formally establish this partnership between the Southern Ute Indian Tribe, other Upper Basin Tribes, and the Upper Colorado River Commission.”*

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.”*

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.”

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.”