



UPPER COLORADO RIVER COMMISSION

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September 23, 2024

VIA EMAIL

Camille Calimlim Touton
Commissioner
Bureau of Reclamation
1849 C Street NW
Washington DC 20240-0001

Re: Support for the Upper Basin Tribes Deriving Benefits from Settled, Quantified, and Adjudicated Federal Reserved Tribal Water Rights.

Dear Commissioner Touton:

The Upper Division States of Colorado, New Mexico, Utah, and Wyoming, acting by and through the Upper Colorado River Compact Commission (“UCRC”), write with regard to the letter the Jicarilla Apache Nation, Navajo Nation, Paiute Indian Tribe of Utah, Southern Ute Indian Tribe, and the Ute Mountain Ute Tribe (the “Upper Basin Tribes”) sent you on September 23rd, 2024. In their letter, the Upper Basin Tribes urged Reclamation to work with them and the Upper Division States to address Tribal concerns involving Tribal water rights that are 1) undeveloped, 2) unquantified, 3) unused, and 4) uncompensated.

The Upper Basin Tribes have the right to develop and use their settled, quantified, and adjudicated federal reserved Tribal water rights in perpetuity. Water users in the Colorado River Basin have long relied on water that would be unavailable if the Upper Basin Tribes had fully developed or otherwise used the water they have a right to use. As the Upper Basin Tribes continue to take steps to develop their water rights, the Upper Division States support Reclamation working with the Tribes and the Upper Division States to find ways to help the Tribes derive benefits from their unused or undeveloped water until the Tribes are ready and able to place such water to use. This includes participation in programs funded under the Inflation Reduction Act (“IRA”) of August 16, 2022, Public Law 117-169, 136 Stat. 2053, or other federal funding programs.

Discussions between the Upper Basin Tribes, the Upper Division States, and the United States will be critical to advancing this important work. We look forward to continuing our partnership with you and the Upper Basin Tribes.

Sincerely,

UPPER COLORADO RIVER COMMISSION



Charles R. Cullom
Executive Director

Cc: Secretary of Interior Deb Haaland
David Palumbo, Deputy Commissioner, Bureau of Reclamation
Wayne Pullan, Regional Director, Reclamation
Adrien Notsinneh, President, Jicarilla Apache Nation
Dr. Buu Nygren, President, Navajo Nation
Hope Silvas, Chairwoman, Shivwits Band of Paiutes
Melvin J. Baker, Chair, Southern Ute Indian Tribe
Manuel Heart, Chair, Ute Mountain Ute Tribe
Anne Castle, Federal Commissioner, Upper Colorado River Commission
Rebecca Mitchell, Colorado Commissioner, Upper Colorado River Commission
Estevan Lopez, New Mexico Commissioner, Upper Colorado River Commission
Gene Shawcroft, Utah Commissioner, Upper Colorado River Commission
Brandon Gebhart, Wyoming Commissioner, Upper Colorado River
Commission