WATER RIGHTS: WHO GETS WATER AND HOW MUCH?

TÓ BEEHAZ'ÁANII BIK'EHGO: HÁÍSH TÓ BAHÓLǪDO ÁÁDÓÓ HANILĄ'GO?

LOS DERECHOS DEL AGUA: ¿QUIÉN TIENE ACCESO Y A CUÁNTA?

Laws that determine who gets water and how much were written when fewer people lived in the region. These laws often ignored rights held by Indigenous communities. Decisions made in the past have made water a controversial topic, causing ongoing legal arguments about water use and tribal rights. Legal battles over water rights have been argued before the U.S. Supreme Court many times.

To read or listen in...

Navajo
bit.ly/WaWNavajoP2

Spanish
bit.ly/WaWSpanishP2

Tribal Water Rights

Tribal water rights are generally more senior to other water rights in the region and cannot be taken away even if the water is not being used. Of the 30 federally recognized tribes in the Colorado River Basin, 22 have recognized rights to the water in the Colorado River and 12 tribes have unresolved water rights claims. Tribes continue to build the pumps and pipes to be able to put their water rights to use.

Acequias

Acequias are community managed water systems. Made of ditches and channels, they distribute water to parciantes—members who own water rights in the community. The San Luis People's Ditch in Colorado currently irrigates more than 2,000 acres of crops. It is the state's oldest acequia with water rights that date back to 1852.

Prior Appropriation

Water distribution in the Four Corners follows an order defined by "prior appropriation." Under this system, people who claimed water rights earlier ("older water rights") get to access their water before people with rights that were claimed more recently ("younger water rights").

Colorado River Compact

In 1922 seven U.S. states—including Colorado, Utah, Arizona, and New Mexico—agreed to the Colorado River Compact. The compact defines how much water each state may legally withdraw from the Colorado River system. It also defines how much water each state must share with the other members. Later it was discovered the Compact overestimated the amount of water available in the river system. That overestimate has led to disagreements among participating states. Drought and the decreasing amount of water in the region places further strain on the states bound by the agreement.