Title: Tribal Water Management and Risk-sharing Innovations

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Abstract:

Native American tribal governments have been active over the past several decades as negotiators of settlements which quantify tribal water rights and address regional water challenges. The pressure to quantify tribal rights and to create water management strategies and risk-sharing agreements has increased as populations in the West continue to grow. Many tribal water settlements and agreements involving tribes are being implemented to meet needs of tribal communities, environmental stakeholders, cities, and agricultural water users, with the state of Arizona accounting for a large share of these.

In 1908, the U.S. Supreme Court case Winters vs. the United States clarified that Native American tribes are guaranteed access to water on the land reserved to them to fulfill the purposes of the land reservation. These purposes can include water to irrigate crops, community drinking water, and economic development activities to provide a homeland and livelihoods for tribal members. Many tribal nations have pursued quantification of their water entitlements, through either litigation, negotiated settlements, or a combination of both. Since the 1970s, over three dozen tribal water right settlements have been formalized in the U.S.

Recently, tribes are initiating innovations in regional water management. Their legal status as sovereign governments not ruled by state water law and their senior water entitlements put them in a unique position. In times of drought, these agreements are relied upon to provide structure to water management. This poster highlights examples of tribes’ innovative approaches in regional water problem-solving in the western United States, including Arizona examples.