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### Navajo Nation's Department of Water Resources Management

Teresa M. Showa

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**NAVAJO NATION'S DEPARTMENT  
OF  
WATER RESOURCES MANAGEMENT**

**Teresa M. Showa  
Director  
Department of Water Resources Management  
Navajo Nation**

**"Water Organizations in a Changing West"  
Natural Resources Law Center  
University of Colorado School of Law  
Boulder, Colorado  
June 14-16, 1993**

**May 07, 1993**

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**"Water Organizations in a Changing West"**  
June 14-16, 1993

**Water Organizations in the West**  
**Navajo Nation's Department of Water Resources Management**

**I. SUMMARY**

In 1983, the Navajo Nation Council, recognizing the importance of water resources to the Navajo Nation, established the Department of Water Resources Management. All water functions were placed under this Department to effectively plan, manage and protect this valuable resource,

The Water Resources Management Department is charged with implementing and enforcing the Navajo Nation Water Code. The Code provides the Navajo Nation the framework for exercising jurisdictional authority over actions affecting its water resources, providing technical support for Navajo Nation water rights, protecting the Navajo Nation water resources through the implementation of sound management policies, developing a comprehensive computerized water resources GIS/database, and quantifying all water resources within Navajo territorial jurisdiction.

**II. INTRODUCTION**

**A. Brief History of Navajo Nation**

Since its creation by the Treaty of 1868, the Navajo Nation, in order to accommodate its ever increasing human and livestock populations, has grown from 3.5 million acres to its present size of 17,627,262 million acres or 27,543 square miles (about the size of West Virginia). Located in the Four Corners region of the Southwest, the Navajo Nation is the largest of all the U.S. Indian reservations, with boundaries extending into Arizona, New Mexico and Utah.

The Navajo reservation is semi-arid tableland, with an average elevation of approximately 6,000 feet, from the lowlands of about 4,500 feet to over 10,000 feet in the two mountain belts which intersect the reservation. There is a wide variety of terrain: arroyos, deep canyons, rocky and sandy plains, buttes, mesas, and sheer cliffs. Vegetation includes: pines, aspen, oaks and firs in the higher altitudes; sagebrush, greasewood, pinons, and junipers in the plateaus; and desert flora in the lower altitudes. Flowing streams and natural reservoirs are rare. Seasons are extreme: temperature fall to minus 35 degrees in the winters and exceed 110 degrees in the summers. Annual rainfall ranges from less than 6

inches in the Little Colorado Valley to near 30 inches in the Chuska Mountains; the average annual precipitation for the Nation is between 10 to 12 inches.

Currently, the Navajo Nation has a population of 151,105 people living on the reservation (1990 Census).

## **B. Geography of Navajo Area**

### **1. Political**

The Navajo Nation is divided into 109 local Chapters. The Chapter System organized in 1927 was intended to bring "grassroots" people together to discuss issues and problems of local concerns, and to better disseminate information regarding federal programs. In 1952, the Navajo Tribal Council enacted a resolution officially making the Chapter System a part of the tribal political organization.

### **2. River Basins**

The Navajo Nation lies within three major watersheds: the Colorado River, the Rio Grande and the Gila River.

Of these major watersheds the notable subwatersheds are the San Juan River and the Little Colorado River that make up 4/5 of the entire reservation. (See attached Map A)

## **III. ORGANIZATION OF THE DEPARTMENT OF WATER RESOURCES MANAGEMENT**

### **A. Overall Tribal Government**

See attached Chart A.

### **B. The Department**

See attached Chart B & C.

## **IV. DUTIES & FUNCTIONS**

### **A. Overall duties**

1. Develop and implement policies, rules, regulations, and management plans relating to all Navajo water resources, utilizing GIS/Databases in the management of Navajo water resources.
2. Plan and conduct special studies, surveys and inventories as required.
3. Coordinate water management and information processing activities with federal, state, Tribal and local government agencies, industry representatives and local residents.

4. Prepare and assist in preparation of Navajo Tribal pamphlets and related informational packets to promote public awareness of natural resource issues as they pertain to economic return and public education through the management of Navajo water resources and through the use of developed informational systems, actively seek public participation in water management plans and programs.
5. Inventory the quantity and quality of all Navajo Nation water resources and determine their current uses.
6. Monitor the use and productivity of Navajo water resources and resource information systems with a view toward maximum benefit to the Tribe.
7. Provide technical information and analysis needed to manage Navajo Nation water resources.
8. Review, approve and enforce the necessary permits required under the Navajo Water Code.
9. Monitor and manage Navajo water resources through the implementation of water allocation and water quality policies, rules and regulations; and management plans for multiple use management of Navajo water resources.

B. Functions given to Department in the Navajo Nation Water Code

As described in the Navajo Nation Water Code, 22 N.T.C. Sections 1401 thru 1404 (1984), the four functions are information, enforcement, advisory and administrative. The following is a list of a few descriptive duties of each function:

Information functions include:

- (a) Collect, organize and catalog existing information and studies available from all sources, both public and private, pertaining to the waters within the Navajo Nation;
- (b) Develop such additional data and studies pertaining to water availability, quality, and use as a necessary to accomplish the objectives of this Code;
- (c) Solicit public comment, consult the Chapters and obtain expert advice when appropriate;
- (d) Investigate water uses and other activities affecting the waters within the Navajo Nation to determine compliance with this Code and with applicable regulations, orders, determinations, permits, water quality standard, etc. issued pursuant to this Code.

Enforcement functions include:

- (a) Remove, render inoperative, shut down, close, seal, cap, modify or otherwise control methods of diversion, withdrawal, and impoundment, obstructions to the flow of water and other activities adversely affecting water

quantity or quality;

(b) enter upon land to inspect methods of diversion, withdrawal and impoundment, inspect other activities affecting water quality and quantity, install and monitor measuring and recording devices when necessary, and compel testimony and data, by Navajo Tribal Court subpoena, if necessary, concerning actions affecting the quality or quantity of the waters administered under this Code;

(c) All enforcement actions shall be subject to the limitations imposed by the Indian Civil Rights Act, 25 U.S.C. Section 1301 et seq., and the Navajo Bill of Rights, 1 N.T.C. Section 1 et seq.

Advisory functions include advising the Tribal Resources Committee, the legislative oversight committee for the Division of Natural Resources, on the following:

(a) The advisability of taking other actions, and adopting other plans and methods in order to optimize available water supplies and to minimize pollution and thermal degradation;

(b) The advisability, in cooperation with the Office of Navajo Land Development, of purchasing, selling, exchanging and acquiring any interest in real or personal property;

(c) The advisability of entering into administrative agreements and other cooperative ventures with tribal, local, state or federal agencies outside the Navajo Tribal Council and the Resources Committee, for appropriate purposes including the administration of interstate streams and groundwaters;

Administrative functions include:

(a) Grant, deny, modify and revoke water use permits;

(b) Make determinations of water use rights;

(c) Ensure, in coordination with other appropriate agencies, adequate water levels in streams, rivers, ponds, and lakes to protect Navajo traditional religious practices, wildlife conservation and other values.

## V. CURRENT ISSUES

The Navajo Nation is involve in many water issues and a few are:

### A. Water Rights Adjudications

Little Colorado River Adjudication

San Juan River Adjudication

Zuni River Adjudication

Rio San Jose Adjudication

### B. Re-evaluating the Navajo Nation Water Code



- C. Gallup-Navajo Pipeline  
Delivery of water through a pipeline to Eastern area Navajos and to the City of Gallup.
- D. San Juan River issues  
Endangered Colorado Squawfish and Razorback Sucker have place a stalemate on developement of the local region.
- E. Black Mesa Water Impact Study  
The impacts of pumpage from the Navajo aquifer for the Peabody coal slurry line to the Mojave Generating Plant, California.

## **VI. CONCERNS**

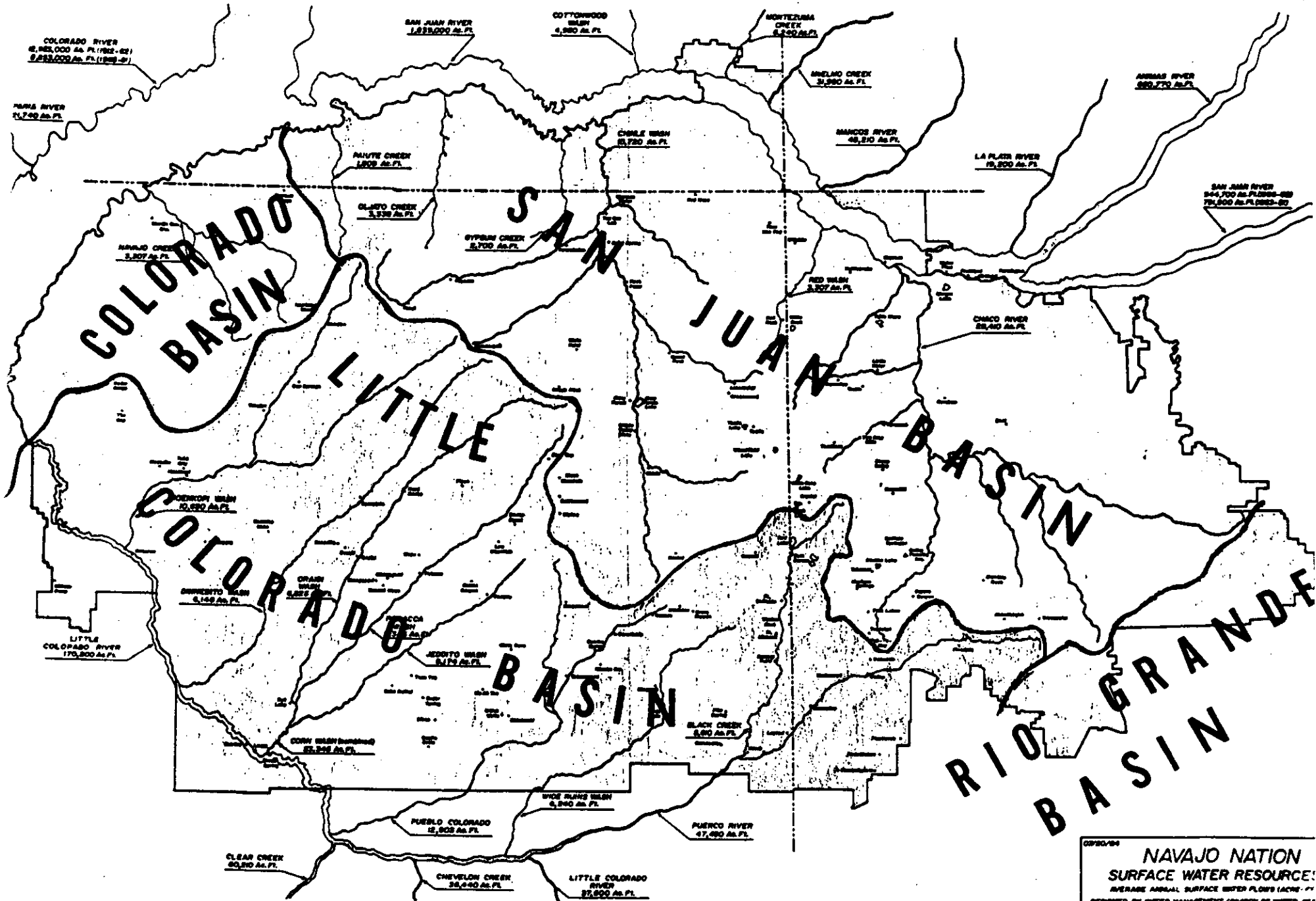
The Department of Water Resources Management have several concerns in managing the Navajo Nation's water and they are:

1. Lack of technical studies of Navajo Waters.
2. Navajo-Federal cooperation on water management.
3. Lack of Navajo Nation Water Plan.
4. Performing its functions with a staff of 30 and a limited budget for an area of 27,543 square miles.

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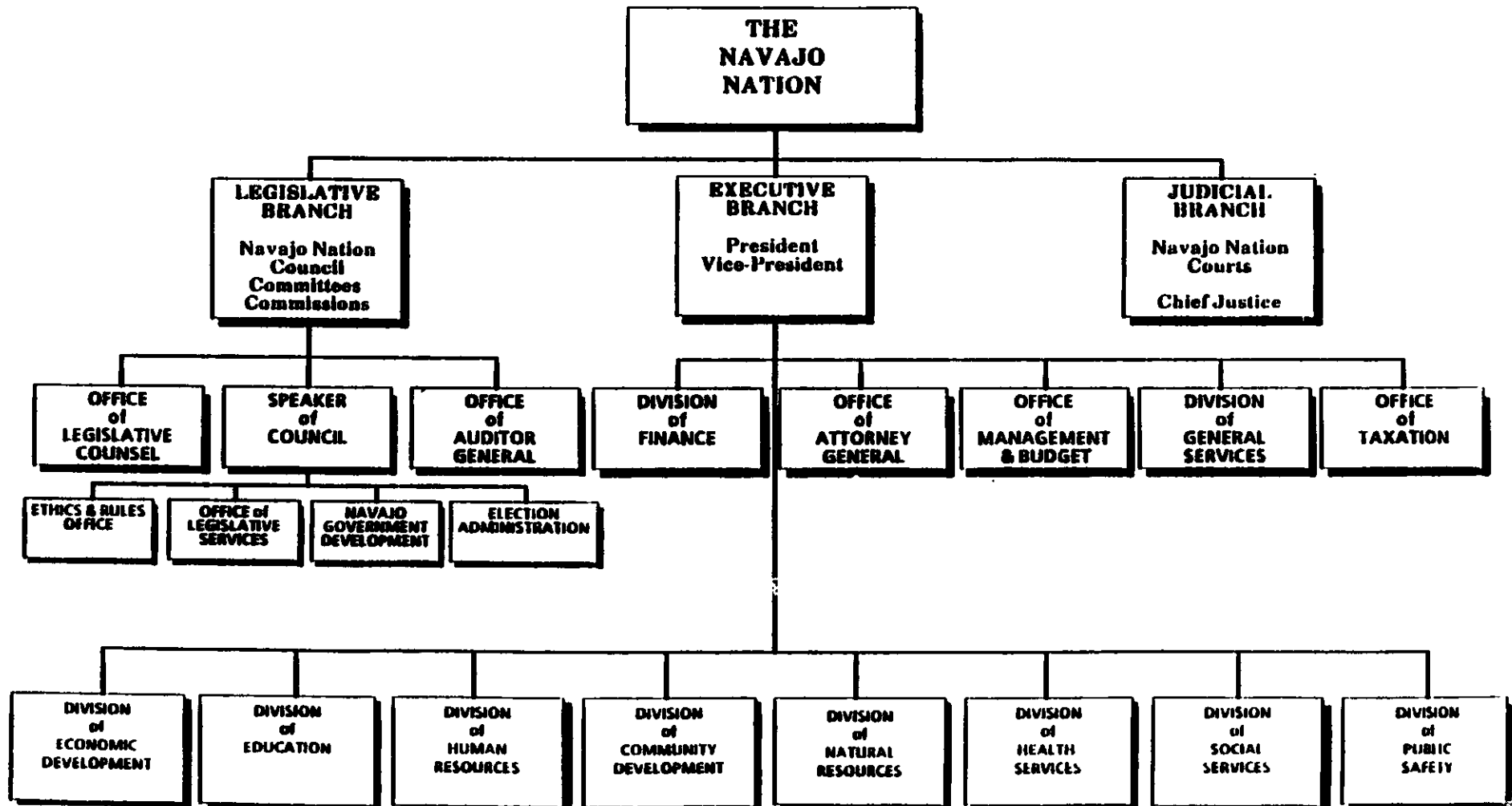
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**NAVAJO NATION**  
**SURFACE WATER RESOURCE:**  
 AVERAGE ANNUAL SURFACE WATER FLOWS (ACRE-FT.)  
 DESIGNED BY WATER MANAGEMENT DIVISION OF WATER RESOURCES

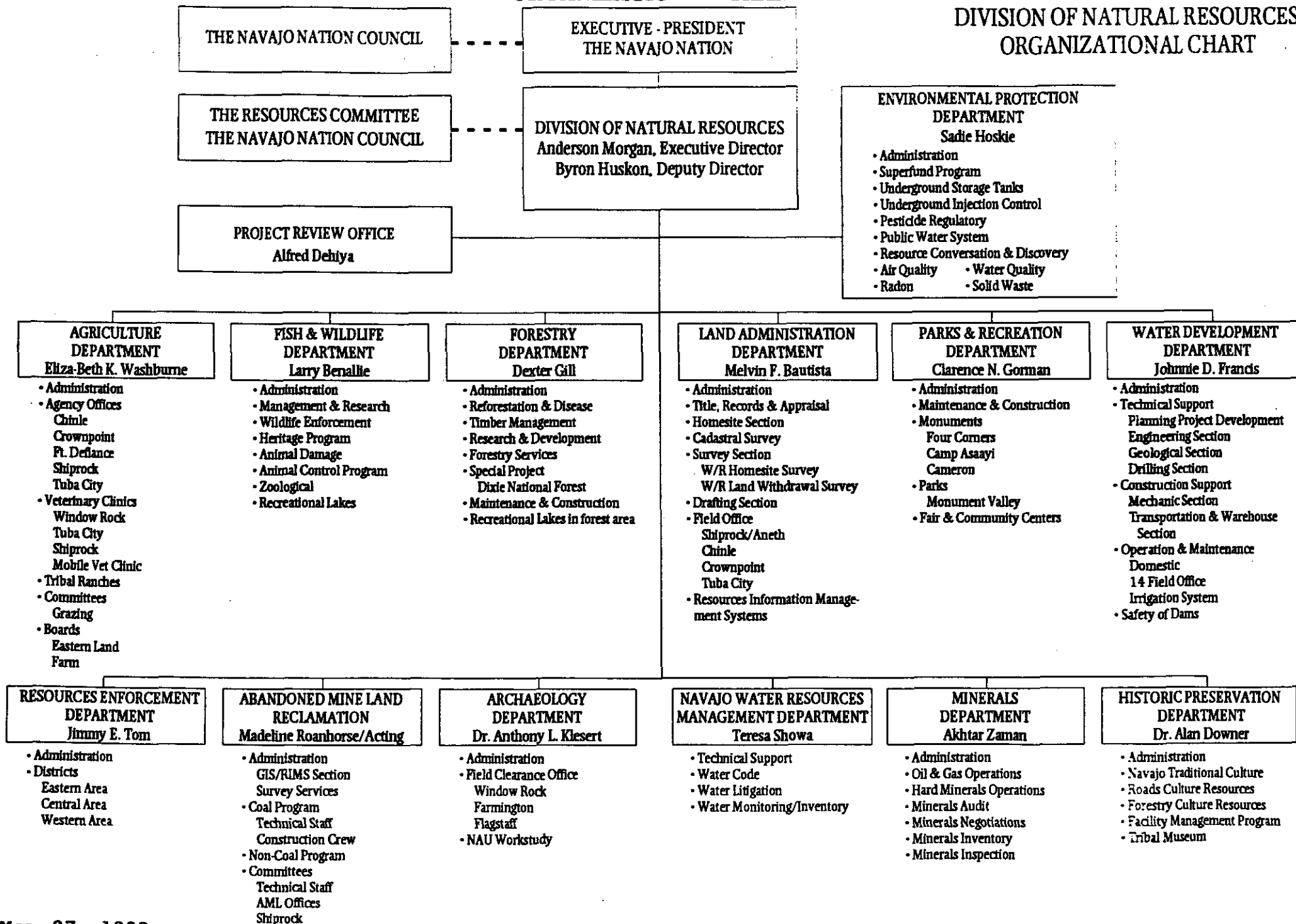
CHART A



# THE NAVAJO NATION ORGANIZATIONAL CHART

CHART B

## DIVISION OF NATURAL RESOURCES ORGANIZATIONAL CHART



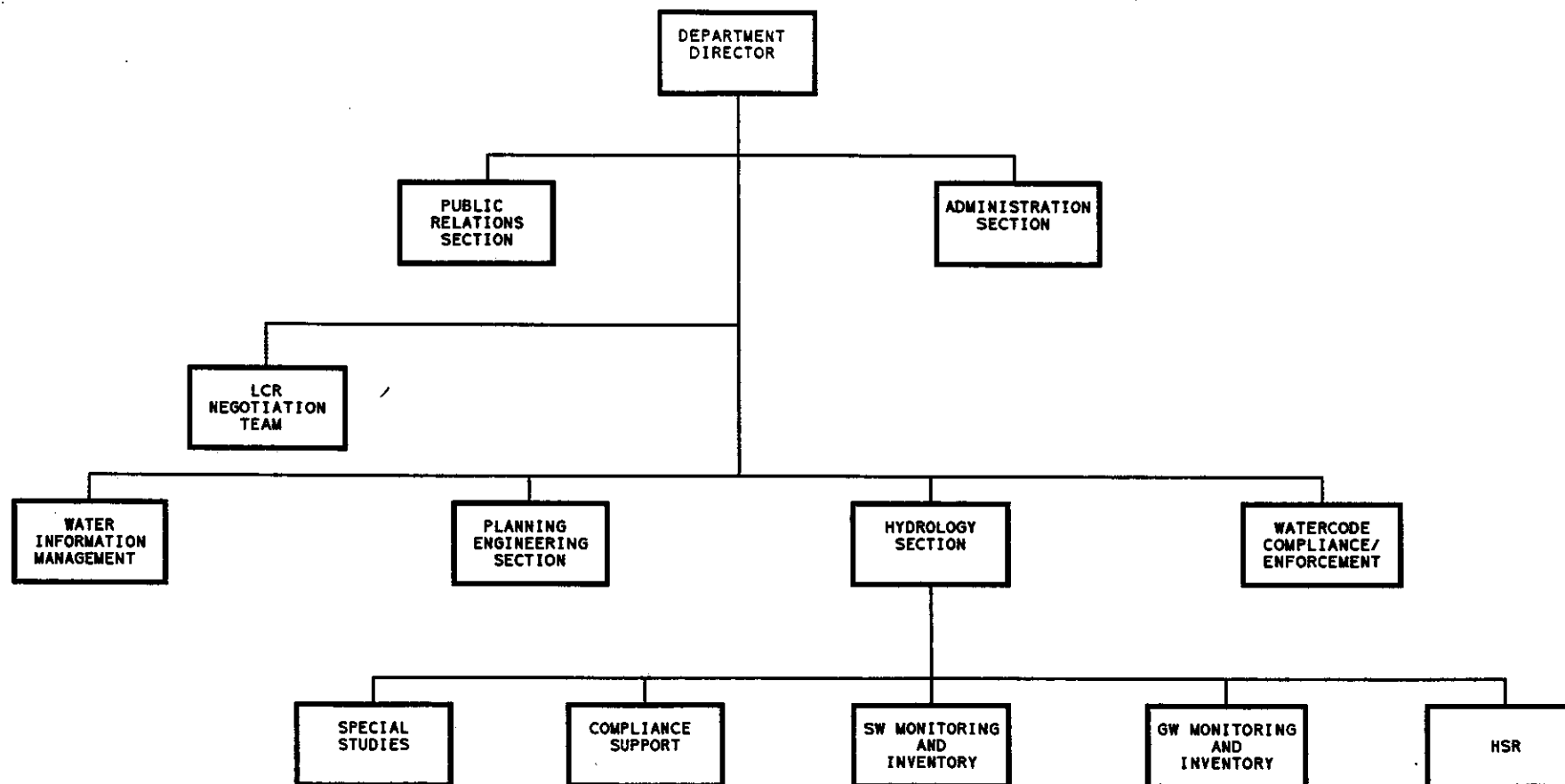
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DEPARTMENT OF WATER RESOURCES MANAGEMENT  
DIVISION OF NATURAL RESOURCES

CHART C



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