Implementing the Gila River Indian Community Water Settlement of 2004

Phoenix, Arizona
October 9, 2016

Governor Stephen Roe Lewis
1. The Gila River Indian Reservation was established by Congress in 1859.
2. Pimas (Akimel-O’Odham) and Maricopas (Pee-Posh) comprise the tribes of the Community.
3. Our ancestors, the ancient HuHuKam, farmed the Gila and Salt River Valleys since time immemorial.
…continued Historical Perspective

4. Over 500 miles of canals were dug to irrigate our fields both on and off the Reservation.

5. Diversion of water upstream on the Gila River caused famine and drought beginning in the 1880s.

6. Pimas and Maricopas have the highest documented rate of diabetes of any ethnic group in the world.
Pima and Maricopas have lived along the Gila and Salt River since Time Imemorial

• 1. Community members have always been an agrarian people and relied on the waters of the Gila and Salt River.

• 2. The river waters are not only key to the economy of the Community but central to the spiritual life of Pimas and Maricopas and have shaped the cultural life of the Community.
3. The Community was once had a prosperous economy until water was diverted upstream on the Gila and Salt River in the 1880’s.

4. Regaining a fair share of water and causing the rivers to flow again has been a dream and goal of Community members since the previous turn of the century.

5. Development of riparian recharge sites.
Background to Settlement

• 1. 1890’s - Ruined Economy - Years of Starvation

• 2. 1924 - The San Carlos Irrigation Project was authorized by Congress and Coolidge Dam was built.

• 3. 1935 - The Gila Decree was issued by a Federal Court. (A Consent Decree).
• 4. The Decree covered only 50,000 acres of approximately 266,000 of PIA.

• `5. 2004-The Arizona Water Settlements Act of 2004 designated 47 percent of the CAP Supply for Indian Tribes. The Community is entitled to 311,000afy.
Status of Construction

• Rehabilitation of canals will not be completed until 2030 and so much water is not used.
• Water not used is used by others.
• The Community is rehabilitating the old San Carlos Irrigation Project and building the Central Arizona Project system on and off the Reservation.
Goals of the Settlement

• 1. Bring Back Farming- We have added approximately 1,500 new acres each year and new Community member farmers have started farming.

• 2. Restore the Gila River-
  – A. Store water off-Reservation and create long-term storage credits. The storage credits are paper rights which can be marketed and transferred.
Goals

- B. We have initiated On Reservation Storage and have constructed a functioning Recharge facility entitled MAR 5. We plan to build more.
- C. The Riparian Areas surrounding the MARs not only have restored the original flora and fauna but also will be used as recreational sites.
- D. Water is stored for later use or to create storage credits which are marketed.
Goals

• 3. Five Year Water Plan-Planning is absolutely necessary.

• The Community needed to ensure expansion of farming in an affordable way. Dealing with the rising cost of CAP water is difficult.

• Establishment of a Permanent Water Fund.
Goals

• The Permanent Water Fund task is to create income to cover water costs and encourage farming.

• Expand Pumping capacity and use less CAP water
Goals

4. Establish a working relationship with BOR and BIA officials.

5. Establish a relationship based upon mutual respect with the CAP, Salt River Project and the Arizona Department of Water Resources.

6. Coordinate and interact with cities like Phoenix, Chandler, and Mesa.
Challenges

- Drought Issues - Falling water level in Lake Mead.
- Possible cuts in deliveries of CAP water.
- Increased cost of CAP water.
- Navajo Generating Station. (higher cost of power to distribute water)
ARIZONA WATER SETTLEMENTS ACT

Because it:

- Settles longstanding dispute between the US and the CAWCD (State of Arizona)
  - Repayment obligation of CAWCD
  - Division of CAP water between the US and CAWCD
- Provides the framework for future Arizona Indian water settlements through the Lower Colorado Basin Development Fund
ARIZONA WATER SETTLEMENTS ACT

Water OM&R Trust Fund and SCIP Rehabilitation Fund

- $200 million will be allocated to the Community with
- $53 million to establish the OM&R Trust Fund to defray OM&R costs associated with the delivery of CAP water to the Community
- $147 million to rehabilitate the SCIP Joint Works and SCIP Indian Works
The CAP interconnect saved the agricultural economy of the Community and awakened leaders to how important a reliable source of water was.
# Gila River Indian Community
## Settlement Water Budget (acre-feet per year)

<table>
<thead>
<tr>
<th>Category</th>
<th>Quantity</th>
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<tbody>
<tr>
<td>Underground Water</td>
<td>173,700*</td>
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<tr>
<td>Globe Equity Decree Water</td>
<td>125,000</td>
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<tr>
<td>Community CAP Indian Priority Water</td>
<td>173,100</td>
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<tr>
<td>RWCD CAP Water</td>
<td>18,600</td>
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<tr>
<td>RWCD Surface Water</td>
<td>4,500</td>
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<tr>
<td>HVID CAP Water</td>
<td>18,100</td>
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<tr>
<td>ASARCO CAP Water</td>
<td>0</td>
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<tr>
<td>SRP Stored Water</td>
<td>20,000</td>
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<tr>
<td>Chandler Contributed Reclaimed Water</td>
<td>4,500</td>
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<tr>
<td>Chandler Reclaimed Water Exchange Prem.</td>
<td>2,230</td>
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<tr>
<td>Mesa Reclaimed Water Exchange Prem.</td>
<td>5,870</td>
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<td>New CAP NIA Priority Water</td>
<td>102,000</td>
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<tr>
<td>Haggard Decree Water</td>
<td>5,900</td>
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</tbody>
</table>

* Assumes no settlement is reached with ASARCO

**Water Budget**  
----- 653,500
Weeminuche Construction Authority

$4,879,741.48
0.6 miles in length

<table>
<thead>
<tr>
<th>Old</th>
<th>New</th>
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<tbody>
<tr>
<td>500 cfs</td>
<td>1500</td>
</tr>
<tr>
<td>8’ depth</td>
<td>11.75’</td>
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<tr>
<td>6’ bottom</td>
<td>14’</td>
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</table>
Earthwork on the Rehabilitated Chute
Chute transition to Pima Canal
Southside Canal Santa Cruz Wash Siphon
December 2011

Old
Single barrel 72"

New
double barrel 84"
Conclusion