



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

682 East Vine Street / Suite 7 / Murray, UT 84107 / (801) 685-2555 / Fax 685-2559 / www.westernstateswater.org

Chair - Jon Niermann; Executive Director - Tony Willardson; Editor - Michelle Bushman; Subscriptions - Julie Groat

ADMINISTRATION

Transition/Department of the Interior

On November 14, President-Elect Donald Trump announced his choice of North Dakota Governor Doug Burgum to lead the Department of the Interior. Burgum was born and raised in Arthur, North Dakota. He graduated from North Dakota State University and went on to earn an MBA from Stanford University. Mortgaging the family farmland to invest in Great Plains Software, a company in Fargo, he became its president in 1984. He took the company public in 1987, eventually selling it to Microsoft for \$1.1 billion in 2001, and then managed Microsoft Business Solutions.

Burgum was elected Governor of North Dakota in 2016 in a landslide, and easily reelected in 2020. He launched a bid for the Republican presidential nomination, but soon dropped out and endorsed President-Elect Trump. North Dakota Senator John Hoeven (R) praised Burgum as “a great partner as we’ve worked to build North Dakota’s energy leadership, and in this role, [he] can help to not only restore American energy security, but make America energy-dominant.”

Senator John Barrasso (R-WY), currently the Ranking Member of the Energy and Natural Resources Committee stated: “Governor Burgum knows what it takes to unleash American energy. He recognizes how important our federal lands are for energy and mineral production, grazing, and recreation. As North Dakota’s governor, he’s shown he can balance environmental stewardship with record energy development.”

As Interior Secretary, Burgum would be responsible for managing federal lands, including on and off-shore development, leasing and management of oil and gas and minerals. He would also be responsible for Interior’s Water and Science agencies, including the U.S. Bureau of Reclamation and U.S. Geological Survey – as well as Fish, Wildlife and Parks – and Indian Affairs.

ADMINISTRATION/WATER RIGHTS

Navajo Water Rights Settlement

On November 8, the Bureau of Reclamation announced that the completion deadline for the

Navajo-Gallup Water Supply Project had been extended to December 31, 2029 through an agreement between the Department of Interior, the Navajo Nation, and the State of New Mexico Interstate Stream Commission (the settlement parties to the Navajo Nation’s Water Right Settlement on the San Juan River Basin in New Mexico).

The proposed Navajo-Gallup Water Supply Project Amendments Act of 2023 (S. 1898 and H.R. 3977) would also extend the project’s completion deadline. Reclamation is moving forward with the agreement, recognizing that “... the process may not be enacted in time to allow for continued settlement implementation necessary beyond 2024, as is necessary for the United States to fulfill its obligations.” In the announcement, Reclamation said that there is precedent for extending the deadlines in the Settlement Act, as the deadlines for the Fruitland-Cambridge and Hogback-Cudei Irrigation Projects were extended to December 31, 2024, by the signatory parties in 2019 through a similar letter agreement.

Reclamation’s Four Corners Construction Office Construction Engineer/ Manager Bart Deming said: “The impact of the delays to the project as a result of the investigation process, acquisition, and incorporation of the San Juan Generating Station Reservoir and Water Conveyance System are substantially offset by the significant short-term and long-term cost savings to the project, as well as the increased operational flexibility and reduction in operational risk these facilities will provide. We appreciate the collaboration of the settlement parties, as well as the city of Gallup and the Jicarilla Apache Nation, to extend the completion deadlines of these three vital projects so we can ensure safe, reliable, and affordable drinking water for the future of this project and Navajo and Gallup communities.”

The Navajo-Gallup Water Supply Project has been in construction for over a decade to provide a long-term sustainable water supply to Navajo communities and the city of Gallup. This vital project will divert water from the San Juan River Basin, to be treated through water treatment plants on both the San Juan Lateral and Cutter Lateral and delivered through approximately 300 miles of pipeline, 19 pumping plants, and several storage tanks. The Cutter Lateral was completed in 2021 and has been

delivering drinking water on the eastern side of the Navajo reservation and to the southwestern portion of the Jicarilla Apache Nation. The San Juan Lateral is now 70% complete with initial water deliveries expected to begin in 2028 to Navajo communities in western New Mexico, Window Rock in Arizona, and the City of Gallup. <https://www.usbr.gov/newsroom/news-release/5007>

CONGRESS **Elections**

On November 13, Republicans in the House and Senate held leadership elections. In the House, having retained a Republican majority, House Speaker Mike Johnson (R-LA) was nominated to retain his position by voice vote. House Majority Leader Steve Scalise (R-LA) and House Majority Whip Tom Emmer (R-MN) were both reelected by voice vote. In the Senate, Senator John Thune (R-SD) was elected Republican leader to replace outgoing Senator Mitch McConnell (R-KY).

WATER RESOURCES **California**

On November 5, California voters approved Proposition 4 (with 59.3%), which authorizes \$10B in general obligation bonds for water, wildfire prevention, and protection of communities and lands. It includes \$3.8B toward activities to increase the amount and quality of water available for use, \$1.9B to reduce the risk of floods, and \$1.1B for other restoration activities. The funding also includes \$1.5B for forest health and wildfire prevention, \$450M to reduce the effects of extreme heat on communities, and \$300M to help farms respond to the effects of climate change.

Colorado

In Colorado, voters overwhelmingly approved Proposition JJ (76.43%), to allow the State to retain all sports betting tax revenue to fund state water projects through the Water Plan Implementation Cash Fund. Previously, the tax was subject to the State's Taxpayer's Bill of Rights (TABOR) which required the State to refund all revenue above \$29M. The measure exempts sports betting taxes from the TABOR limit and is expected to generate an additional \$2-5M in water funding for the State annually.

Utah/Conservation

On October 21, the Utah Division of Water Resources and the Utah Division of Facilities Construction and Management announced their partnership to create the State Facility Water Tracker. The new tool displays data related to outdoor water use

specifically at state facilities to better understand water conservation efforts. In 2022, Utah passed HB 121 which required state facilities to reduce outdoor water use by at least 5% by the end of FY2023 and at least 25% by the end of FY2026. Preliminary numbers show that State facilities have achieved a 20% reduction in water use since 2020. The DWR and DFCM developed the tool to proactively monitor the reduction in outdoor watering at individual state facilities and identify areas for improvement.

WATER RIGHTS **Kansas-Oklahoma Arkansas River Compact**

On October 2, the Kansas-Oklahoma Arkansas River Compact (KOARC) held their 60th annual meeting in Wichita, Kansas. Earl Lewis, Kansas Division of Water Resources, gave an update on continuing drought conditions throughout south and central Kansas. Lewis reported on the Kansas Water Plan, adopted in 2022, which coordinates efforts between local, state, and interstate groups to conserve the High Plains Aquifer, secure reservoirs, and improve water quality. Bill Cauthron, Oklahoma Water Resources Board (OWRB), reported that despite rains in early 2024, drought is intensifying in Oklahoma. Northeast Oklahoma is in the fifth driest year on record. Cauthron discussed OWRB efforts to modernize the Oklahoma Comprehensive Water Plan to forecast water supply and demand through 2075. Cauthron said that surveys had identified \$18B in water infrastructure needs. Darrell Townsend, Grand River Dam Authority, reported on Oklahoma water quality including a positive report for Kerr Lake, which has shown nutrient levels well below the average.

PEOPLE

On November 1, **Michael Connor** stepped down as Assistant Secretary of the Army for Civil Works, providing policy direction and supervision of programs for conservation and development of water and wetland resources, flood control, navigation, and short protection. Prior to his appointment as Assistant Secretary, Connor served as Deputy Secretary of the Department of the Interior and Commissioner at the Bureau of Reclamation.

Buck Smith, Sr. Hydrogeologist, Water Resources Program, Washington Department of Ecology (DOE) has retired effective October 31. Buck was with the Water Resources Program for 33 years, including the past 14, as an emergency responder in DOE's Spill Response Program. Buck was appointed to the WSWC in July 2018 and served as a member of the Legal Committee. We congratulate Buck on his retirement and wish him all the best in his future endeavors.

The WESTERN STATES WATER COUNCIL is a government entity of representatives appointed by the Governors of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.