

THE NAVAJO TRIBE
Window Rock, Arizona

March 23, 1951

Members of the Senate
and of the
House of Representatives
Washington, D. C.

Re: The Use of the Waters of the
San Juan River

Dear Friends:

The Navajo people are not insensible to the needs of their neighbors living across the divide in the Rio Grande Valley, and have deep sympathy for them in their desire for an additional supply of water,

However, in considering the proposed diversion of San Juan waters, it must borne in mind that the overwhelming majority of the people in the Rio Grande Valley have running water even for bath and toilet facilities in their homes, while thousands of Navajos living in arid lands do not even have enough water to drink. Our neighbors of the Rio Grande have an average consumption of many gallons per day, aside from irrigation needs, but in vast areas of our reservation one gallon per day for each person would be a great luxury, and frequently this must be carried by hand for a considerable distance. Navajos living in parts of our 15,000,000 acre reservation go for long periods of time without the personal comforts of sufficient water in order to give every available drop to their stock to keep their sheep, goats and horses alive. The stock must live for days at a time without water.

Ever since the Navajos were released from captivity and placed on the reservation in 1863, they have waited patiently, sometimes through desperate drought conditions when both cattle and Indians suffered and died, for the government of the United States to live up to Article V of the Treaty of 1868 which promised to "every head of a family . . . who desires to commence farming" one hundred and sixty acres, and to any person "over 18" who is not "the head of a family", 80 acres of farm land. The promise when made was incapable of fulfillment because no such quantity of agricultural lands existed within the reservation as the government must have known, but the Navajos could not know. Only by full usage of the waters of the San Juan on the Navajo Reservation can the government at long last keep faith in a measurable degree with its promise.

In requesting the diversion of the San Juan waters to another watershed away from Navajos and Navajo lands which have thirsted for them for two generations, advocates of the plan forgot that Almighty Providence assigned those waters to the San Juan watershed and its people. This decision was sustained, insofar as the Navajos are concerned, by the Supreme Court of the United States in *Winters vs. U. S.* (1908), 207 U. S. 564.

The weight of authority is therefore decidedly with us in insisting on the fullest possible application of these waters to the Navajo Reservation lands. There is ample, too, for the Shiprock-Farmington area, but any surplus would be too limited to justify diversion to another watershed.

In fact, it can be rightly said that there will be no surplus water, for with steadily expanding mining operations for uranium on the reservation in which we are cooperating fully with the Atomic Energy Commission, a 200-ton ore processing plant to be presently constructed at Shiprock, expanding development of coal resources, together with expanding trucking and other collateral businesses, such as development of a canning industry, the growing industrial needs of the Shiprock-Farmington area will absorb every drop of surplus water.

We therefore respectfully submit that there are no tenable grounds for the proposed diversion, and urge you to support firmly what we regard as our moral and legal right to the fullest possible development of the San Juan for the Navajo and Shiprock-Farmington area.

Sincerely yours,

s/ Sam Ahkeah, Chairman
Navajo Tribal Council

(This letter was unanimously approved by the Navajo Tribal Council at Window Rock, Arizona, on March 23, 1951).