

**TESTIMONY OF DUANE CLARKE, CHAIRMAN
THE HUALAPAI TRIBE OF ARIZONA
BEFORE THE HOUSE APPROPRIATIONS COMMITTEE
SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES
BUREAU OF INDIAN AFFAIRS
HUALAPAI TRIBE WATER RIGHTS SETTLEMENT FUND**

February 26, 2025

The Hualapai Tribe thanks the Subcommittee for the opportunity to present this testimony in support of \$65 million to be included in the Bureau of Indian Affairs' budget to fulfill the United States' obligation under the Hualapai Tribe Water Rights Settlement Act, P.L. 117-349.

Also, as you complete the work on the FY 2025 Appropriations bill, we want to again testify in strong support of the \$45 million that the Department of Interior requested for the Settlement for FY 2025. This will allow the Tribe to begin to do this important work now - so that when the Fund is fully funded, the Tribe can begin constructing the project that will finally deliver a safe and secure supply of water to the Reservation. If Congress has to do a long-term CR, it is critical that Congress include an anomaly to fund the Hualapai Tribal Water Settlement Trust Fund.

This Hualapai Settlement was enacted in 2022 to resolve all the Tribe's water right claims in the State of Arizona. The Act secured the Hualapai Tribe 4000-acre feet of Central Arizona Project water from the Colorado River and authorized \$312 million to implement the settlement including for the construction and operation of a project to deliver this water to the Reservation.

The enforceability date of the Settlement Act is April 15, 2029, which means the Hualapai Water Trust Fund must be fully funded by that date. If this does not happen, the benefit of the bargain for not only the Tribe, but all the parties including the United States, the State of Arizona, the Central Arizona Project, the Salt River Project and Freeport Minerals Company could evaporate.

To meet the enforceability date of the Hualapai Settlement, we ask that Congress appropriate \$65 million for the Hualapai Water Settlement Trust Fund in FY 2026. It is urgent that this be accomplished as soon as possible for the reasons set forth below.

The Hualapai Reservation encompasses approximately one million acres in northwestern Arizona. The Colorado River forms the 108-mile northern boundary of the Reservation through a portion of the Grand Canyon. The Reservation is arid. It has no significant surface streams other than the Colorado River. It has very limited groundwater resources. The Tribe's groundwater wells are a depletable resource and well levels on the Reservation have been dropping for years. The Tribe's principal residential community at Peach Springs relies exclusively on three groundwater wells in the Truxton Aquifer near the Reservation's southern boundary. Those wells were installed in 1975, so the piping for the well system is 47 years old.

and has failed in the recent past, leaving our community without water for several days. One of the wells has also suffered episodes of dangerous E-coli and coliform contamination and we have not been able to locate the source of the contamination. When that well is out of service because of contamination, we are unable to supply sufficient water to the community, so we have to implement strict mandatory conservation measures. Because this groundwater is the only source of water for our residential needs on the Reservation, we are very vulnerable to any short-term interruptions in supply from these wells, and to the long-term decline in the water levels in the Truxton Aquifer feeding the wells.

The situation is even worse elsewhere on the Reservation. There is a small well on the east side of the Reservation that provides water to ranchers and wildlife in that area, but the water is not of potable quality and can't be used for human consumption. In 2018, the two wells in the West Water basin that served the Tribe's tourist operation at Grand Canyon West (GCW) failed. For the last seven years, the Tribe has been forced to haul water 15 miles to the original West Water pumphouse tanks, where the water is then pumped for 35 miles out to Grand Canyon West. This patchwork system is burdensome, insecure and very expensive, but it is the only way we can continue our operations at Grand Canyon West.

The Colorado River is the only feasible water supply for satisfying the long-term future needs of the Hualapai People. Our Tribe needs delivery of Colorado River water not only to provide a permanent and secure water supply for the domestic and residential needs of our present and future population, but to fully realize the opportunities for economic development that we have at Grand Canyon West.

The \$65 million is essential if our Tribe is to attain a secure future on our Reservation. We have done everything possible to provide a permanent home, including developing our government and an economy to provide jobs and income for our people—but the lack of a secure and replenishable water supply on our Reservation is the major obstacle that prevents us from achieving economic self-sufficiency, a goal that Federal Indian policy has long favored. This is why we entered the Settlement.

Passage of the Hualapai Tribe Water Rights Settlement Act was an historic event for the Hualapai Tribe, but it will be a hollow victory if Congress does not provide the resources to fund and implement the Act before the Enforceability Date in 2029. In the history of Indian land and water settlements, Congress has never failed to provide the funding necessary to achieve the Enforceability Date. Therefore, FY 2026 we ask the Subcommittee to include \$65 million in the Bureau of Indian Affairs Indian Water Rights Settlement Account for the Hualapai Tribe Water Rights Settlement Act.