



United States Department of the Interior  
BUREAU OF RECLAMATION

SOUTHWEST REGION  
HERRING PLAZA BOX H-4377  
AMARILLO, TEXAS 79101

APR 30 1975

IN REPLY  
REFER TO: 101  
870.

*John Bradley*

MAY -2 4 11:20  
ENGINEER (C/F)  
SANTA FE, N.M.

ST  
*Handwritten note*

Mr. Stephen E. Reynolds  
State Engineer  
Bataan Memorial Building  
State Capitol  
Santa Fe, New Mexico 87501

Dear Steve:

As a result of a telephone call from Mr. Phil Mutz to Mr. Dale Raitt, enclosed is a copy of a memorandum dated May 17, 1974, concerning the water entitlement of the Navajo Tribe, Navajo Indian Irrigation Project.

In addition to the requested memorandum, we are also enclosing a memorandum dated May 7, 1974, from the Commissioner to the Associate Solicitor - Energy and Resources on the same subject.

Sincerely yours,

*John A. Bradley*

ACTING FOR  
J. A. Bradley  
Regional Director

Enclosures 2



OFFICE OF THE SOLICITOR  
WASHINGTON, D.C. 20240

OFFICIAL FILE COPY  
Rec'd MAY 20 1974

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RECLAMATION FILES		

MAY 17 1974

PLY REFER TO:

Memorandum

To: Under Secretary

From: Solicitor

Subject: Navajo Indian Irrigation Project - savings in net depletions resulting from conversion from gravity to sprinkler

On April 23, 1974, you inquired whether the Bureau of Reclamation would deliver from Navajo Reservoir to the Navajo Indian Tribe the saving in net depletions attributable to a conversion from gravity to sprinkler irrigation on the project. I am enclosing a copy of a May 7, 1974 memorandum from the Commissioner of Reclamation to the Associate Solicitor-Energy and Resources giving an affirmative answer to your question.

The Commissioner states that about 24,000 acre-feet less would be depleted from the river as a result of the conversion and that both he and officials of the New Mexico Stream Commission are in agreement that this water would be available for Indian uses on the reservation.

The Commissioner also states that Section 4 of the authorizing act of June 13, 1962, would require that such uses be covered by appropriate contractual arrangements. It is actually Section 11 of the Act, 43 U.S.C. 615ss, that would impose that requirement. Section 4 reflects a congressional intent that the cost of reservoir capacity allocated to water used by the Indians for M&I purposes be repaid by the Indians with interest.

/S/ KENT FRIZZELL

Solicitor

Enclosure

- cc:
- Commissioner of Reclamation w/enc.
- Associate Solicitor-Indian Affairs w/enc.
- Solicitor's reading file
- Mr. London
- E&R Division Files
- Docket and Records Section

BUREAU OF RECLAMATION  
WASHINGTON, D. C. 20240

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MAY 7 1971

Memorandum

To: Associate Solicitor - Energy and Resources  
Acting

From: Commissioner of Reclamation

Subject: Navajo Indian Irrigation Project (Memorandum of April 23  
from Under Secretary to Solicitor)

The Under Secretary's memorandum questioned whether the Bureau of Reclamation would deliver any savings in water depletion due to the use of sprinkler as opposed to gravity irrigation on the project.

Our position is that the authorizing legislation provided for the diversion and consumptive use of such water as would be required to irrigate 110,630 acres. It was estimated that the diversion and depletion resulting from such development would amount, respectively, to 508,000 and 254,000 acre-feet annually.

With sprinkler application, we now estimate diversion at about 370,000 acre-feet and depletion at 230,000. We have continually stated that it appears equitable that the residual depletion of 24,000 acre-feet below the gravity irrigation depletion should be available for other beneficial uses within the Navajo Reservation. Section 4 of the authorizing act would require that such uses be covered by appropriate contractual arrangements.

We recently checked with officials of the New Mexico Stream Commission, which is responsible for water rights, water allocations, and administration of the Colorado River Compact for the State of New Mexico, on this subject. It confirmed our understanding with respect to depletions, but emphasized that it envisions such additional water utilization solely for Indian uses, and does not envision the Tribe becoming, a priori, a purveyor of saved water.

For diversions between the above-mentioned 370,000 and 508,000 acre-feet, the commission apparently feels that the utilization of such water would be open for potential uses either on or off the reservation, and its ultimate disposition should be based upon careful review of planned uses consistent with State objectives for utilization of its compact-allocated supply from the Colorado River.

It should be noted that the contemplated reduction in diversion amounts attributed to sprinkler irrigation of the Navajo Indian Irrigation Project will be available for release through the Navajo Powerplant to help meet project power needs. This will considerably reduce the project's dependence upon fossil fueled energy sources.

J. R. SULLIVAN