

Indians' Water Opens Flood of Conflicts

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FT. WASHAKIE, Wyo. — In the arid West, where water is more valuable than gold, the Wind River Indian Reservation considers itself awash in wealth.

The Indians last year won rights to much of the water in west-central Wyoming. Now their destiny is no longer entirely in the hands of the white man, who relegated them to the 2.5-million-acre reservation in the mid-1800s.

"Look how many years we've taken the back seat to everything," said Burton Hutchinson, Northern Arapaho tribal chairman. "We're the ones in the driver's seat now. It feels good. Real good. Real nice."

The U.S. Supreme Court last year ruled that an 1868 treaty gave the Northern Arapahos and Shoshones priority rights to 500,000 acre-feet of water from the Wind River--roughly twice what the 6,000 Indians previously controlled. An acre-foot is enough to cover an acre to a depth of one foot.

Among other things, the Indians hope to attract tourists and anglers to the river by maintaining the flow rather than diverting water to irrigation in dry times.

"I want to see the day when every tribal member who wants to work can," said Wes Martel, co-chairman of the Shoshone Business Council.

"I want to see the day when everyone on the reservation who wants an education can get one, when the elders can get the medical care they need and when the reservation stands out as an example of what can be done when people can plan for the future," he added. "And this water is the key to all of that."

However, the Indians' new-found wealth has brought them into conflict with non-Indian farmers on the reservation.

In the past Indians and non-Indians shared water in dry times. But after the Supreme Court ruling, the tribes began making sure their water rights were observed before sending water to the non-Indian farmers, some of whose ancestors homesteaded the area with federal assurances they would have water.

In early May, when runoff was scarce, the tribes shut off water to about 30 non-Indians in a section that relies on canals for water from the Wind River.

"It's pretty frustrating to watch your sprinkler sit there idle while your neighbor sits there and uses 12,000 gallons of water to irrigate land covered mostly with foxtails," said Fran Fox, a non-Indian farmer.

"Each day you watch water go down the river that should be in your canal," said another farmer, Tim Shell. "Before this started, we shared water by rotation and we all survived. The rules have changed now. Some are prospering and some will be a lot worse off."

To alleviate disputes last year, the state paid the tribes \$5.3 million to secure water for the non-Indian irrigators.

But efforts to reach another agreement for this year broke down in February, with the state saying the price the Indians were asking was too high.

Reservation hydrologist Catherine Vandemoer said the Indians are not obligated to give the non-Indians any water at all. And she said that runoff will increase, providing enough water for everyone.

"They will be fine the rest of the summer," she said. "These people really have nothing to worry about."

But the non-Indian farmers complain that the lack of water has already cost them barley and hay.

"We are talking about 65 to 70 bushels (of barley per acre) as opposed to 100," Fox said. "My hay will be less than half of a crop."

Non-Indians on the reservation "have no representation; we are disenfranchised," Fox said. "We are feeling a little lonely."

Martel said the Indians are trying to manage the water in a way that will improve the reservation's economy.

"We've got to do something to alleviate the 70% unemployment and provide health care for our people who are not getting it," Martel said.

"If we didn't have such potential, things here would be a little depressing. We are just trying to protect what little we have left."