



WESTERN STATES WATER COUNCIL

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Web Page: www.westgov.org/hswc

February 18, 2010

Associate Professor Barbara Cosens
University of Idaho College of Law
College of Graduate Studies, Waters of the West Program
P.O. Box 442321
Moscow, ID 83843

Dear Professor Cosens:

The Western States Water Council supports your efforts to secure funding for a Native American Water Right Settlement Database. As you know, the Council is a water policy advisory body affiliated with the Western Governors' Association (WGA) and consists of water experts appointed by the governors of eighteen western states. In our opinion, settlement agreements and implementation documents can provide current federal, state, and tribal negotiators with valuable examples of how to avoid past mistakes and build upon previous successes. However, these documents are not readily available, which means that there is a need to compile them into a searchable database so that current negotiators can refer to them when addressing the complex issues inherent in Indian water rights settlements.

The WGA and the Council have long supported negotiated settlements of Indian water rights claims rather than protracted, expensive and uncertain litigation. To this end, the Council has worked with the Native American Rights Fund to co-sponsor bi-annual symposia on the settlement of Indian water rights claims. As a speaker at our 2009 Symposium, you know that these symposia provide a unique forum where those involved in successful settlements instruct and advise current and future negotiators. Your proposed database would provide a similarly valuable resource that would help negotiators build upon past efforts to create lasting and successful settlements.

Thank you for your initiative in putting together this database. Please let me know if the Council can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Tony Willardson".

Tony Willardson
Executive Director