

**EASTERN SHOSHONE AND NORTHERN ARAPAHO TRIBES
OFFICE OF THE TRIBAL WATER ENGINEER**

Box 217
Fort Washakie, WY 82514
307-332-6464
FAX 307-332 4033

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Senator John Barrasso – Vice Chairman
US Senate Select Committee on Indian Affairs
307 Dirksen-Hart Senate Office Building
Washington, DC 20510

RE: Wind River Irrigation Project – US Senate Field Hearing Testimony

According to the GAO-06-314 report dated February 2006, the Wind River Irrigation Project was authorized for construction in 1905 but construction was never completed.

The Wind River Irrigation Project is comprised of 3 storage facilities, 11 canals and 377 miles of canals and laterals. These facilities provide water to 38,300 acres of which 67% is Indian owned and 33% non-Indian owned.

These 38,300 irrigated acres are assessed Operation and Maintenance Fees to finance the Irrigation Project's operations, maintenance and administrative functions. These O&M assessments have been historically low, but over the past 20 years these rates have risen approximately 91% from a low of \$10.90 in 1991 to \$20 in 2011. Even with the rising assessment fees, little rehabilitation efforts have been made. According to the 1994 NRCE Project Assessment and Plan, no Project-wide rehabilitation of the delivery system has occurred since the 1930's. According to that study due to deferred maintenance over many years, 60% or 1200 structures were in need of repair or replacement and 45% or 190 miles of canals and laterals needed repair or reconstruction. According to the study structure failures were routine resulting in the progressive loss of control of Project water and that catastrophic failure of segments of the delivery system was imminent. According to the 1994 NRCE Project Assessment and Plan due to the Project's current configuration, it only has 66 acres of irrigated land per mile of canal. In comparison, Midvale Irrigation District has over 160 acres per mile of canal. As a general guideline, the Bureau of Reclamation suggests that irrigation projects, in the region, need at least 140 acres of irrigated land per mile of canal to be economically self sufficient. The study also stated that the resulting poor

delivery performance had contributed to a progressive deterioration in crop quality and the water users' ability to pay assessments. It is apparent that the Wind River Irrigation System cannot be considered self sufficient.

The condition of the Wind River Irrigation Project sadly continues to deteriorate and little has changed since the 1994 NRCE Wind River Irrigation Project Assessment, the 2006 GAO-06-314 Report or the 2008 HKM Wind River Irrigation Project Engineering Evaluation and Condition Assessment.

In 2003, the Wyoming Legislature passed House Bill 144. House Bill 114 allowed the Tribes to participate in state funding toward water development projects. This bill was strongly supported by both the Joint Business Council and the Wind River Water Resource Control Board.

In 2004 in an effort to facilitate the rehabilitation of the Wind River Irrigation Project, the Eastern Shoshone and Northern Arapaho Tribes through the efforts of the Wind River Water Resource Control Board applied to and were granted a \$3.5M grant from the Wyoming Water Development Commission to aid in the rehabilitation of irrigation structures that were in dire need of repair or replacement. This State Appropriation was a 50% grant that required an additional \$3.5M in matching funds before the State funds could be used. Once again through the efforts of the Wind River Water Resource Control Board in conjunction with the efforts of Senator Mike Enzi, a Federal Appropriation of \$3.72M was secured in 2005 and 2006 as matching funds for the \$3.5M in State funds.

To date four major irrigation structures have been replaced and another rehabilitated at a cost of \$1.63M. These structures include: the Johnstown and Lefthand Ditch Diversion structures on the Big Wind River, the Lefthand Ditch Waste-way, the Coolidge Canal – Trout Creek Diversions structure and the Mill Creek – Ray Canal Crossing structure.

Currently there are two diversion structures on the Little Wind River that are in the design phase. These structures are the Ray Canal – South Fork and Coolidge Canal – Little Wind Diversion Structures. Incorporated in the design of these structures are Fish Ladders and Fish Screens. The fish passage will mitigate the loss of hundreds of thousands of fish to the irrigation system. The fish passage project is a combined effort among the Tribes, the US Fish and Wildlife Service, the Bureau of Indian Affairs, Trout Unlimited and the State of Wyoming. It is hoped that these structures will be design ready for the fall 2011 construction season.

In April of this year, the WRWRCB selected Engineering Firms to design the remaining 9 structures on the WRIP Priority list that was utilized in the secure the Federal and State funding. This list was compiled by the Bureau of Indian Affairs and the Office of the Tribal Water Engineer. Depending on available funds, as many of these structures will be replaced or rehabilitated. It is hoped that these structures will also be design ready for the fall 2011 construction season.

Without the efforts of the Eastern Shoshone and Northern Arapaho Tribes through the Wind River Water Resource Control Board, the current rehabilitation of the Wind River Irrigation Project would not be occurring.

Once the Federal and State Appropriations are depleted, the WRWRCB plans on pursuing additional funds from both the Federal Government and the State of Wyoming. The Tribes and the Wind River Water Resource Control Board request the aid and assistance of both Senators Barrasso and Enzi and the Select Committee on Indian Affairs to help secure future funding for the ongoing rehabilitation of the Wind River Irrigation System. Estimates of the total cost of rehabilitating the system range from a low of \$70M to a high in the range of \$90M.

Thank you for your time and consideration.

Mitchel T. Cottenoir
Acting Tribal Water Engineer
Eastern Shoshone and Northern Arapaho Tribes
Wind River Indian Reservation