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The Long Battle for Indigenous Water Rights in The American West

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Abstract

2023's Supreme Court decision *Arizona v. Navajo Nation* reaffirmed the Navajo Nation's historic water rights while declaring the U.S. lacks an affirmative duty to secure those rights—a critical gap in federal-tribal trust. This paper situates the ruling within 100+ years of legal doctrine that repeatedly failed to enforce tribal water rights. Amidst water scarcity and contamination from "forever chemicals," Indigenous water access concerns reflect environmental injustices that long burdened communities of color. Contemporary research has yet to comprehensively link both the court cases that have denied tribal communities access to water and 1900s-2000s concerns over pollutants, which exacerbate this lack of access. Drawing on historical context, including firsthand reports from tribal members and Western narratives as needed in the absence of many Indigenous accounts that were intentionally erased by settlers; environmental justice scholarship that underlines the history of per- and polyfluoroakyl substances, or PFAS, from the 20th century onwards; and case law such as *Winters v. United States* and *Arizona v. California*, the study demonstrates that Indigenous communities' unique legal, infrastructural, and environmental vulnerabilities worsen under federal neglect, inconsistent state implementation, loopholes created through legislation such as the McCarran Amendment, and contemporary chemical pollution. The research aims to contend that tribal sovereignty and self-governance cannot be realized without secure, clean, and affordable access to water. Meaningful justice requires imposing explicit, enforceable duties on federal and state, preventing settlements coercing tribes into relinquishing claims, and establishing regulatory frameworks that protect water rights and quality.

Keywords: Indigenous water rights, Navajo Nation, PFAS, Arizona case law

1. Introduction

In June 2023, the U.S. Supreme Court issued a 5-4 decision that the federal government is not required to assess the Navajo Nation's water needs or secure their right to water access. The case therefore decreed that the original language of the treaties establishing the Navajo reservation as a "permanent home" for the Navajo people does not require the United States to act affirmatively to secure and defend their water rights. The two court cases involved, collectively known as *Navajo Nation*, represent a devastating blow for a community often impacted by a myriad of challenges on the Navajo Reservation throughout Arizona, New Mexico, and Utah, not least of which is water access in the face of frequent droughts and increasing chemical contamination (U.S. Government Accountability Office, 2018). Even a legal right to water is insufficient when that water is contaminated, unsafe, or difficult to access, laying out an increasingly-uphill battle for Native communities in the Southwest (U.S. Environmental Protection Agency, 2026).

This divisive decision is the latest in a long line of doctrine regarding Native American water rights and access, originating with the early-20th-century landmark cases *Arizona v. California* and *Winters v. United States*. Nearly 50% of households in Native American reservations lack reliable water access, potable water, or sufficient sanitation (Tanana, 2023, p. 1). Moreover, as 'forever chemicals' such as per- and polyfluoroalkyl substances disproportionately

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impact Native American waterways, these communities' dwindling access to water reflects a larger related history of pollution in predominantly-minority communities. The 2023 decision can therefore be situated as the latest development in a centuries-long battle leveraging environmental warfare against disadvantaged communities of color in America. The current language of centuries-old doctrines establishing a 'trust' relationship between the United States and the Native American people is insufficient to secure water rights for the communities who occupied American land before anyone else. If the specific responsibilities of the United States towards Native American tribes can allow the government to take or avoid responsibility at will, then that language must be rewritten, establishing affirmative governmental responsibilities in securing water rights. This paper argues that the increasing existential threat of PFAS makes this task more exigent than ever.

2. Discussion

2.1 Methodology

This paper uses a historical literature review to examine the relationship between Indigenous water rights and environmental contamination in the American West. Sources include Supreme Court decisions, federal and state legislation, government reports, peer-reviewed environmental research, and news articles. Sources were selected based on their relevance to major legal developments including the Winters doctrine, the McCarran Amendment, and Arizona v. Navajo Nation as well as their discussion of water contamination, PFAS, and tribal rights. Sources such as legal documents, recent scientific findings, and direct testimonies or reports that incorporated Indigenous perspectives were prioritized.

2.2 Water Access and Contamination

Indigenous communities' already-limited water is subject to skyrocketing rates of chemical pollution, making their fight for access all the more urgent. Even given federal and state protection, laws are insufficient if the accessible water is not potable due to contamination—a crisis that has been ongoing concurrently with Native Americans' decades of fighting for their rights. When calling for the return of water rights to Indigenous communities, it is essential to address not just legislative inaction, but also the practical concerns that bar their access: contamination and inadequate infrastructure.

Understanding the modern environmental justice movement requires contextualizing it within the 20th century, during which scientist Rachel Carson's groundbreaking book *Silent Spring* (1962) blew the whistle on the devastating side effects of many chemicals used daily in American households. Her work exposed pesticides' extremely harm to our environment and health, opening American consciousness to a brand-new understanding of the danger they faced.

Carson's work opened the doors for future advocacy, particularly intersecting with minority rights and abuses. However, Indigenous groups' struggles for water often remain sidelined. This invisibility exists despite the fact that, "According to the U.S. Water Alliance, while Black and Latinx households are almost twice as likely as white households to lack indoor plumbing, Native American households are about *19 times* as likely" (Tanana, 2023, p. 1). As the first group of people to reach the Americas and thereby the first stewards of the land and its waterways, the importance of securing potable water access for these communities cannot be overstated. Yet, the ongoing tensions between whose responsibility it is to secure those rights, and the American government's continuing refusal to protect and safeguard clean waterways for reservations and tribes, have failed to ensure this necessity, leading to a century-old political argument over who has legal claims not only to physical waterways, but also to the history, collective memory, traditions, and rights to water.

2.3 Indigenous Cultural Importance of Water

While an entire history of the cultural importance of water to Native American tribes is beyond the scope of this paper, early Indigenous people in the Southwest and along the Colorado River developed complicated, intricate water systems (Devault, 2022). Ancestors of tribes including the Mohave, Hopi, and Navajo engineered canals, used

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floodplain irrigation, and relied on aquifers, belying self-serving claims that would be later used by colonial parties that Caucasian Europeans should lay claim to the land because the indigenous populations were, as European settlers phrased it, not working it as the colonizers believed they should. Ironically, European modes of agriculture would often deplete nutrients and resources. Under settler management, North American soil has eroded 100 times faster than it naturally would have, shedding light on early tribes' far more sustainable practices (Smith, 2015).

In addition to their sophisticated use of water in agriculture, drinking, bathing, and many practical facets of daily life, many indigenous groups have spiritual ties to certain bodies of water (LaPier, 2017). For just one example among many, the San Juan River is sacred to the Diné, also known as the Navajo, as rivers are physical and spiritual resources (Cooley, 2021). These beliefs are not merely relics of the past: they are living traditions that should be afforded respect under the United States' commitment to freedom of religion.

2.4 Tribal Sovereignty and Lack Thereof

However, this has not been the case; rather, the opposite has often been true. Due to the need for uranium in Cold War weapons during the 1940s to the 1980s, members of these tribal nations faced uranium pollution in their sacred water, affecting both their physical health and their spiritual traditions and practices. The damages from the uranium mining still linger today, causing the cleanup process to last into the present day. In particular, uranium mining caused pollution in air and water throughout Navajo lands, and though it was later banned in 2005, it had already caused significant health detriments (Children's Environmental Health Network).

From a legal perspective, in 1922, the Colorado River Compact divided the river into two basins and allocated its water among seven states. The Navajo Nation, whose 27,000-square-mile reservation stretches across Arizona, New Mexico, and Utah, was excluded from these negotiations, leaving its entitlement to the Colorado River water unresolved. Consequently, while Navajo farmers used to nourish their animals via nearby grass fields and watering holes, they now have to pay enormous amounts of money to bring water over to continue the same subsistence they have participated in for thousands of years—paying thousands more than most American citizens (Tsong-Taatarii, 2023). The costs come from a combination of Navajo families living on reservations needing to drive their trucks long distances—at the end of which, they are still not even sometimes able to funnel water from the Colorado River itself, but rather from manmade reservoirs—and the price of connecting to the local water pipeline, which alone costs $10,000.

In these ways, amidst the present day's endless struggles for health and justice, the history of water rights and access for indigenous communities continues to intersect with other facets of Native life. Limited infrastructure, contamination, and political neglect—all of which contribute to the problem of lack of access to unpolluted water—contribute to wider patterns of systematic neglect. Disadvantaged communities face poor infrastructure and weak governmental protections, causing them to be more vulnerable to PFAS in their water.

2.5 Early Doctrine

Many early pivotal doctrines codified indigenous water rights in the U.S., showcasing the gradual recognition of tribal rights within state and federal law. Early Supreme Courts examined tribal rights to water associated with the Fort Belknap Reservation, which was created by an 1888 agreement between tribal parties and the US government. At the time, federal policy aimed to assimilate Native Americans by transforming them from "nomadic and uncivilized people" to "pastoral and civilized people" through the allocation of land (*Agreement with the Gros Ventre and Assiniboine*). The 1908 Supreme Court case *Winters v. United States* established that when the federal government creates a Native reservation, it also reserves water rights to fulfill the purpose of the reservation. The "Winters doctrine" emerged due to a dispute where non-Native settlers attempted to divert water from the Milk River in Montana, threatening the supply used by the Fort Belknap Indian Community. The Supreme Court ruled in favor of the tribe, establishing that Native American reservations are entitled to enough water to sustain their lands and needs. *Winters* drew on precedent from *United States v. Winans* (1905), a case that interpreted fishing rights in a parcel of land ceded by the Yakama Nation to the U.S. When the federal government prosecuted the Winans brothers for preventing the

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Yakama Nation in Washington, an Indigenous tribe, from accessing their traditional fishing sites along the Columbia River, they declared that "The right of taking fish at all usual and accustomed places in common with the citizens of the Territory of Washington… reserved to the Yakima Indians in the treaty of 1859, was not a grant of right to the Indians but a reservation by the Indians of rights already possessed and not granted away by them" (*United States v. Winans*, 1). In this way, the U.S. government established that their role is to help protect and uphold preexisting Native American rights to their land and waterways, implying that these rights already existed.

Unfortunately, later doctrine would continue to erode said rights and access, drawing from gaps in the 1908 decision. Under *Winters*, the Court held that "The power of the Government to reserve the waters and exempt them from appropriation under the state laws is not denied, and could not be. That the Government did reserve them we have decided, and for a use which would be necessarily continued through the years." The court's ruling therefore ostensibly establishes that any ambiguities in the agreement, such as the status of water rights tied to the land, should favor Native societies. While this may appear beneficial, many tribes received only their paper rights, allowing agencies in the executive branch, including the Department of Interior and the Reclamation service, to interpret the Winters decision in a way that prioritized white American water rights rather than Native Americans (Venkatasubramanian, 2025, p. 17). Disputes have therefore arisen over the Supreme Court's *Winters* definition of reserving "sufficient" water to meet tribal needs due to limited water in various regions. Federal reserve rights under the Winters doctrine are often unquantified, but take priority over state issues rights (Brougher, 3). Native Americans have rights to waters associated with Indian Reservations, yet uncertainty remains which has created problems for both Native Americans and non-Native Americans since 1908.

At the state level, Nevada's water laws, codified in chapter 533 of the Nevada Revised Statutes, enforces regulation of the adjudication of water rights within state borders. The state recognizes both prior appropriation and federal reserved rights, including those held by Native American tribes. The Fallon Paiute Shoshone Indian Tribes Water Rights Settlement Act of 1990 settled the water rights claims of the Fallon Paiute Shoshone Tribes, providing them with allocations and funding for water-related projects. The Truckee-Carson-Pyramid Lake Water Rights Settlement Act of 1990 addressed the water rights of the Pyramid Lake Paiute Tribe, aiming to balance the needs of the tribe with those of other water users in the region. Additionally, the Shoshone-Paiute Tribes of the Duck Valley Reservation Water Rights Settlement, finalized in 2009, clarified the water rights of the Shoshone-Paiute Tribes on the East Fork of the Owyhee River and provided funding for water development projects.

Historically, states have resisted tribal claims to water resources. In the 1950s, for example, there was vocal opposition to tribes accessing the Colorado River. This resistance led to prolonged legal battles and delayed the realization of water rights for many tribes. In response, the federal government began exploring negotiated settlements as an alternative to litigation, aiming to provide a more collaborative approach to resolving water disputes.

While the Winters case was moving through the appeals system, another case involving the Blackfeet Reservation—*Conrad Investment Company v. United States*—was also taking place. This case established that Native American water rights were not limited to the amounts they needed. On paper, this decision affirmed that the Native Americans could use however much water they needed to sufficiently support their reservations, even if they were not currently using it. Together, the Winters and Conrad cases challenged the system of prioritizing western water rights (Venkatasubramanian, 2025, p. 36-38).

In 1952, the United States introduced the McCarran Amendment, a federal law waiving the United States' sovereign immunity: the concept that the nation cannot be held as having committed crimes and tried in state courts. The Amendment enables the federal government to be sued in state courts for comprehensive adjudication and administration of water rights, seemingly resolving uncertainty created by Native American-adjacent court cases' direction of federal water rights' intrusion into state water law systems, a seeming positive for Indigenous communities.

However, the Amendment did little to support Native communities in reality. In *Arizona v. California* (1963), the "Winters" precedent was reaffirmed, declaring that federal reserved water rights must be applied beyond solely Native American reservations to all federal lands, causing widespread fear that the federal government could seize all unclaimed waterways that were not already spoken for in the West. When Arizona sued for a share of the Colorado River, the Supreme Court ratified the federal government's authority to allocate water from the Colorado River, including reserved water rights for several Native tribes. This ruling reinforced that tribal rights must be honored, even

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if they interfere with state-level water allocations. Tribal rights were protected for five reservations: Fort Mojave, Fort Yuma (Quechan), Chemehuevi, Colorado River, and Cocopah. Nevada, Utah, and New Mexico also joined the case.

The year 1976 marked a pivotal moment. Senators were primarily concerned with the US government acquiring an increasing number of state law water rights, acting like a private owner rather than a sovereign. As the federal government was growing more involved with Western river basins, proponents of the McCarran Amendment feared that claiming sovereign immunity would prevent state courts from enforcing state water laws, putting Western water systems at risk of being jeopardized. Legislative history reveals that the McCarran Amendment's sponsors intended primarily to assert their privilege of immunity, which the original owner wouldn't have. By contrast, Native-reserved water rights, which are created by the federal government and possess sovereign immunity independent of the US, do not appear to have been intended to fall under the Amendment.

Later in 1979, the Secretary of the Interior clarified the boundaries of the Fort Yuma, Fort Mojave, and Colorado River Reservations. Five tribes sought to intervene for additional water, but their request was denied. Instead, a 1979 Supplemental Decree reaffirmed existing water rights. A special master reviewed the tribal claims and discovered that the Secretary's rulings on the boundaries resulted in larger reservations. However, in 1983, the Supreme Court ruled that the Secretary's findings were not valid because states had not had a chance to challenge them. Indeed, "In the second *Arizona v. California* case, the court refused to reconsider how big the Native American reservation's claim to water actually was, even though the lawyers pointed to mistakes that were made in the first case" (Venkatasubramanian, 2025, p. 39).

In practice, the effects of these laws have frequently been less to preserve water for Indigenous communities and more to expand the federal government's share of water rights law in comparison to its otherwise primarily state-run background. The Supreme Court of Arizona has even directly pointed out the hypocrisy prevalent in how Native Americans still often use only a "negligible" amount of the available water, particularly in contrast to "Arizona's agricultural, industrial, mining, and urban interests" (*Supreme Court of Arizona*), positioning corporations as some of the biggest winners.

2.6 PFAS: A New Threat

As the 21st century wears on, not only does Native American case law continue to evolve, but so do the threats to Native populations, sadly still reflecting the same concerns that Black and Hispanic environmental trailblazers championed decades earlier. In particular, per- and polyfluoroalkyl substances (PFAS), often called "forever chemicals," cause serious risks to drinking water—not just within, but especially affecting, Native tribes around the Colorado River.

PFAS are synthetic, long-lasting chemicals that were developed in the 1930s and came into widespread use in the '50s (Samora, 2023). Due to their use in consumer and commercial applications such as firefighting foams, stain repellents for clothing and carpets, and other sources, these chemicals are being detected in drinking water, landfills, and air . Because of their widespread use and their persistence in the environment, many PFAS are found in the blood of people and animals all over the world and are present at low levels in a variety of food products and in the environment (Renfrew and Pearson, 2021). PFAS are commonly found in water, air, fish, and soil—all essential aspects of traditional Native stewardship and use of the land—at locations across the nation and the globe (Whyte, 2018).

Until August of 2023, there were no detections of PFAS in Nevada's drinking water from public utilities or in the limited number of private wells that have been tested. Research did find PFAS in surface waters and sediments in both the Las Vegas and Reno areas (Bai and Son, 2021). However, researchers in Nevada found that from 2005 to 2020, the Environmental Protection Agency registered 187 health-based violations in public water systems serving Native American communities in Nevada, the most common being "volatile organic compounds" (VOCs) in water, or harmful gasses produced by a number of products and processes including common sources like gasoline (Solis, 2024a & 2024b). Nevada has various mandates. For example, The Safe Water Act requires monitoring for contaminants in drinking water. The Unregulated Contaminant Monitoring Rule (UCMR) enforces that the EPA collects drinking water data, allowing them to develop national primary drinking water regulations (United States Environmental

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Protection Agency, 2026).

Against the backdrop of lack of access to potable water and the infestation of the little water they do have by pollutants such as forever chemicals, Native American communities have been shown to have better outcomes for life expectancy, careers, health, and education when granted tribal sovereignty. This practice involves recognizing the 574 federally-recognized tribes throughout the U.S. as their own distinct government entities. The National Conference of State Legislatures defines sovereignty as including "the right to establish their own form of government, determine membership requirements, enact legislation and establish law enforcement and court systems" (An Issue of Sovereignty, 2013). However, this form of self-rule cannot possibly be complete without access to the resources and necessities of life—water included—in order to create conditions of self-sufficiency. In a testimony during the United Nations Oversight Hearing on Water as a Trust Resource: Examining Access in Native Communities, Navajo Nation citizen and Federal Indian Law expert Heather Tanana declared, "Without a safe, reliable, affordable, and easily accessible water supply, Tribal households are unable to meet basic personal hygiene, food preparation, domestic cleaning, and other needs required for good health. Indeed, without access to water, tribal nations are unable to truly exist and fully exercise their sovereign rights" (Tanana, 2023, p. 2).

3. Analysis

Case law tangibly presents that the U.S. federal government has admitted its own duty to establish and uphold permanent homes for Native American tribes through reservations, a responsibility that cannot be fulfilled without clean water access. Yet, the federal government has failed to fulfill its duty to ensure access to and provide that water. This gap is visible across the Navajo Nation, where residents may use only two to seven gallons of water per day, compared with 80 to 100 gallons used by the average American. In some areas as many as 40 percent of Navajo homes lack clean running water, forcing families to travel long distances and pay extraordinary costs to haul it themselves (Tsong-Taatarii, 2023). Based on this evidence, this paper contends that the federal government's recognition of Native water rights is insufficient when it does not ensure that tribes can actually access clean water.

Amendments such as the aforementioned McCarran Amendment have created the appearance of consideration of Native rights while excluding Tribal needs, creating false hope instead of real action. A closer look at the McCarran Amendment reveals it arguably never had Native rights and needs in mind in the first place: rather, its purpose was to waive the US federal immunity, allowing it to be sued in state courts to determine water rights. This paper interprets the gap between formal recognition and actual access as a type of bait-and-switch that is unfortunately all too common in legislation surrounding Native affairs and persists even 70 years later. Providing water only at high cost to Native communities continues to perpetuate and enforce Native reliance on the federal government while chipping away at tribal rights and sovereignty, making it increasingly difficult for tribes to reap the positive benefits sovereignty affords them.

To circumvent the misplaced hopes of misleading legislation like the McCarran Amendment and compromises like the Jemez Pueblo settlement without continuing to perpetuate historical extermination policies, this paper calls on Congress to clearly and consistently communicate between state and federal regulations. In a world that is continually industrially and technologically progressing far beyond the time of the Winters decision, this paper argues that it is imperative to revisit it, especially considering that over the past centuries, urban and corporate development has often had little concern for conservation or equitable allocation efforts. As established Native rights are often overlooked by the states, it is essential to create a set of standards and regulations by which the states must abide when the topic of Native and Tribal water access is broached. These standards must ensure that a legal right to water includes clean, affordable, and physically accessible water—not merely recognition of that right on paper.

Furthermore, as the Jemez Pueblo agreement shows, tribes often feel pressure to accept agreements that require them to waive their access to their full water rights. Future settlements should not limit tribes' future ability to protect their water. Rather, the government must ensure that support for infrastructure does not limit tribes' ability to claim their water rights.

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4. Conclusion

Tribes should not be forced to fear that they only have a single opportunity to secure the water rights that have been promised to them for over a century. These rights are obligations of the federal and state governments to uphold and recognize in law. It is essential that these facets of the U.S. government abide by the amendments and laws they created, rather than finding ways to cheat tribes out of their rights by making promises that only serve tribes in the short run, if they serve them at all. Until then, every broken promise expands on the pattern of denying tribes the justice they deserve.

References

Agreement with the Gros Ventre and Assiniboine, Act of May 1, 1888, ch. 213, 25 Stat. 113, 113–15. (1887-1888). https://treaties.okstate.edu/treaties/agreement-with-the-assiniboine-blackfeet-blood-gros-ventre-piegan-and-sioux-1886-1887-22315

Arizona v. California. (n.d.) *Natural Resources Division*. https://www.justice.gov/enrd/indian-resources-section/arizona-v-california.

Bai, X. and Son, Y. (2021, January). Perfluoroalkyl substances (PFAS) in surface water and sediments from two urban watersheds in Nevada, USA. *Science of the Total Environment*, 751. https://www.sciencedirect.com/science/article/abs/pii/S0048969720351512?via%3Dihub

Brougher, C. (2011, June.) Indian Reserved Water Rights Under the *Winters* Doctrine: An Overview. *Congressional Research Service.* https://digital.library.unt.edu/ark:/67531/metadc819523/m1/1/.

Cooley, C. (2021). Faces of Rivers: Colleen Cooley, Navajo Nation. *American Rivers*. https://americanrivers.medium.com/faces-of-rivers-coleen-cooley-navajo-nation-ea47d26e4ca6

Devault, K. (2022). *Yes! Magazine*.

Lanza, A. (n.d.) Pfas in Nevada. *Nevada Department of Environmental Protection*. https://ndep.nv.gov/water/pfas-in-nevada.

LaPier, R. (2021). Why Water Is so Sacred to Native Americans. *Grist*. https://grist.org/article/why-water-is-so-sacred-to-native-americans/.

National Indian Law Library. (1983). The Impact of This Supreme Court Term On Indian Water Rights and Other Rights. *The Narf Legal Review*. https://narf.org/nill/documents/nlr/nlr9-2.pdf.

PFAs Explained. (2025). *EPA*. https://www.epa.gov/pfas/pfas-explained.

PFAS National Primary Drinking Water Regulation. (2024, April). https://www.epa.gov/system/files/documents/2024-04/pfas-npdwr_qa_general_4.9.24v1.pdf.

Preston, S. (1959). Resolution of the Advisory Committee. *Resolution of the Navajo Tribal Council*. https://repository.si.edu/server/api/core/bitstreams/daa3975c-87a6-4270-83e3-d71ee782e583/content.

Renfrew, D. and Pearson, T. (2021). The Social Life of the "Forever Chemical": PFAS Pollution Legacies and Toxic Events. *Environment and Society*, 12, 146-163. https://www.jstor.org/stable/27204959.

Samora, S. (2023, December.) The history of PFAS: From World War II to your Teflon pan. *Manufacturing Dive.* https://www.manufacturingdive.com/news/the-history-behind-forever-chemicals-pfas-3m-dupont-pfte-pfoa-pfos/698254/.

Vol. 2026 (11) 924 – 931
ISSN 2688-3651 [online]

Smalling, K, et al. (2023). Per- and Polyfluoroalkyl Substances (PFAS) in United States Tapwater: Comparison of Underserved Private-Well and Public-Supply Exposures and Associated Health Implications. *Environment International*. https://www.sciencedirect.com/science/article/pii/S0160412023003069?via%3Dihub.

Smith, C. (2015). True impact of settlers on erosion rates in North America revealed. *Imperial College London*. https://www.imperial.ac.uk/news/163074/true-impact-settlers-erosion-rates-north/?utm_source=chatgpt.com.

Solis, J. (2024a). Nevada's Native Communities Face Worsening Access to Clean Water, Plumbing. *Nevada Current*. https://nevadacurrent.com/2022/09/08/nevadas-native-communities-face-worsening-access-to-clean-water-plumbing/.

Solis, J. (2024b). Tribes in Nevada Eligible for Millions in Interior Water Infrastructure Funding. *Nevada Current*. https://nevadacurrent.com/2024/04/24/tribes-in-nevada-eligible-for-millions-in-interior-water-infrastructure-funding/.

Supreme Court of Arizona. (1999). In re the General Adjudication of All Rights to Use Water in the Gila River System and Source, 195 Ariz. 411, 989 P.2d 739.

Tanana, H. (2023). U.S. Senate Committee on Indian Affairs Oversight Hearing on Water as a Trust Resource: Examining Access in Native Communities. https://www.indian.senate.gov/wp-content/uploads/2023-09-27-HRG-Testimony-Tanana.pdf.

Tsong-Taatarii, R. (2023). On the Navajo Nation, a life without water. *Searchlight New Mexico*. https://searchlightnm.org/on-the-navajo-nation-a-life-without-water/.

United States Environmental Protection Agency. (2023-2026). Detailed Faculty Report. EPA. https://echo.epa.gov/detailed-facility-report?fid=110012944877&ej_type=sup&ej_compare=US.

United States Environmental Protection Agency. (2026, February). Drinking Water Regulations. https://www.epa.gov/dwreginfo/drinking-water-regulations.

United States Environmental Protection Agency. (2026, April). Water Sampling Results in the Navajo Nation. https://www.epa.gov/navajo-nation-uranium-cleanup/water-sampling-results.

U.S. Government Accountability Office. (2018, May.) Drinking Water and Wastewater Infrastructure: Opportunities Exist to Enhance Federal Agency Needs Assessment and Coordination on Tribal Projects. https://www.gao.gov/products/gao-18-309.

United States v. Winans, 198 U.S. 371. (1905). https://casetext.com/case/united-states-v-winans.
Venkatasubramanian, V. (2025). The State and the Dammed: The United States, India, and Hydrocracy. *UC Berkeley*. https://escholarship.org/uc/item/2z98c35v.

Whyte, K. (2018). Settler Colonialism, Ecology, and Environmental Injustice. *Environment and Society*, 12, 125-144. https://www.jstor.org/stable/26879582.