

An Interpretative Summary of *What You See in Clear Water* By Geoffrey O’Gara

A Discussion of the Past and the Present in the “Battle over Water in the West”

The primary themes of *What You See In Clear Water*

The thesis is that it is land that is at stake and the sustaining power of the land is water. As O’Gara summarizes: “It’s still not over...though it might not never again capture the attention of headline writers in New York...The big issue –the tribe’s ability to take charge of their substantial water right in the Wind River Basin and change the ways of the valley—lies quiet and the state engineer runs the river.” (*What You See In Clear Water*, page 244)

I. One persistent theme is the view of the land.

First, the importance of the land for the sustaining of wildlife ...and the home of wildlife cannot be over-estimated, not by US Fish & Game.

Second, the conviction by Native Americans about the intrinsic value of the land: it cannot be bought or sold. It is held in common.

Third, versus--the view for many farmers, ranchers, oil developers is that the land is a natural “resource” which can be bought and owned.

II. Another persistent theme is the vital importance of water because it sustains life on the land.

First, water is the resource, the lifeblood, running through the Wind Rivers...from the mountains to the lakes, to the streams, the lands, to the rivers, through the dams and the irrigation systems.

And, water not only flows on the surface, but it has an active “life” underground, producing aquifers, which well up into wells, which store water near and far, and which absorb and hold pollutants...

Important quotes: Irrigation, p. 215, water systems and watersheds, p.74-79, and aquifers p. 11

III. Another persistent theme are the legal battles over water:

This is best summarized as promises made, promises NOT kept. (Page 244)

First is the treaty made with the Shoshone tribe to the entirety of the Wind River Reservation—in 1863...a mass of land extending all the way from the Winds into Utah. That was a promise kept...until the Arapaho were forced onto the same reservation: “The Arapaho tribe arrived in 1878, wraiths in rags who hardly resembled the proud bison hunting band of a generation ago. They were the last surviving tribe without a home, their numbers diminished by starvation and disease. For more than ten years they had wandered from one unsafe place to another.”p.67.

Perhaps the legal battles began with Wyoming water law, codified in the 19th century and focusing on surface water, remaining too silent on water underground.

All too simply speaking, water rights are contingent on chronology –who has the first right to the water...ignoring the primary settlers, the NATIVE people, and focusing on those who claimed the right...the farmers and ranchers who easily won irrigations rights and privilege so the canals, the dams, the priority systems favored those with political power. The legal battles have been wide and broad, but some of the issue comes down to enforcement—those who use water for agricultural purposes keep acting as if they “own” the water and no one is there to stop them. In terms of water rights, the Wyoming State Legislature favors agriculture over subsistence of wildlife and Native American sustainability of life.

Another part of the legal issue regarding water is the displacement of not just the Arapaho and Shoshone tribes but many Native Americans—with the massive slaughter of the buffalo, there was and is a shrinking of the very means of life.