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Special Master Advances Proceedings On Hopi and Navajo Water Rights Claims

Kykotsmovi, Ariz. –Special Master Susan Ward Harris recently issued parallel rulings to accelerate judicial review of both the Hopi Tribe and Navajo Nation water rights claims in the Little Colorado River General Stream Adjudication. This long-standing Arizona state court matter will determine water rights to the Little Colorado River Basin water resources.

Special Master Harris was appointed by the court hearing the case to preside over aspects of the case. In her April 13, 2016, and April 14, 2016, Orders, Special Master Harris set July 7, 2016 as the date for the Hopi Tribe to update its claims concerning the Hopi Industrial Park and Hopi Ranches, including the Aja, Clear Creek, 26 Bar, Hart and Drye Ranches.

In response, Chairman Herman G. Honanie expressed the Hopi Tribe’s commitment to obtaining sufficient water to meet all of the needs of its homeland. “The Hopi Tribal Council continues to be very focused on securing an adequate supply of good quality water for the Hopi Tribe, as water is essential to our future as a Sovereign Nation,” he said. “Good quality water is becoming less and less available in Northern Arizona due to rapidly rising rates of use and drought conditions.”

Special Master Harris also ordered the Navajo Nation to update its water rights claims, which have not been revised since 1985. She also ordered the Arizona Department of Water Resources to prepare a Hydrologic Survey Report to provide new technical information about the Navajo Nation’s claims. On July 12, 2016, Special Master Harris will set a final deadline for the Navajo Nation to update its claims.

The Little Colorado River General Stream Adjudication has been pending for decades. The case will determine the priority and allocation for all water rights claims in the Little Colorado River Basin, including both surface water and groundwater. Over 3,100 claimants have filed more than 11,300 claims in the case. To secure water for the Hopi Reservation’s present and future needs, the Hopi Tribe claims water from all available sources in the Basin, and dates its priority over these resources to the beginning of time.

The Hopi Tribe also recently restarted talks with Navajo Nation to identify water resource goals common to both Tribes, and pursue agreements to further those interests. Hopi Tribal Council Vice Chairman Alfred Lomahquahu, a participant in the historic meetings between the two Tribes, views the talks as an important opportunity to find common ground. “Both the Hopi Tribe and the Navajo Nation have interests in securing water to preserve their traditional ways of life as well as for future economic

growth,” he said. “It makes sense to explore ways the Tribes can work together to strengthen our position on our water rights.”

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