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Hopi Tribe's Statement on Little Colorado River Adjudication

Water sustains Hopi life.

The Little Colorado River stream adjudication began in 1978 to determine conflicting water rights in the basin. The stream adjudication involves the Hopi Tribe, the Navajo Nation, the United States, non-Indian communities (such as Flagstaff, Winslow, Show Low, Snowflake, Springerville, St. John, and Holbrook), commercial and industrial interests (such as Salt River Project and Arizona Public Service), and numerous other individual and commercial interests. There are many competing demands for water. The stream adjudication is designed to quantify claimants' water rights, both federal and state law rights, and to determine claimants' priority to the limited water supplies in the Little Colorado River basin. As the Little Colorado River stream adjudication does not involve claims to the Colorado River, which is outside the basin, the Hopi Tribe's claim to Colorado River water is not part of this adjudication.

Although the Little Colorado River stream adjudication began forty years ago, the rights of the claimants to water have not yet been determined. The Hopi Tribe's water rights in the Little Colorado River basin will be the first to go to trial in Arizona state court.

The Hopi Tribe's water rights will be tried in several phases. The first trial begins on September 11, 2018. In the first phase, the court will hear testimony about the Hopi Tribe's past and present uses of water in the Little Colorado River basin. The second trial begins December 2019. In the second phase, the court will hear testimony about the amount of water necessary for the Hopi Reservation to serve as a livable and permanent homeland for future generations. A third trial for the ranch lands south of the Hopi Reservation will likely be set in 2020 or later.

The judicial proceeding will determine water rights for our children and grandchildren.

Over the past several decades, Hopi has made good faith efforts to settle water rights in the Little Colorado River basin. Historically, water rights for Native American tribes settle with the U.S. Government providing water and water infrastructure to Native American tribes consistent with its trust obligations. Water and infrastructure are essential to the Hopi Tribe's future survival. To date, efforts to resolve Hopi Tribe water rights in the Little Colorado River basin by settlement have been unsuccessful.

Recent settlement efforts have been frustrated by the Navajo's unwillingness to recognize the Hopi Tribe's need to access off-reservation water resources to create a sustainable and permanent homeland for Hopi people. Due to actions of the U.S. Government, the Hopi Tribe is surrounded by the Navajo nation. The Navajo Nation has stated in court that it will never grant Hopi an easement to bring water across the Navajo Nation Reservation to the Hopi Reservation and the state court has, on a motion filed by the Navajo Nation, ruled that the Hopi Tribe has no right to access off-reservation water resources for its people. The Hopi Tribe will appeal this ruling. As the Hopi Tribe enters another year of long sustained drought on its reservation, the Hopi Tribe will continue to seek review of this truly unjust court decision and will continue to seek a settlement that recognizes the Tribe will need access to off-reservation water resources for its people.

In trial, the long history and unique culture of the Hopi Tribe in Arizona will be presented by both witnesses and documents. Over a millennium, the Hopi Tribe has endured enormous hardships to sustain its way of life and developed a unique agriculture to sustain itself in a harsh and dry environment. There is still a long road and many trials ahead before resolution of all claims. At each step of the way, the Hopi Tribe will continue to seek a just resolution of claims with its neighbors in the Little Colorado River basin.

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