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Hopi LCR Trial- -Fifth Week

The Hopi Little Colorado River water rights trial continued into its fifth week on October 8, 2018. This first of several trials is on Hopi past and present use of water on the Hopi Reservation. The United States, as trustee for the Hopi Tribe, finished its case-in-chief during the last week of September. Hopi began its case-in-chief on October 1.

This week the Hopi Tribe presented both Hopi witnesses and expert witnesses. The week began with testimony from both the current Chairman of the Hopi Tribe, Tim Nuvangyaoma, and the past chairman, Herman Honanie. Chairman Nuvangyaoma, along with telling of his upbringing into Hopi life, provided the Court with a description of the tribal government, tribal departments, village sovereignty, and the current challenges facing the Hopi people.

With all Hopi witnesses, their testimony to the Court included their life history as well as their stories of elders, grandfathers and godfathers; and learning from the youngest age about Hopi farming and Hopi beliefs, hauling water, and participation in ceremonies. The sacredness of water and corn, the inter-relationship between farming, water and ceremonies has been told directly to the Court through these life stories. Each witness we hope has given the Court an insight into the Hopi world.

Darren Talayumptewa, Director of Wildlife and Wetlands, testified as to specific wetlands on the Hopi Reservation and the importance of the wetlands for

plant life, birds and ecosystems all of which are important to and bear upon Hopi beliefs and Hopi life. Wallace Youvella, Leonard Selestewa and Spencer Pavinyama all testified about farming and livestock ranching on the Reservation.

After the presentation of Hopi witnesses, the Hopi case-in-chief shifted back to expert witnesses. Sunday Eiselt, a professor at Southern Methodist University, testified from Google earth surveys as to the number of acres used for farming on the Hopi Reservation from 1997 to the present, over 30,000 acres. T.J. Ferguson, an anthropologist from the University of Arizona testified as to historic Hopi farming, and its adaption to the landscape over centuries.

For the next two weeks, trial will take place only on Monday and Tuesday to accommodate witness schedules. The Hopi case in chief will likely end on Tuesday October 23, and the Navajo case-in-chief will begin on October 29, 2018. It is anticipated that the trial on past and present will end the first week of November.

When the trial is concluded, the Court will set a date for oral argument to the Court. The trial was well attended this week; it is good for the Court to know through the Hopi who come to watch the case that this case affects Hopi people and the Hopi future.

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