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FOR IMMEDIATE RELEASE
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Hopi LCR Trial -- Sixth and Seventh Week

Sixth Week

The Hopi Little Colorado River water rights trial continued into its sixth week on October 15, 2018. It was a short week as only three witnesses were available this week.

This week the Hopi Tribe presented both Hopi expert witnesses. On Monday, Larry Stevens, Phd, and Todd Umstot testified. David Seibert, Phd, testified on Tuesday, October 16. Dr. Stevens testified as to inspection and measurement of springs at Pasture Canyon and White Ruin Canyon. The Court did not allow the measurement of the supply of water emanating from the springs in the northern part of Pasture Canyon that flow from the spring into the Hopi side of Pasture Canyon. The lawyers have asked the Court to reconsider that ruling.

Todd Umstot testified regarding the government model to measure the amount of water taken from the northern washes for irrigation. Assuming a higher rainfall than predicted by the government, and more acreage, the model predicted that the Hopi Tribe would need to divert 21,000 or more acre feet from the wash for supplemental farming water.

The Hopi Tribe will complete the presentation of its case in chief the week of October 22, 2018. The Navajo Nation begins the presentation of its case in chief the week of October 19, 2018.

Seventh Week

The Hopi Little Colorado River water rights trial continued into its seventh week on October 22, 2018. As last week, this was a short week as only three witnesses were available.

This week the Hopi Tribe presented Hopi expert witnesses Dr. Dale Whittington and Dr. Michael Hanemann. On Tuesday, Dr. Anthony Godfrey testified.

Drs. Hanemann and Whittington are developmental economists with a specialty in water development. They conducted a household survey on the Hopi Reservation in 2006. This was sort of a mini-census. It gathered socio-economic data as to living conditions on the reservation as well as compiling information on water usage. This material is a basis for helping to answer the question posed in the “future” trial scheduled for December 2019: How much water is needed on the Reservation so that the Hopi Tribe can have a permanent and abiding homeland? The thrust of their data is that the Tribe needs more water for economic development and to have a lifestyle consistent with both historical uses and modern needs.

Dr. Godfrey was a witness in the 1934 boundary case which resulted in the partition and creation of the Moenkopi “Island” Reservation. He was called to present historical evidence on farming along the Moenkopi wash prior to 1934. He testified that the Hopi had farmed the Moenkopi wash from the 1520’s to the present without interruption. His testimony will assist in arguing for a water right prior to the current 1934 federal priority date which comes from the creation of the reservation.

The Hopi Tribe’s last witness, Dr. Whiteley is ill and recovering from a medical procedure. The Court is holding open the Hopi case until he can testify. It is anticipated that he should be able to testify the week after Thanksgiving.

The Navajo Nation will begin its case on October 29, 2018. They anticipate closing their case on Friday, Nov. 9. The Court has set a December 20 pretrial conference to begin discussing the next phase of the case, the Hopi “future” water rights trial in December 2019.

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