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**Hopi Delegation in Court as First Phase of Little Colorado River Adjudication Ends**

**Phoenix, Ariz.** - A delegation of Hopi leaders are in an Arizona court this week as attorneys make closing arguments, ending the first of several trials of Hopi water claims in the Little Colorado River Adjudication. The delegation, led by Chairman Timothy Nuvangyaoma, is there to listen, but also to demonstrate their support at the end of a trial that will have a major impact on Hopi's future.

During the last three months, more than 30 witnesses have testified about past and present use of water on the Hopi Reservation. The trial has been presided over by Special Master Susan Ward Harris. To secure and protect our water rights for future generations, Hopi leaders, tribal staff, and other members of the Hopi Tribe have been in Phoenix to tell the Special Master about the Hopi Tribe's historic and present use of water. Their testimony has been a vital part of one of the longest court cases in Arizona history because it has brought to the courtroom stories of growing up on Hopi, the sanctity of water, and the relationship between farming, water and our ceremonies. Hopis have talked about the integration of their concerns, not just for Hopi, but for the future of the whole world. Hopefully, this has helped the Special Master to understand the central role of water in everything in Hopi life.

Special Master Harris' job now is a big one. She will consider all of the evidence and argument from these months of testimony. The judge will then produce a comprehensive report on the Hopi Tribe's water rights. All parties will be given an opportunity to comment on this report. Afterwards, the decision will be sent for review to another court and the parties will turn their attention to the next trial in this case, which is to quantify the Hopi Tribe's water rights on the Reservation for future uses. The court will be asked to determine the amount of water needed to make the Hopi Reservation a permanent homeland for Hopi for generations to come.

Why is this trial in Phoenix important? For 40 years, the Little Colorado River Adjudication has been going on, in an effort to determine conflicting water rights in the Little Colorado River basin. Even though the case has gone on so long, the allocation of water rights between the parties has not yet been determined. The larger case has been separated into various

“subproceedings,” including three trials of Hopi’s water claims—(1.) the one that is ending now, on past and present water use on the Reservation, (2.) a second trial (in 2019) focused on water needed in order for the Reservation to serve as an economically self-sufficient and livable permanent homeland for future generations, and (3.) a third trial focusing on the Hopi lands south of the Hopi Reservation (a date for the third trial has not been set). What happens in court over the coming days, months, and years will determine the water rights for our children and grandchildren and generations to come.

Sometimes the case has been contentious as other participants in the case argued against the Hopi claims to water. The others are the Navajo Nation, the United States government (as trustee for both the Hopi Tribe and the Navajo Nation), the Arizona State Land Department, various non-Indian communities (Flagstaff, Winslow, Show Low, Snowflake, Springerville, St. Johns and Holbrook) and many commercial and industrial interests, including Salt River Project, Arizona Public Service and farmers and ranchers. With so many competing demands for the limited water resources, it has been crucial that Hopi express the Hopi voice in the discussion, and the presence of Hopis in the audience at the trial has been an important statement.

The trial focuses on the limited water supplies in the Little Colorado River basin, which includes most of Apache County, and Navajo and Coconino counties north of the Mogollon Rim and east of Flagstaff. More than half the lands belong to the Hopi and Navajo tribes. The Little Colorado River stream adjudication does not involve claims to the mainstem of the Colorado River, which is outside the basin and is not part of the adjudication.

Hopi’s legal team has highlighted the differences between the Hopi Tribe and the others claiming water rights. Though the objectors wanted to limit the trial to only Hopi’s current use of water, the Court has allowed the Hopi Tribe to offer evidence of tribal history, culture, religion, hydrology and past water uses.

Evidence was given about the creation of the Hopi Reservation and government records, indicating that the lack of surface water has always represented a major challenge to the Tribe’s economy. Over decades, the U.S. Government’s policy toward Hopi varied between moving Hopi to water (by asking the Hopi to move to the Little Colorado River and the Colorado River) and bringing water to the Hopi on the Mesas. Evidence also showed that some government efforts have made things worse, such as when government efforts contributed to washes becoming deeply incised, and created deep gullies channeling the water through the plains, diminishing water to Hopi farms. Though the BIA constructed several projects to bring the waters back to Hopi lands, many of them have failed.

The Court also heard about water used by Peabody Coal in its mining operations (currently 1,225 acre feet a year) and how that water should be split between the Hopi Tribe and the Navajo Nation. The government wants to split the water rights based on land ownership. That split would give the Hopi Tribe a little over 30 percent of the water that Peabody uses. Hopi

is arguing that Hopi is entitled to 50 percent of the water Peabody uses. Testimony also was given on the water needed for livestock.

Additional testimony from U.S. Government representatives focused on the maximum amount of water used on the Reservation in the past for domestic, commercial, municipal and industrial uses.

Hopi witnesses testified about the history of the Hopi water system and about traditional Hopi practices and custom. They testified about Hopi religion and beliefs, culture and traditions, differences between Hopi and Western culture, and the interlinked values of farming, water and ceremonies.

Chairman Nuvangyaoma and former Chairman Herman Honanie both testified at the trial. Chairman Nuvangyaoma spoke of his childhood and upbringing into Hopi life, and the integral part that water plays in sustaining life on the Reservation. He provided the Court with a description of tribal government, tribal departments, village sovereignty and current challenges facing the Hopi people. Former Chairman Honanie also talked about his family history and about farming and ranching in the traditional and modern era.

Many other Hopi witnesses talked about their lives growing up on Hopi, Hopi culture, and how their families farmed and ranched.

Asked to comment as the first of the Hopi water rights trials ends, Chairman Nuvangyaoma stated: “This fight is not only about the Tribe’s future, but also about what it means to be Hopi. We are fighting for our lives, by way of water in the LCR adjudication, and we fight to protect Nuvatukya’ovi (the San Francisco Peaks), because to be Hopi means to honor Hopi’s covenant to be good stewards of this land and its resources. My administration is committed to keeping the Hopi sinom updated and informed because this struggle is vitally important to our way of life here at Hopi. I encourage all Hopis to support the effort, through thoughts and prayers, and by attendance at future trials. Kwa’kwa to all for your support and good thoughts. There is still much to be done—Ovi iitam qa ookiw tootini. Itaam soosooyum haapi ööqalyani.”

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