

Hopis Conclude Testimony in First Phase of Little Colorado River Adjudication *Closing Arguments Set for Dec. 17 and 18*

By OFFICE OF THE CHAIRMAN
FOR IMMEDIATE RELEASE

Hopi witnesses and experts concluded their testimony recently in the first phase of a water rights trial that is both one of the longest-running court cases in Arizona history and also potentially will have the biggest impact on the future of the Hopi.

More than 30 witnesses testified about the Hopi past and present use of water on the Hopi Reservation before Special Master Susan Ward Harris. The Court has set closing arguments in the trial December 17 and 18.

The Hopi case has been separated into three trials, the current one on past and present water use on the Hopi Reservation; the next trial in 2019 focused on water needs for the Hopi Reservation to serve as a livable and permanent homeland for future generations; and a third trial for the Hopi lands south of the Hopi Reservation. The date for the third trial has not been set.

The Little Colorado River stream adjudication began in 1978 to determine conflicting water rights in the basin. There are many competing demands for water, including the Hopi Tribe, who has lived in the area the longest; the Navajo Nation; the United States government; non-Indian communities such as Flagstaff, Winslow, Show Low, Snowflake, Springer-

ville, St. Johns, and Holbrook; commercial and industrial interests, such as Salt River Project and Arizona Public Service; and numerous other individual and commercial interests.

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 40 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 were the first to be heard in the current phase of the trials, which began in September.

Witnesses, including Tribal leaders, have appeared in the Maricopa County Superior Court over the past nine weeks to tell the Hopi story--the long history and unique culture of the Hopi people, and the vital role that water has played in sustaining Hopi life, culture and religion.

Due to actions of the U.S. Government, which serves as a trustee for both the Hopi and Navajo Tribes, the Navajo Nation in northern Arizona surrounds the Hopi Tribe geographically.



Photo Caption: Hopi Delegation present at November 26, 2018 Little Colorado River Adjudication Trial. Pictured front row – Alverna Poneoma – Sipaulovi Village HTC Representative, Violet Siquah – Shungopavi Village Community Member, Rosa Honanie - Sipaulovi Village HTC Representative, Dorma Siquah – Executive Director Hopi Tribe, Romalita Laban – Managing Editor Hopi Tutuveni, Colin Campbell – Hopi Tribe's Lawyer. Middle row – Bruce Fredericks – Upper Moencopi Village HTC Representative, Albert T. Siquah – First Mesa Consolidated Villages HTC Representative, Bruce Talawyma – Chief of Staff Hopi Chairman's Office, Timothy Nuvangyaoma – Hopi Chairman. Top row – Theresa A. Lomakema – Hopi Tribal Secretary, Clifford Qotsaquahu - Bakabi Village HTC Representative, Dr. Peter Whitely – Expert Witness for Hopi Tribe (Photo by Romalita Laban, Hopi Tutuveni)

Dates for the Little Colorado River Adjudication

Held at: Maricopa County Superior Courts
East Court Building
6th Floor - Courtroom 613
(Located on southwest corner of 1st Ave. & Jefferson streets)
101 W. Jefferson
Phoenix, AZ, 85003

Little Colorado River Settlement Trial Dates

Phase I - Past and Present – Phase I Closing Arguments
Week of December 16, 2018:
Monday, December 17, 2018
10:30 a.m.
Tuesday, December 18, 2018
10:30 a.m.

Phase II – Future – Phase II Pre-trial Conference
Court will discuss trial procedures for the December 2019 Future Water Trial on the following dates:

Week of December 16, 2018:
Monday, December 17, 2018
1:30 p.m.

Hopi LCR Trial Last Week of Past and Present Trial

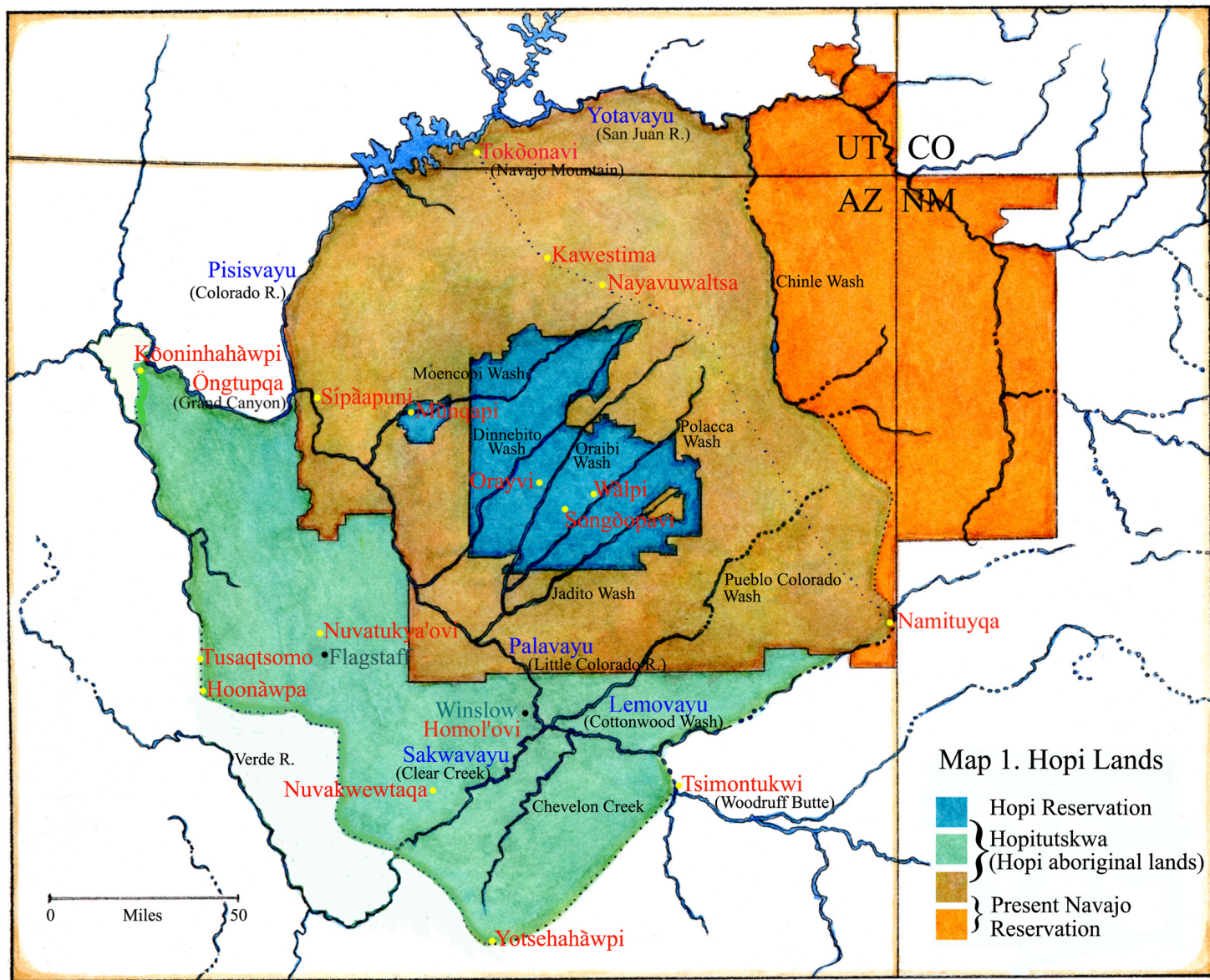


Image Credit: Peter M. Whiteley - Curator of North American Ethnology, Division of Anthropology, American Museum of Natural History and Patricia Wynne, American Museum of Natural History Artist

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The last witness in the past and present trial, Dr. Peter Whiteley, testified on Monday, November 26, 2018. All other witnesses were concluded on November 9, 2018, but the Court held the Hopi case open to take Dr. Whiteley's testimony. He was unable to testify earlier in the case due to medical reasons.

Dr. Whiteley is an Anthropologist and the curator at the American Natural History Museum in New York. His doctoral dissertation was on the tribe, and he has visited and published many articles on the Hopi Tribe.

He served as an expert witness in the 1934 boundary act case, the Hopi priority proceeding case, and now this trial. Dr. Whiteley has a long working history with the Hopi Tribe.

Dr. Whiteley authored two reports that came into evidence in this case. The first was on Hopi religion, custom and traditions, philosophy and water. His report covered the religious beliefs of the Hopi Tribe, along with its ceremonies and relationships to water.

Dr. Whiteley's second report was an ethno-history of the tribe from the 1846 to the present. Again, the history was directed toward the creation of the reservation and wa-

ter use.

With the conclusion of Dr. Whiteley's testimony, the "past and present" evidentiary trial is concluded unless the Court orders the taking of additional testimony. Closing arguments are scheduled for December 17, 2018 and December 18, 2019. The federal government and Hopi argue on December 17th, and the objectors argue on December 18th. Hopi members are encouraged to attend the closing argument which will take place in the East Court Building, Courtroom 613, 101 W. Jefferson, Phoenix, Arizona 85012.

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