

## PRESS RELEASE

***Former leaders of the Hopi Tribe Object to Senator Jon Kyl's Bill and Introduce Tribal Legislation to Reject Senate Bill 2109, the "Navajo and Hopi Little Colorado River Water Rights Settlement Act of 2012".***

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Vernon Masayesva, Ivan Sidney and Benjamin Nuvamsa, former Hopi tribal chairmen; and Clifford Qötsaquahu, and Caleb Johnson, former Hopi vice chairmen, have endorsed a Hopi Tribal Council Action Item that would require Hopi Chairman Shingoitewa to call a Special Tribal Council Meeting to listen to the testimony of the Hopi and Tewa People on the federal legislation introduced by Arizona Senator Jon Kyl (R) concerning tribal water rights. The former tribal elected leaders are echoing the concerns of tribal members over the provisions of the water settlement bill introduced by Arizona Senator Jon Kyl.

On February 14, 2012, Senator Jon Kyl (R), introduced Senate Bill, 2109, the "*Navajo and Hopi Little Colorado River Rights Settlement Act of 2012*", that contains several dangerous provisions for the Hopi Tribe and which requires a permanent waiver of the Hopi Tribe's rights to the Little Colorado River and possibly the Lower Colorado River, in exchange for municipal groundwater delivery projects for the Hopi villages.

Former Chairman Nuvamsa said: "We are in the fight of our life. Our tribal government is in the process of negotiating away what remains of our sovereignty, our precious water rights. The Hopi Tribal Council does not have the legal authority to permanently waive and extinguish our aboriginal and ancestral rights to our water. Those rights belong to our traditional villages. The aboriginal rights and powers of our traditional villages have never been, nor will they ever be delegated to the Hopi Tribal Council."

Former Chairman Masayesva said "Hopi Chairman Shingoitewa and the Water & Energy Team are in the process of permanently waiving our traditional water rights without first consulting with, and gaining approval of our traditional villages and the Hopi - Tewa people."

Former Chairman Sidney said "Arizona Senators Jon Kyl and John McCain are pressuring our tribal government to permanently sign away our water rights, in exchange for giving outside corporations and interests, exclusive life-of-mine leases to our remaining coal fields and all the free water they need to process the coal to make electricity and ensure the Central Arizona Project canal continues to provide water to non-Indian lands."

Senate Bill 2109, when it becomes federal law, may permanently waive and extinguish Hopi's rights to the waters in the Little Colorado River system and possibly the Lower Colorado River system; and will prevent Hopi from filing future claims for damages to water quality and quantity.

This means Hopi cannot file claims for damages to the Navajo Aquifer, for contamination of domestic water supplies, and for the drying of sacred Hopi springs.

“The bill contains empty promises for funding of groundwater delivery projects but exempts the federal government from liability if Congress does not provide funding for the projects. It heavily favors non-Indian interests and will give federal water rights to the Navajo Generating Station. It will ensure that Peabody Western Coal Company continue mining coal and pumping the Navajo Aquifer. If this bill becomes federal law, Hopi may permanently lose all sovereign rights or authority over its coal leases”, said former Vice Chairman Qötsaquahu.

The former Hopi tribal elected leaders said, “Water is sacred and is central to our Hopi and Tewa Way of Life; and we have a sacred covenant to protect our traditions, our ceremonies and our resources. Our ancestors occupied the Colorado Plateau, the Colorado River, and Little Colorado River basins since time immemorial so we have superior aboriginal, ancestral, federal reserved rights to the surface and subsurface waters in the river systems. We have aboriginal water rights under the 1848 Treaty of Guadalupe Hidalgo. The Kyl bill could extinguish these rights. Water rights belong to our traditional villages. These rights have never been delegated to the Hopi Tribal Council so neither Chairman Shingoitewa, the Water & Energy Team, nor the Hopi Tribal Council have the legal authority to waive these rights.”

“We want Hopi Chairman Shingoitewa to honor this request and hold a Special Hopi Tribal Council meeting immediately so that our members can have a say in this important matter. If he does not honor this request, then he will be in direct violation of the Hopi Tribe’s constitution; and we will have no option but to pursue our remedies through our courts.

“We believe it should be our traditional villages and our people, the rightful owners of water rights, who should decide on this matter and not the Hopi Chairman, the Water and Energy Team, and Hopi Tribal Council.”

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