



# COLORADO RIVER INDIAN TRIBES

## *Colorado River Indian Reservation*

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October 14, 2009

To Whom it May Concern:

On September 23, 2009, the federal district court for the District of Arizona issued its ruling in *Water Wheel Camp Recreational Area, Inc. v. La Rance*. In that case, the owner and operator of the Water Wheel Resort ("Resort") sought to overturn a Colorado River Indian Tribes ("Tribes") Tribal Court order holding Water Wheel Camp Recreational Area, Inc. ("Water Wheel") and Robert Johnson liable for occupying the Tribes' land without the Tribes' permission. In short, the federal court's ruling left intact the Tribal Court's judgment against Water Wheel, but concluded that the Tribal Court did not have jurisdiction over Johnson. Accordingly, the Tribal Court judgment against Water Wheel is now fully enforceable and the Tribes intend to take the necessary steps to remove the company from the Tribes' property. No further action in state or federal court is necessary to enforce this portion of the Tribal Court's judgment.

We understand that there has been considerable interest in the outcome of this litigation among those who live and recreate within the Colorado River Indian Reservation. As background, Water Wheel operated the Resort from 1975 to 2007 pursuant to a lease with the Tribes. This lease authorized Water Wheel, Inc. to develop and operate the Resort on tribal lands in exchange for annual rent and other payments to the Tribes. The lease further required that Water Wheel, Inc. vacate the premises and turn the Resort over to the Tribes at the end of the lease term.

When the lease expired in 2007, however, Water Wheel, Inc. refused to return the property to the Tribes. The Tribes subsequently brought suit in Tribal Court, seeking to evict Water Wheel and its owner, Robert Johnson, and to recover unpaid rent. The Tribal Court ruled in the Tribes' favor, and the Tribal Court of Appeals upheld that ruling. Water Wheel and Johnson then filed a separate action in federal district court, seeking to overturn the Tribal Court judgment. As noted above, the federal district court ruled that the Tribal Court's exercise of jurisdiction over Water Wheel was proper, and thus left the Tribal Court's judgment against Water Wheel in full force and effect.

The federal court also ruled, however, that the Tribal Court did not have jurisdiction over Robert Johnson, the owner of Water Wheel Camp Recreational Area, Inc., as an individual. Accordingly, the Tribes are not seeking to enforce the Tribal Court's judgment against Robert Johnson at this time. However, the Tribes reserve its right as the lawful owner of the property to remove any and all trespassers found there.

If you have any questions about this matter, please contact Attorney General Eric Shepard at (928) 669-1271.

Sincerely,

COLORADO RIVER INDIAN TRIBES

A handwritten signature in cursive script, appearing to read "Eldred Enas".

Eldred Enas  
Chairman