

West Bank Homeowners Association

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June 18, 2010

Eldred Enas, Chairman
Colorado River Indian Tribes
Rt 1 Box 23-B
Parker, Arizona 85344

RE: Clarifications

Dear Chairman Enas:

I appreciate your written response of June 2, 2010, to John Lindskog's (our attorney) request to CRIT Attorney General, Eric Shepard, for a meeting between the Tribe and the West Bank Homeowners Association (WBHA or Association). However, I am disappointed that it appears we are unable to move the two groups forward in an appropriate manner to resolve our differences in the aftermath of the U.S. Supreme Court's proceedings concerning the Reservation's western boundary in *AZ v CA*. Perhaps a short commentary about the Association's involvement in that case, a clarification of our stated purpose, as well as the mention of a few prior incidents that influenced the mindset of our members may help bridge the wide divide between us.

The West Bank Homeowners Association filed two briefs in the *AZ V CA* matter. Both our Motion to Intervene and our Amicus brief were accepted into those proceedings with a full (9-0) vote of the Court. All nine justices recognized this Association as a legitimate representative of those persons who occupy the long disputed area of the western boundary. As you may or may not know, the final chapter of that case left the boundary issue itself *unresolved* with the state of California.

We are aware of statements by an unaffiliated group with interests outside the scope of WBHA's concerns, and we have seen statements on their website and in the press that mischaracterize the nature of the disputed area to include all reservation lands in California. WBHA has been at odds with that group since its formation because it does not share their views or their methods. **The WBHA does not and has never endorsed the position that the entire western boundary of the reservation is in dispute.** To the contrary, we have repeatedly explained to our membership that the association's position is identical to that argued by the State of California in *AZ v CA* and it is limited to that portion of the western boundary recognized as "disputed lands" by the Supreme Court. I am concerned that the Tribe is mistaking the conduct, remarks, and information put out by the other group as sentiments or the work of the WBHA when in fact it is not.

You stated the Tribe finds no incentive to establish a relationship with the Association. Many in our membership have the same perception about the Tribe in working with them. They have heard about or witnessed the eviction of the 26 tenants at Red Rooster Resort with no due process or judicial review. That method of eviction was combined with the Tribe bringing heavy equipment onto the site and trenching a deep ditch around the Red Rooster property and brazenly denying people access to their homes.

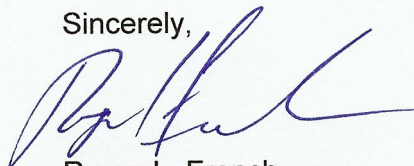
The treatment of tenants on the front row at Paradise Point was very similar and equally aggressive. Their electric meters were cut off and thrown onto their porches and the sewer line was permanently cut. No hearing, no judge, no court order, and no due process. Prior to those 2 events was the breaking and entering by tribal members into the home of Ron Jones in 1995 in the Wind River area, and the removal of all his personal property to Parker, AZ. In addition, a number of persons contacted the Tribe in the past to resolve their occupancy status and pay back rent. Most were told they were going to be thrown out and no realistic opportunity was provided to solve the problem. These incidents illustrate why our membership has desired to avoid the jurisdiction of the Tribe.

This letter should be considered a starting point for both WBHA and the Tribe to consider the opportunity to minimize doubts and suspicions, and to seek common ground. It is the continued lack of communication that perpetuates the problem and results in the Tribe and WBHA enriching the coffers of various law firms throughout the country while your members, and ours, end up with fewer resources. That process is certain to continue if the Tribe chooses instead to invoke tribal court jurisdiction over our members without attempting to resolve the dispute in advance with the group as a whole through the Association.

In order to insure that our position is well presented and available in a timely manner, the Association has retained the law firm of *Slovak, Baron and Empey* in anticipation of engaging the federal courts to defend its members by seeking a boundary determination. The lessons of the past tell us continued litigation in the federal courts will take years to conclude and will be the most expensive course yet taken by the WBHA and very possibly by the Tribes. **However, the Association believes it has a solution that would provide a substantial and relatively immediate financial gain for the Tribe, and will bring about compliance by the permittees without legal action and the associated expenses.**

I believe, Chairman Enas, that we should do what leaders do and choose the sensible path that best benefits the interests of our members. I appreciate your further consideration of this opportunity and hope you will put this letter before all members of the Tribal Council for their review and discussion. I await your response.

Sincerely,



Roger L. French
President

cc: Rodney McVey, Bureau of Indian Affairs
Patrick Barry, Solicitor U.S. Dept of Justice
John Lindskog, Esq
Capt. Rod Vigue, Riverside County Sheriff
Congresswoman May Bono Mack, California 45th District
Eric Shepard, CRIT Attorney General