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PRESS RELEASE – Ninth Circuit Court of Appeals issues ruling in Water Wheel case

The Ninth Circuit Court of Appeals issued a ruling today in favor of the Colorado River Indian Tribes on all matters considered. It also ruled that the CRIT tribal court had personal jurisdiction over the owner of Water Wheel Corp, Robert Johnson. Monetary damages awarded by the tribal court against Robert Johnson that had previously been removed by the Arizona District Court, were subsequently reinstated by the Ninth Circuit court's decision. In addition, legal costs were awarded to the Tribes.

From the onset of the federal case, Water Wheel chose to concede that the land occupied by Water Wheel Resort was Tribal land. Therefore, the courts never were requested to address the Colorado River Indian Reservation western boundary dispute, the '69 Secretarial Order, *AZ v CA*, PL88-302, or the *Aranson* decision.

The court declined comment on all arguments presented by Water Wheel, including terms of the lease and breaches of the lease by CRIT.

Prior to the ruling, the United States filed an Amicus Brief in support of CRIT. In addition to the United States, several Indian tribes and organizations filed Amicus Briefs in support of CRIT including Nez Perce Tribe, Stillaguamish Tribe of Indians, Confederate Tribes of Siletz Indians or Oregon, confederate Salish and Kootenai Tribes of the Flathead reservation, Duckwater Shoshone Tribe, the National Congress for American Indians, and the National American Indian Court Judges Association.

It is anticipated that the Water Wheel decision will have significant impact on commerce nationwide between Indian tribes and non-tribal entities. There was no immediate statement from Water Wheel whether the decision will be appealed to the U.S. Supreme Court.