

United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

MAR 16 2009

Mr. Everett L. Hodges
President, Havasu Water Company
P.O. Box 73785
San Clemente, California 92673

Dear Mr. Hodges:

Thank you for your letter of January 20, 2009, to Secretary Salazar regarding concerns your Company has with the Chemehuevi Tribe (Tribe) regarding a pipeline right-of-way over tribal lands. You also have concerns with the Department of the Interior (Department) regarding the issuance of a trust patent to the Tribe and are requesting a "Takings Assessment" pursuant to Executive Order 12630. Your letter was referred to our office for a response.

In researching the issues raised in your letter, we contacted our Western Regional Office's Division of Real Estate Services and learned that you have had considerable communication with the Region regarding the issues raised in your letter to the Secretary. Most recently, the letter of February 20, 2009, addressed to you from the Regional Director summarized documentation previously made available to you with respect to the Tribe's right to the lands in question. Rather than reiterate that information or provide additional copies of those documents, we refer you to the contents of that letter and the earlier correspondence referenced therein.

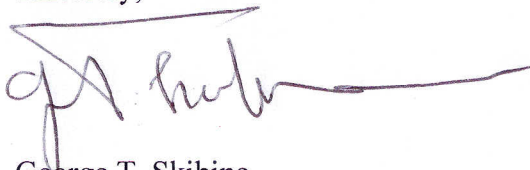
Regarding the issues your Company has with the Tribe over the proposed fee for an annual easement over the Tribe's land, it is the policy of the United States government not to interfere in tribal matters with private parties unless required to by law, regulations, or if requested by the tribe. With inherent sovereignty and rights of self-governance, the Tribe is the entity to deal with over negotiated easement issues.

In the matter of your request for a "Takings Assessment" we have asked the Department's Office of the Solicitor for advice and counsel as to the applicability of Executive Order 12630 to this situation. Once we have received our solicitors' advice we will assess what our appropriate action will be on this matter.

We understand how important the Havasu Water Company's service is to its customers and certainly it is not the intent of the Department to adversely affect that service. However, given our current position that the Tribe is entitled to the lands in question, we would encourage you to continue to negotiate with the Tribe for the necessary easements.

If you have any further questions, please contact the Office of Trust Services at (202) 208-5831.

Sincerely,

A handwritten signature in dark ink, appearing to read "G. T. Skibine", with a long horizontal flourish extending to the right.

George T. Skibine
Deputy Assistant Secretary
for Policy and Economic Development
Office of the Assistant Secretary – Indian Affairs

cc: Regional Director, Western Region