OFFICE OF THE GOVERNOR

September 12, 2008

Via Electronic and U.S. Mail

Eric Shepard
Attorney General
Colorado River Indian Tribes
Route 1, Box 23-B
Colorado River Indian Reservation
Parker, Arizona 85344

Re: <u>Colorado River Indian Tribes Indian Lands</u>

Dear Mr. Shepard:

Thank you for your letter dated June 3, 2008. I also appreciate the time and effort that you took to prepare the memorandum to me, dated June 4, 2008, outlining the Colorado River Indian Tribes' position with respect to lands the Tribe believes are eligible for class III gaming in California. We look forward to rescheduling our meeting so that we can discuss these issues. However, in the meantime, we request that you address one additional issue we believe is relevant to the Indian lands question that was not discussed in your letter or memorandum.
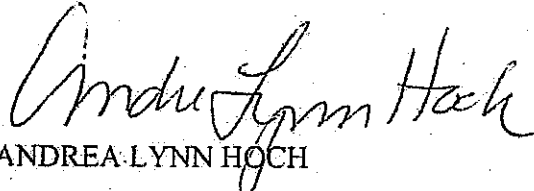
Specifically, we request that you address the 1904 Act, which terminated the CRIT reservation and allotted each Indian resident five acres. The remainder was to be sold as public domain land. (33 Stat. 224.) In 1911, the allotment to each Indian resident was increased by Congress to ten acres. (36 Stat. 1063.) In 1964, Congress restored the unsold and unallotted land in Arizona to the reservation. However, Congress also provided that the unallotted lands in California would be restored only "when and if determined to be within the reservation." (78 Stat. 188.)

As you know, the boundaries of CRIT reservation lands in California, if any, have not been resolved and are still subject to dispute. Consequently, the pre-condition in the 1964 Act to restoration of any California lands has not been satisfied. Thus, it appears that any CRIT California reservation lands, which were terminated in 1904, have not been restored.

Please let us know if you agree with this analysis or, if not, the basis upon which you disagree. Enclosed for your convenience are the statutory provisions referenced above. Thank you.

Sincerely,

ANDREA LYNN HOCH
Legal Affairs Secretary

Enclosures