

"THE COLORADO RIVER INDIAN TRIBES SHALL AGREE TO A SETTLEMENT AGREEMENT TO GET CONTROL OVER THE LAND, IN CALIFORNIA, LYING WEST OF THE COLORADO RIVER AND SOUTH OF RIVERSIDE MOUNTAIN."

THE TRIBES HAVE BEEN OFFERED A SETTLEMENT AGREEMENT IN ARIZONA V. CALIFORNIA WHICH WILL GIVE THE TRIBES THE ABILITY TO RE-ASSERT CONTROL OVER THE LAND IN CALIFORNIA, SOUTH OF RIVERSIDE MOUNTAIN. THE TENANTS ON THAT LAND HAVE CHALLENGED TRIBAL AUTHORITY AND PERSUADED SOME U.S. CONGRESSMAN THAT THIS IS NOT PART OF THE RESERVATION. AFTER THREE DAYS OF TESTIMONY (INCLUDING TESTIMONY FROM TRIBAL ELDERS), THE SPECIAL MASTER IN ARIZONA V. CALIFORNIA HAS REPEATEDLY STATED THAT THIS LAND IS **NOT** PART OF THE RESERVATION. WITHOUT THE SETTLEMENT AGREEMENT, THE ONLY WAY FOR THE TRIBES TO REGAIN CONTROL OVER THE LAND IS TO CONVINCE THE U.S. SUPREME COURT TO REJECT THE SPECIAL MASTER'S STATEMENTS. THE TRIBES ARE NOT EXPECTED TO WIN BEFORE THE U.S. SUPREME COURT.

THE SETTLEMENT AGREEMENT HELPS THE TRIBES BECAUSE THE STATE OF CALIFORNIA AND THE FEDERAL GOVERNMENT WILL AGREE THAT THE LAND SOUTH OF THE RIVERSIDE MOUNTAIN IS PART OF THE RESERVATION. IN EXCHANGE FOR CALIFORNIA RECOGNITION OF THIS LAND, THE TRIBES WILL HAVE TO ACKNOWLEDGE THAT CALIFORNIA OWNS THE LAND UNDER THE WATER OF THE COLORADO RIVER. ALTHOUGH THE LAND WILL STILL BE PART OF THE RESERVATION, TRIBAL REGULATION OF THE RIVER WILL BE AFFECTED. THE TRIBES WOULD MOST LIKELY LOSE A COURT CASE OVER OWNERSHIP OF THE LAND UNDER THE RIVER BECAUSE THE U.S. SUPREME COURT HAS RULED THAT NAVIGABLE RIVERS (LIKE THE COLORADO RIVER) BELONG TO THE STATE EVEN IF THEY ARE LOCATED WITHIN THE RESERVATION.

IN SUMMARY, THE TRIBES WILL GET:

- (1) CALIFORNIA AND THE FEDERAL GOVERNMENT TO RECOGNIZE THAT THE LAND SOUTH OF RIVERSIDE MOUNTAIN IS PART OF THE RESERVATION; AND
- (2) AN ADDITIONAL 2100 ACRE FEET OF WATER (THE TRIBES WILL GET NO ADDITIONAL WATER IF THE U.S. SUPREME COURT AGREES WITH THE SPECIAL MASTER.)

THE TRIBES WILL GIVE UP:

- (1) ITS CLAIM THAT THE RIVERBED BELONGS TO THE TRIBES (THE U.S. SUPREME COURT HAS ALREADY RULED AGAINST A SIMILAR CLAIM MADE BY THE CROW TRIBE IN MONTANA); AND
- (2) THE ABILITY TO CONDUCT GAMING ON THE LAND SOUTH OF SOUTH RIVERSIDE MOUNTAIN, ALTHOUGH THERE WILL BE NO RESTRICTIONS ON GAMING ON OTHER TRIBAL LANDS IN CALIFORNIA AND ON GAMING IN ARIZONA.

A "YES" VOTE MEANS: THAT THE LAND SOUTH OF RIVERSIDE MOUNTAIN, LYING WEST OF THE COLORADO RIVER, WILL BE CONSIDERED PART OF THE RESERVATION. IN EXCHANGE, THE TRIBES WILL ACKNOWLEDGE CALIFORNIA OWNERSHIP OF THE LAND UNDER THE COLORADO RIVER.

A "NO" VOTE MEANS: THAT THE TRIBES WILL TAKE THE RISK OF LOSING THE LAND SOUTH OF RIVERSIDE MOUNTAIN, IN CALIFORNIA, AND ASK THE U.S. SUPREME COURT TO REJECT THE SPECIAL MASTER'S RULING THAT THE LAND IS NOT PART OF THE RESERVATION. THE STATE OF CALIFORNIA WOULD HAVE TO BRING A DIFFERENT LAW SUIT TO HAVE THEIR OWNERSHIP OF THE LAND UNDER THE COLORADO RIVER ACKNOWLEDGED.

THIS WAS ~~THE~~ THE AGENDA FOR 2-8-97
AT CRIT, ~~THE~~ AS SO CALLED BEAR WARD
FOR THE TRIBES ITS B.S. 1-PX-713-1994