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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Mdewakanton Sioux Indians of Minnesota,
Margo Bellanger, Tina Jefferson, Michael J.
Childs, Jr.

Case No. 1:16-cv-02323-RC

Plaintiffs,

v.

Sally Jewell in her official capacity as
Secretary of the U.S. Department of the
Interior, or her successor, U.S. Department
of the Interior; United States

Defendants.

**DECLARATION OF ERICK G. KAARDAL IN SUPPORT OF PLAINTIFFS'
MOTION FOR TEMPORARY RESTRAINING ORDER
AND A PRELIMINARY INJUNCTION**

I, Erick G. Kaardal, declare as follows:

1. Attached hereto are a true and correct copies of the documents identified in Plaintiffs' Appendix:

Lake Pepin Reservation

Ex 1	Treaty with the Sauk and Foxes, Etc. (also known as Prairie De Chien), 7 Stat. 328	1830	APP. 1
Ex 2	"Sioux Lands or Reservation in Minnesota Territory," House Report, H.R. No. 38 (April 28, 1854)	1854	APP. 9
Ex 3	Act of July 17, 1854, 10 Stat. 304	1854	APP. 21
Ex 4	A Roll of Sioux Mixed Bloods, 1855-56; Sioux Half Bloods of Minnesota, Johnson's and Jones Report Filed Feb. 23, 1856	1855-1856	APP. 22
Ex 5	Royce Map of Minnesota showing Lake Pepin Reservation boundaries (undated)		APP. 42
Ex 6	Goodhue County Map (excerpts) showing Lake Pepin Reservation boundaries	1877	APP. 43
Ex 7	Tract Book, Sioux H.B. Scrip Locations (located at Minnesota History Center)	1857-1868	APP. 49
Ex 8	Sioux Half-Breed Reserve at Lake Pepin Scrip	1857	APP. 93
Ex 9	Millikan, William, "The Great Treasure of Fort Snelling Prison Camp," Minnesota History, vol. 82/1, p. 4 (Spring 2010)	2010	APP. 95
Ex 10	Squires, Rod, "The Boundary Lines of the Half-Breed Reservation in Minnesota," Minnesota Surveyor, vol. 18, no. 2 (Summer 2010)	2010	APP. 111

12 Square Mile Reservation

Ex 11	Congressional Globe, 37 th Congress, 2 nd Session, No. 33 at 513-518 (Jan. 26, 1863) and at 528 (Jan. 27, 1863)	1863	APP. 119
Ex 12	Act of Feb. 16, 1863, 12 Stat. 652	1863	APP. 126
Ex 13	Letter of Secretary of Interior dated March 17, 1865	1865	APP. 129

Ex 14	Letter of Commissioner to Reverend Hinman dated March 23, 1865	1865	APP. 134
Ex 15	Letter of Rev. Hinman to Bishop Whipple dated March 23, 1865	1865	APP. 135
Ex 16	Report of the Secretary of the Interior dated April 20, 1866	1866	APP. 140
Ex 17	Letter of Commissioner Parker to Secretary Cox dated May 18, 1869	1869	APP. 143

1886 Lands Reservation

Ex 18	Portfolio of Information Relative to Special Sioux Lands in Minnesota Known as 1886 Mdewakanton Land or Old Assignment Lands, October 1979.	1979	APP. 147
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1934-1938 Interior Documents and Subsequent Documents

Ex 19	Commissioner Collier letter to Jennings dated November 27, 1935	11/27/1935	APP. 402
Ex 20	Assistant Commissioner Zimmerman letter to Secretary of the Interior dated March 11, 1936.	3/11/1936	APP. 404
Ex 21	“Sioux-Elections on Constitutions,” Department of the Interior Solicitor opinion dated March 31, 1936.	3/31/1936	APP. 406
Ex 22	Assistant Solicitor Westwood and Chief Vanning Memorandum to Commissioner (undated)		APP. 408
Ex 23	Constitution and Bylaws of the Lower Sioux Indian Community in Minnesota	6/11/1936	APP. 411
Ex 24	Constitution and Bylaws of the Prairie Indian Community in Minnesota	6/20/1936	APP. 418
Ex 25	Constitution and Bylaws of the Shakopee Mdewakanton Sioux Community of Minnesota	11/28/1969	APP. 430
Ex 26	Area Director Earl J. Barlow letter to Prairie Island Community Council Chairman James M. White dated April 4, 1989	4/4/1989	APP. 435
Ex 27	Department of the Interior Notice of Decision dated August 20, 2012	8/20/2012	APP. 440

Prairie Island Indian Community Proposed Constitution Documents

Ex 28	Federal Register, Vol. 80, No. 201 (Oct. 19, 2015)	10/19/2015	APP. 449
Ex 29	Prairie Island Indian Community Notice Regarding Proposed Revisions to Constitution and Bylaws (Feb. 18, 2016)	2/18/2016	APP. 471
Ex 30	BIA Regional Director Diane K. Rosen letter to PIIC Chair Shelley Buck regarding legal review and technical comments on June 14, 2017 proposed PIIC Constitution dated 5/20/2016	5/20/2016	APP. 497
Ex 31	BIA Regional Director Diane K. Rosen letter to PIIC Chair Shelley Buck re: legal review and technical comments on June 14, 2017 proposed PIIC Constitution dated 10/13/2016	10/13/2016	APP. 500
Ex 32	April 26, 2017 Final Notice of Election on June 14, 2017 regarding proposed PIIC Constitution	4/26/2017	APP. 501

Prairie Island Indian Community Lands Issue

Ex 33	Corporate Charter of the Prairie Island Indian Community in the State of Minnesota dated 6/2/1937	6/2/1937	APP. 533
Ex 34	P.L. 96-557, 94 Stat. 3262 (Dec. 19, 1980)	12/19/1980	APP. 544
Ex 35	Federal Register, vol. 47, no. 162, p. 36474 (Aug. 20, 1982)	8/20/1982	APP. 546
Ex 36	Act of October 9, 1996, P.L. 104-261, 110 Stat. 3176	1996	APP. 548

Additional Census Information

Ex 37	Act of October 25, 1972, P.L. 92-555, 86 Stat. 1168.	10/25/1972	APP. 549
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Ex 38	Department of the Interior Notice of Final Payment Mdewakanton and Wahpakoota Lineal Descendants 2017	2017	APP. 552
Ex 39	Census of Mdewakanton Sioux Indians of Minnesota, Pipestone Agency, Minnesota dated April 1, 1934	April 1, 1934	APP. 574
Ex 40	Wolfchild II Roll of Mdewakanton Sioux Indians of Minnesota, Pipestone Agency, Minnesota	2013	APP. 617

Miscellaneous

Ex 41	Plaintiffs letter to Department of Interior dated March 30, 2017	March 30, 2017	APP. 830
Ex 42	U.S. Land Patent to Diane S. Dreier issued under the Minnesota Public Lands Improvement Act of October 18, 1990, P.L. 101-442, 104 Stat. 1019 dated 3/30/2017 (including land patent details)	3/30/2017	APP. 831

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

Dated: May 30, 2017

/s/Erick G. Kaardal