

My name is Johnson Holy Rock and I am currently the fifth member of the Oglala Sioux Tribe. I would like to say at this time thank you to the Bureau of Reclamation for conducting this consultation meeting with my people, the Oglala Sioux, here on this area of land we call the Pine Ridge Indian Reservation. Home to the Oglalas who were signers of the treaties of 1851 and 1868 with the United States.

Treaties that were peace in nature between my people the Oglala Sioux and the U.S Government. In those treaties of peace the Oglala were granted certain rights and one of those rights were water rights. The headwaters of the Cheyenne River is a tributary to the Missouri River which is stipulated in the treaty of 1851 and 1868 as belonging to the great Sioux Nation and all lands that lie within that territory. The water shed of the Angustora dam in which it derives its water source is well within the boundaries as stated in the treaty of 1851 and is therefore a water right of the Oglala people by treaty. Before the dam was created through Pick Sloan, the aquatic and land environment was at 100% quality within the northern boundaries of the Pine Ridge Indian reservation.

The existence of Agustora Dam and its purpose of providing water to the irrigators of Fall County and its recreational uses is affecting the tributary flow of the Cheyenne River to the Missouri River. The water quality on the northern edge of the reservation has been affected which is of great concern to my people and the Oglala Sioux Tribe.

The water quality as estimated in the draft environmental impact statement is not presently known at this time by the Oglala Sioux Tribal government and at this time disagree with the findings. The water maintenance and quality of domestic use affecting the economy along the lands of the Cheyenne River above and below the dam is unbalanced in the favor of the irrigators and recreational users. Concur goes back to treaty at which time the aquatic and air quality was at its highest on the Cheyenne River. The tribe takes the position in regard to its input of the basic issue which is "First in time, First in right" by treaty.

The claim by the Oglalas is in line with other signors of 1851 and 1868 and must be looked at from the perspective of the Indians and not the irrigators or recreational users. The water use claim as assumed by the band of the great Sioux Nation, in here named the Oglala Sioux Tribe, is establishing an extreme interest in the usage of the whole water shed in the treaty territory, in particular the Cheyenne River. It is a stand that we have every right to make in accordance to the treaty stipulation between the U.S and the great Sioux Nation.

We recognize the conservation and economic impact the proposed contract would have on the people along the river is the purpose of the Bureau of Reclamation's duties not only to the environment but also the livelihood of said people. Because of the diverse views of the treaty by individuals who know nothing of the history and relationship of the United States and Oglala people. At times the relationship with other federal, state and county entities remains the inaccurate fact that the tribe is insubordinate to those agencies. Our opinion of the present actions pertaining to Angustora Dam, south and east, is that the tribe retains the right to assert treaty when the question arises to how much does the tribe need to have reserved for itself to sustain economic growth? The answer to that is simple, all of it!

The tribe is most interested in keeping close contact in the water maintenance and other uses stipulated in the Bureau of Reclamation trust responsibility to the tribe as a federal agency in regards to Agustora Dam and its purpose. We are highly concerned with the flow of water that makes up the tributary to the Missouri River and other areas downstream and the lack of sustainable quantity to promote a high quality of aquatic water life which also may affect economic water sue. The Oglala Sioux Tribal members have been left out of the equation when it comes to economic benefits that the river should and would have provided that others enjoy. The recreational uses above the dam as well as downstream deserves to be felt by the tribal members as part of the promise made to us through treaty.

Basically the land surrounding the Agustora Dam is occupied by state, federal, and private individuals that has come to affect the social and economic health of my people. This scenario can no longer stay a reality when the lives of men, women and children are at stake and yet the few irrigators and recreational users enjoy benefits at the expense of many of my people. The Oglala people have always been concerned with the aquatic and four legged life that used to be abundant along the downstream of the Cheyenne River. Only until the contract renewal process did we realize that the downstream flow was adversely affected by the construction of the dam and action needed to take place to insure that our people are afforded the same benefits that the people upstream enjoy.

The Oglala Sioux Tribe reserve the right to assert all treaty provisions as stated in 1851 and 1868 in which we make claim to all the water in the treaty territory ( rivers, tributaries and groundwater ) for the undisturbed use of the Great Sioux Nation with the understanding that an atmosphere of mutual agreement is to be made but with the Oglalas as having senior rights above all. "First in time, First in right!"

Thank you

1. Thank you for the compliment.

2. The EIS examined water quality concerns of the Tribe and determined none resulted from the Angostura Unit (pp. 129-135 of the EIS).

3. Noted.

4. Two alternatives were developed in conjunction with the Tribe: the Reestablishment of Natural Flows Below the Dam Alternative and the Pine Ridge Irrigation Alternative. The first alternative would include economic benefits for river recreation if the water were used for beneficial purposes. The second alternative was withdrawn by the Tribe (p. 26 of the EIS).

5. Noted.