

**WHITE EARTH BAND OF OJIBWE  
IN TRIBAL COURT**

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MANOOMIN, THE WHITE EARTH  
BAND OF OJIBWE; MICHAEL  
FAIRBANKS; LEONARD ‘ALAN’  
ROY; RAYMOND AUGINAUSH;  
KATHY GOODWIN; CHERYL  
‘ANNIE’ JACKSON; TODD JEREMY  
THOMPSON; DAWN GOODWIN;  
NANCY BEAULIEU; WINONA  
LADUKE; PATRICIA ‘ALEX  
GOLDEN-WOLF’ OSUNA; JUSTIN  
KEEZER; TANIA AUBID; SIMONE  
SENOGLES; GINA (PELTIER) EELE;  
TARA WIDNER; TARA HOUSKA;  
JAMIE “JAIKE SPOTTED-WOLF”  
WORTHINGTON and other tribal  
members and Water Protectors similarly  
situated, and SHANAI MATTESON and  
ALLEN RICHARDSON invited non-  
Indian guests and Water Protectors  
similarly situated,

Plaintiffs

v.

MINNESOTA DEPT of NATURAL  
RESOURCES (DNR);  
COMMISSIONER SARAH  
STROMMEN; RANDALL DODEEN  
DNR, EWR CAR SECTION  
MANAGER (Ecological and Water  
Resources Conservation Assistance and  
Regulation Section Manager), and  
BARB NARAMORE, DEPUTY  
COMMISSIONER, DNR  
CONSERVATION OFFICERS  
(arresting or threatening tribal water  
protectors) JOHN DOES? (1 -10),

Defendants.

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Civil Case No. GC 21-0428

**PLAINTIFFS’ RESPONSE TO  
MOTION FOR STAY**

Plaintiffs Manoomin et al object to a Stay for DNR because the DNR had months from January to May 2021 to give official notice to the public and Tribes that Enbridge Line 3 was seeking to increase the water permit for the project from about a 0.5 billion request to 5 billion gallon request and kept it secret. Further the DNR filing in federal court does not grant federal jurisdiction. Instead it seeks time to have federal court determine jurisdiction. To wait for filings would end up with a moot issue and no remedies. Time is of the essence and all available remedies for Manoomin et al are at the White Earth Tribal Court.

Therefore, because the White Earth Band has formally adopted tribal laws to protect Manoomin, on and off reservations of the Chippewas of the Mississippi, the tribal court necessarily possesses original, inherent jurisdiction to protect manoomin on reservation and off reservation, as part of the usufructuary property rights jurisdiction expressly reserved in the 1825 and 1826 Treaties with the Chippewa.

Dated: August 23, 2021

/s/ Frank Bibeau  
Frank Bibeau, Tribal Attorney  
Joe Plumer, Tribal Attorney  
For the Manoomin,  
White Earth Band of Ojibwe,  
*Chippewas of the Mississippi*,  
Individual tribal members and  
1855 Treaty Authority