

## DOCKETED

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13  
 14 UNITED STATES DISTRICT COURT  
 15 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

16  
 17 COLORADO RIVER INDIAN TRIBES, a  
 federally recognized Indian Tribe,  
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 Plaintiff,  
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 v.  
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 21 UNITED STATES DEPARTMENT OF THE  
 INTERIOR; *et al.*,  
 22  
 Defendants.  
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Case No. CV 12-04291 GW (SSx)

**DECLARATION OF DAVID  
 HARPER IN SUPPORT OF  
 PLAINTIFF'S REPLY IN  
 SUPPORT OF APPLICATION  
 FOR TEMPORARY  
 RESTRAINING ORDER AND  
 ORDER TO SHOW CAUSE**

1 DECLARATION OF DAVID HARPER

2 I, David Harper, declare as follows:

3 1. I am a member of the Columbia River Indian Tribes and a Mohave Tribal  
4 Elder. I have personal knowledge of the facts stated herein. If called as a witness, I could  
5 and would competently testify to the matter stated herein.

6 2. I am providing testimony on the matter of the Genesis Solar Project which is  
7 proposed in an area just a few miles from the Colorado River Indian reservation. These  
8 areas that have been part of our people since, as we say, time immemorial.

9 3. Spiritual cultural values are based on beliefs. The metates are significant  
10 because the metates represent the woman in the tribe. The metates represent that woman  
11 were ever present and that they kept the people together. Women kept the tribe from  
12 starving and sustained us in the harsh lands. Women had foresight; they knew the harvest  
13 and the land terrain, what to cook, and what was available.

14 4. In the past, these tools, the metates, were very important. You could not eat  
15 or drink beverages without this tool. It was almost like a stove in these days and times.  
16 Without this tool there was no mesquite bean to grind or no way to make and store our  
17 food.

18 5. These items are sacred to our people. To harm these items would harm and  
19 disrupt the spirit of which this item was placed, in a sacred ceremony for the dead. It is  
20 the same as a grave robber or someone who would disrupt a grave in a graveyard. These  
21 items are not found in any of our areas anymore, and are held sacred.

22 6. I always remember the story of when you see the metate stones left in the  
23 desert. These are like monuments left in the desert; sometimes they are grave markers of  
24 people who had died. If you look under the metate, you will most likely find that this is a  
25 cremation site. Sometimes two metates can mean this person was wealthy or that more  
26 than one person was cremated.

27 7. These metates are living testimony that we were here, that our people lived  
28 in these areas, and were cremated and put away not to be disturbed.

1 8. Not everyone can come and bother these stones, they are sacred and part of  
2 the dead. We have people in clans that have a duty to protect and care for these items,  
3 which are very sacred and powerful.

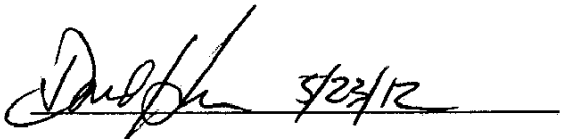
4 9. Touching the metate can make you have nightmares and dream ungodly  
5 things. When you touch the dead, it can also cause harm to your family, especially the  
6 young, sickly or elderly. Those, who are not able to protect themselves, are not strong  
7 enough to hold off the strong medicine. That's why we say, leave these things alone.  
8 There is a spirit attached that will cause harm, especially if you are not chosen to care for  
9 these items.

10 10. Our people are our most precious resource, alive and dead. The dead  
11 represent the legacy of our beginning. How we survive today was through their hard life  
12 of discovery and a testimony to what works. We are all here because of the blood that  
13 was shed on these lands. These are my ancestors; they left their mark that we were here.

14 11. We live in a day and time where people are intruding on our very way of  
15 life, destroying our medicine, unburying our people and looking to erase our existence  
16 after we been here forever.

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

19 Executed May 23, 2012 at Parker, Arizona.

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21   
22 David Harper

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## Responses, Replies and Other Motion Related Documents

[2:12-cv-04291-GW-SS Colorado River Indian Tribes v. United States Department of the Interior et al \(SSx\), DISCOVERY, RELATED-G](#)

### UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

#### Notice of Electronic Filing

The following transaction was entered by King, Winter on 5/23/2012 at 12:01 PM PDT and filed on 5/23/2012

**Case Name:** Colorado River Indian Tribes v. United States Department of the Interior et al

**Case Number:** [2:12-cv-04291-GW-SS](#)

**Filer:** Colorado River Indian Tribes

**Document Number:** [54](#)

#### Docket Text:

**DECLARATION of David Harper in support EX PARTE APPLICATION for Preliminary Injunction re ground-disturbing activities. Ex Parte Application EX PARTE APPLICATION for Temporary Restraining Order as to ground-disturbing activities Ex Parte Application[3] filed by Plaintiff Colorado River Indian Tribes. (King, Winter)**

#### **2:12-cv-04291-GW-SS Notice has been electronically mailed to:**

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