



## A Nisichawayasihk Cree Nation History of Support for South Indian Lake as a Separate First Nation 1909-2003

*For nearly 100 years, the Nisichawayasihk Cree Nation has been united in its aim to have South Indian Lake recognized as a separate First Nation, to be known as O-Pipon-Na-Piwin Cree Nation - setting apart the community as a reserve. The following is a chronology of the official record of consultation and negotiation between the community and leadership of SIL, NCN and the government officials.*

## 1909

December 1

In an extract from the Treaty 5, 1909, annual report, W.J. McLean's, Paying Officer, notes the Nelson House Band had pointed out it would not suit them to have their reserve surveyed in one block, as the land might not be all suited for cultivation, and that fishing facilities would have to be considered. When asked, the Chief and Councillors replied that due to the broken nature of the country by lakes, the survey of a reserve would be better and more easily done in the early part of the winter.

*Early surveys of treaty land recommended a parcel of land be set aside at South Indian Lake for a reserve.*

## 1911

February 7

J. Semmens, Inspector of Indian Agencies, writes to the Secretary of the Department of Indian Affairs regarding the selection of Indian Reserves at Split Lake, Nelson House, Oxford House, God's Lake and Island Lake. He states, "The Indians preferred in nearly every case to have an interview with the Surveyor before definitely deciding the location. It is understood in every case the location would be adjacent to the Hudson's Bay Co. Forts, except in the case of God's Lake where they are quite undecided.

## 1914

May 20

Mr. Donald Robertson, Surveyor, writes to J.D. McLean, Assistant and Secretary of the Department of Indian Affairs, reporting on the completion of the survey of the Nelson House Indian Reserve under the conditions of Treaty No. 5, for the Nelson House Band. In this report, Mr. Robertson states that because of the absence of the members of the Band, it was impossible to proceed in the usual manner as to calling a meeting and discussing with them the best place for their reserves.

The letter states that he surveyed the Reserve, based on copies of Inspector Semmen's report, as to the location of the reserve and also a letter Agent J.G. Stewart (1912) had received from Chief Moose.

Mr. Robertson also reports that at the time the survey was near completion, there was some agitation to change the location of the reserve and move it some 30 miles down the river to Beaver Dam Lake (now called Wuskwatim). No action was taken to change the location of the reserve at this time, as Mr. Robertson reported he considered the location, then being surveyed, as the most suitable under the circumstances, and the location the band members had desired for years. The reserve comprised in all 14,452 acres. Mr. Robertson also noted in this report that Norway House Indian Agent Mr. J.G. Stewart suggested to him the advisability of moving the reserve for the Nelson House Band to Beaver Dam Lake on account of the greater abundance of fish. Mr. Robertson did not agree on the grounds as Beaver Dam Lake was very shallow and subject to restricted fish runs, which gave no assurance of continuity of supply once the band members started to fish there. Mr. Robertson did suggest that should it become necessary to make any change in this reserve, that at least half the area be retained where it was then located and the remaining portion be given to them, further north on South Indian Lake, where the hunting would be undisturbed by the advent of the Hudson's Bay Railroad.

*Requests to change the treaty land parcels continued for over a decade without resolution, despite a consensus of Chiefs, regarding the division of lands.*

## 1921

July 11

The Indian Agent at The Pas, Mr. J.W. Waddy was advised in a letter from Chief Joseph Hartie of the Nelson House Band that the Band had decided to request a change in reserve land, allocated to them under Treaty No. 5. It was suggested the Band would give up the northerly part of the reserve, containing about 2,100 acres of poor swampy land, in exchange for a similar amount of land at the south end, west of the Indian Reserve No. 170B.

## 1924

### December

At the Convention of Indian Chiefs of The Pas Agency, during Christmas week, the matter of surrendering the northerly portion of the Nelson House Indian Reserve, and obtaining in lieu, parcel of land at Beaver Dam Lake was again raised. The reason advanced this time was to obtain pasture and hay land which would support a herd of cattle. The resolution was signed by Chief Pat Constant of The Pas, Chief Adam Stewart of Cedar Lake, Chief Albert Stagg of Moose Lake, Chief James Wabie of Split Lake, Chief Joe Hartie of Nelson House, Chief Jermiah Hawakay of Red Earth and Chief Albert Moor of Shoal Lake.

## 1925

### February 25

Letter from Chief Pat Constant, The Pas Indian Reserve and six other Chiefs of the region, including Chief Joe Hartie from Nelson House, to the Department of Indian Affairs, bringing certain facts in regard to their reserves to the department's attention.

The general Convention of Chiefs wishes to bring to the attention of the department the fact that their impressions in regard to sufficient pasture lands and hay lands in the Nelson House and Split Lake reserves is incorrect. There is sufficient pasture and hay land at Split Lake Reserve, but admittedly little of the same at Nelson House. But there is an abundance of pasture and hay land at Beaver Dam Lake to support cattle, providing the Department would agree to incorporate Beaver Dam Lake into their reserve. In return, Nelson House would be willing to surrender the upper part of the reserve as it presently exists. The Convention of Chiefs requests the Department of Indian Affairs take this matter up with the Indian Agent for consideration. A resolution was signed by the Convention of Chiefs, agreeing to the above-stated.

## 1928

October 29

Letter from J.D. McLean, the Assistant Deputy and Secretary of the Indian Affairs Department to Mr. J.W. Waddy, Indian Agent at The Pas requesting that he forward the report asked for on **March 6, 1925**, relating to the request for the Nelson House Band to surrender a portion of the northerly end of their reserve for an equal amount of land at Beaver Dam Lake and to make his recommendations as to whether this proposed exchange was preferable to an exchange for a smaller parcel of land at South Indian Lake. He was also advised that some band members planned to cut logs that winter to build homes at Beaver Dam Lake, although no reserve had as yet been established there.

## 1929

February 25

Letter from Chief Albert Moose and Councillors of the Nelson House Band to Indian Agent Mr. Waddy advising they had decided to request four additional pieces of land, giving the reasons for their selections.

These are: a piece around Beaver Dam Lake (it is a good general purpose place), a piece from near Nepishkas Portage to the north side of Opahuanus Lake (good for gardening purposes as well as for fishing), a piece to the north side of South Indian Lake (while not suitable for gardening it is splendid for fishing and we could use it as a basis for our northern trapping), and finally an addition to the present reserve of a piece of ground to the south, which includes a large hay area (we desire the hay, as well as it is fairly good ground for logs). All are marked on a map.

No mention was made of surrendering a part of their present reserve in exchange for the requested new areas.

# 1955

## Undated

A Band Council Resolution from Nelson House resolves that a survey be made of the land at SIL, where members of Nelson House reside, asking that this land be declared a reserve, separate from Nelson House and that the members of Nelson House residing at this location be allowed to form their own band namely the South Indian Lake Band. If necessary, they suggest exchanging the land at Nelson House I.R. #170B for land at South Indian Lake.

***NCN Band Council Resolution asks that SIL be declared a reserve separate from Nelson House.***

## March 28

Petition signed by the South Indian Lake Band from Councillors David Spence and Alex Spence and 85 other signatories to the Honourable J. W. Pickersgill, Minister of Citizenship & Immigration, wherein they provide the following issues (subjects) that should be considered for the benefit of the South Indian Lake people:

- This lake is a great place for present and future generations for fishing and fur bearing animals.
- We have a good sawmill, but have only done a little sawing, for we do not know where to build our houses and later be able to claim them. (Noting the present housing locations are scattered and they also do a little gardening.)
- We have had trouble with non-treaty men as well as white men regarding our girls, and since we have no reserve, we have no protection, for we have no authority over those trouble makers.
- This is not the first time we have taken this matter up. We have asked our Indian Agent Mr. E. Law and were told we would get a reserve some day. We are asking for a reserve now (soon if possible) and think we should get one with your help.

***South Indian Lake petitions government for a reserve, citing social and economic reasons for the status change.***

April 22

Letter from Senior Administrative Officer, Indian Affairs Branch to Mr. E. Law, Superintendent of Indian Agency, The Pas, requesting his comments and recommendation with respect to each item in the petition, dated **March 28** and addressed to the Minister from Councillors David Spence and Alex Spence and 85 other signatories.

1956

February 16

Answer sheet to a brief presented by the Nelson House Band Chief at the Minister's meeting in The Pas.

The five questions are:

1. Re loans: They are requesting an extra \$1,000 outside of the \$1,000 already given, meaning \$2,000;
2. My reserve is overcrowded and half of my people are living at SIL. I wish you would give us a reserve at SIL. We have nowhere to fish, where we could get our livelihood, because other lakes have insufficient fish and we cannot earn enough money for our people;
3. Timber Limits: We are again asking for timber limits. We were promised timber limits at one time but have never received them as yet.;
4. Traders: The merchants are over charging us for their goods. I wish you would investigate this matter and have prices lowered. We have \$261.75 on hand and we wish to borrow \$10,000 from the Government, so that we may be able to start up a store of our own. The loan would be paid back on an installment plan.  
D4 Tractor requested: We would be able to pay \$181 on this tractor. We have other money in the amount of \$1,000. I wish this could be distributed to our people for all the loans asked for. We would like you to let us know the time permitted us to refund said money; and

5. Institutions: Institutions such as hospitals and schools. The fuel wood needed by these buildings should be bought from the Indians instead of the white men. In this way more employment would be given my people.

## 1958

### April 10

Letter from Chief Thomas Linklater, Nelson House Band, to Colonel Jones, Deputy Minister, Department of Citizenship and Immigration, asking why no action has been taken to create a reserve at SIL as these people receive all their treaty rights at this location. The Chief requests that the Deputy Minister consider SIL's request for a reserve at SIL.

*NCN Chief Thomas Linklater makes another request to government to consider reserve status for SIL, asking why there has been no action to date.*

## 1959

### January 20

Minutes of the Nelson House Band Council Meeting (Chief, four Councillors, and 58 band members) covering the following items:

1. Forming a Health Committee: Dr. Colborne spoke to the band regarding forming a committee to try and interest the people in better sanitary conditions around the homes, toilets, water, and cleaner grounds around the homes.
2. Commercial fishing for summer 1959: The band requested that Harding Lake, Wakaskwasi Lake, Little Cross Lake and a small lake northeast of Harding Lake be opened for commercial fishing. They would also like to fish Gauer Lake again this summer. These requests would have to be taken up with the Department of Fisheries.
3. Relief fuel for destitute Indians: The band was urged to help themselves in this regard wherever possible.



4. Housing and logging: The moving of the sawmill to the timber berth on Wapisu Lake was discussed.
5. Nomination and election: It was pointed out that an election would be held this year and a nomination and election date would have to be selected, and
6. Members living at SIL: Chief Kenneth Spence reported on his trip to SIL at **New Year's** and his meeting with the band there. He states he had taken up the matter of getting land at SIL for a reserve and he said members there expressed their wish to become a band of their own, with their own Chief and Council. They do not seem satisfied with the present arrangement. All members of the band, at this meeting, were in favor of this change and hoped it could be arranged with the Department.

*Dissatisfaction and inaction on the request from SIL for its own reserve and band status continue to dominate NCN's band council agenda.*

### June 27

A petition is passed by the Councillors Basil Colomb, Alex Spence, and Zaccheus Linklater, and members of the Nelson House Band residing at SIL, respectfully requesting consideration be given to allow them to break away from the Nelson House Band and for them to be known as the South Indian Lake Band. It is witnessed by J.R. Bell.

### July 29

Minutes of Band Council Meeting of Nelson House Band with Chief Kenneth Spence, five Councillors and 115 band members. Seven topics were covered:

1. Illegitimate children;
2. Health Committee;
3. Tractor;
4. Miscellaneous other items;
5. Staking claims around the reserve;

6. Road to Catholic Point; and
7. Reserve at SIL. The band wished to have a reserve at SIL for the members of the band already living there. The band was informed that the matter had already been taken up with the Department and the Chief had received correspondence on this. The present Chief said he had not received any of this information from former Chief Thomas Linklater, so he was advised that copies would be secured for him.

## 1960

### January 3

Minutes of Band Meeting of the Nelson House Band living at SIL, held in the SIL school. Five topics were discussed:

1. Summer commercial fishing: The band was commended on having paid for all of the equipment that was supplied to them by the Department during the past year and also the debts owed from the previous year. The people requested additional equipment for fishing Southern Indian Lake and Opachuanau Lake.
2. Conservation of caribou: The band was asked for their estimates of the caribou population and were requested not to kill anymore than was necessary, and to refrain from feeding the caribou to their dogs.
3. Relief/assistance: Assistance was provided to a woman (#302) whose husband took sick on the trapline. The Department also heard that a woman (#291) had been discharged from the sanitarium in September, 1959 and had been given a slip recommending TB rehabilitation, but that to date. she had not received any help.

*Reserve status for SIL dominates throughout 1960, as Chief and Council of NCN recognize that the people of SIL are independent and able to administer their own affairs and should form their own band.*

4. Housing: Members requested material for housing repairs and new houses and received a commitment that as soon as transportation by bombardier was available, the materials would be forwarded to them.
5. Formation of a separate band at SIL: The band asked what had been done so far towards this, after the signing of the petition **last spring**, and were told what had happened and what would happen at a meeting at Nelson House this coming week. A member of Council was asked to attend. Alex Spence agreed to go to Nelson House to attend the meeting.

### January 5

Minutes of Nelson House Band Council Meeting held at the community hall at Nelson House with Chief Kenneth Spence, six Councillors, and 68 members of the band. Nine topics were discussed:

1. Resolution for a new band at SIL: Members of the Nelson House band living at SIL wish to break away from the Nelson House band and form a band of their own at South Indian Lake. The Chief spoke to the band regarding this matter and said that these people had been living at South Indian Lake for years now and had been able to support themselves and families quite well to this point, and as it was such a distance from Nelson House, the Council could not keep in touch with the people there. And due to the increase in the population of the band, the natural resources in the Nelson House area could not support these people. He was strongly in favor of them forming a band of their own at South Indian Lake. The Councillors all spoke to the band and agreed with the Chief's views. The band were all in agreement and a resolution was signed by the Council and the band.
2. Lease for J.G. Webb, free trader;
3. Formation of Health Committee;
4. Wood fuel for destitute members of the band;

***Another Band Council Resolution is passed supporting SIL's bid to break away from Nelson House.***

5. Relief;
6. Winter road to Thompson;
7. Family allowance;
8. Construction of warehouse at Thompson; and
9. Estimates of finishing material for a house.

Another petition is presented to government from the Chief Kenneth Spence and Council of the Nelson House Band agreeing and supporting the earlier petition from the Nelson House Band members living at South Indian Lake, and requesting that it be given favourable consideration.

*Another petition is made in support of the earlier petition requesting that SIL be declared a reserve separate from Nelson House.*

They provide reasons as follows:

- Because of the distance involved in travel,
- Lack of ability of the Councillors at SIL to meet the Chief and Council at Nelson House in regard to band matters, and
- SIL members have very little contact with the Nelson House members, either socially or economically.

The signatures are witnessed by J.R. Bell, Superintendent, and F. Clarke, Assistant Indian Agent.

### June 24

Resolution from three Nelson House Band councillors Basil Colomb, Alex Spence and Zaccheus Linklater (who supported a split from Nelson House), residing at SIL, stating that they are opposed to the decision reached by the Department on the split of the Band.

### September 21

Minutes of Nelson House Band Council Meeting of residents of SIL held at the South Indian Lake school. Councillors Basil Colomb, Zaccheus Linklater, and Alex Spence were present along with 14 band members. Three topics were discussed:

1. Commercial fishing: Requested Southern Indian Lake be limited to residents from the community. They thanked the Department again for assistance with fishing nets and supplies.
2. Housing: Additional material for housing and repairs was requested. It was explained that the housing was in poor condition and some were not fit to live in. Three new homes were constructed this year and all repair material was used, and
3. Formation of a separate band. The formation of a separate band was again asked for, and the Indian agent read the correspondence on this matter to them. This did not satisfy the people and they asked that the Department give this matter further consideration and comply with their request.

*Government fails to act on SIL 's request for a separate band and reserve*

## 1964

July 14

Band Council Resolution #1/64-65/11 resolves that 10 members of the Nelson House Band living at SIL are prioritized for welfare assistance in housing in priority order. The down payment is a requirement that he supply his own labour.

## 1966

January 7

Memo from A. Meeches, Assistant, Nelson House, Manitoba, to J.R. Bell, Superintendent, The Pas Agency, forwarding copies of the minutes of the meeting held following the Nelson House/SIL meeting regarding the proposed division of land on **December 31, 1965**. Mr. Meeches also encloses two authorization certificates for transportation warrants.

# 1988

## January 16

Faxed letter from Leonard Linklater on behalf of Chief Rodney Spence to J. Gallo confirming the HWCH and Associates proposal submitted for South Indian Lake (SIL) has been approved.

## March 11

Letter from Gerald Kelly, Manger, Indian Affairs to Thomas Spence, South Indian Lake Headman for Treaty people, responding to his visit to Thompson District Office, where he advised that Nelson House was willing to provide 2,000 acres of their NFA-exchange-acres to the SIL people for selection purposes. Kelly requests a Band Council Resolution from Nelson House to this effect.

***NCN sets aside 2,000 acres of NFA-exchange acres for SIL and confirms this in a Band Council Resolution.***

## June 14

Letter from Chief Rodney Spence, Nelson House Band to Mr. Gerald Kelly, Manager, Estates, Membership and Statutory Requirements, DIAND regarding the creation of a new Band at SIL. Chief Spence informs Mr. Kelly that he and his council have to agreed to allocate 2,000 acres of land from Article 3 Land Exchange under the NFA, to members living at SIL. He states they will be forwarding the necessary Band Council Resolution of support.

## September 16

Band Council Resolution 313-228 dated **September 16, 1988** confirms an NFA Article 3 selection of 2,000 acres at SIL is to be set apart for Nelson House First Nation living there.

## October 27

Band Council Resolution dated October 27, 1988 amending a site as identified in the Land Exchange and Land Use Study. This changes site 1.5 to site 1.5a and resolves the land be set apart for the use and benefit of the Nelson House Indian Band members resident at South Indian Lake.

## May 19

Letter from James C. Thomas, MALA, MCIP, Associate of Hilderman, Witty, Crosby and Hanna. to Thomas Spence of South Indian Lake, informing him that he, with Leonard Linklater and Marcel Moody of Nelson House will be in on **May 30, 1989** to meet with him. At this meeting, Mr. Thomas states he wants to discuss the study process, including participation by community members and both councils. Other items on the agenda include the type of land needed and where it is located.

## 1990

### September 21

Minutes of meeting held between Chief Norman Linklater and Council, John Moore from SIL, the Thompson District Manager and INAC staff for the purpose of 1988-89 Audit - SIL issues.

Besides the audit, the meeting dealt with the transfer of the social assistance program to South Indian Lake, the interest of South Indian Lake in delivering all other programs including housing, NADAP, administration, etc., and past years' social assistance deficits and cost recovery, and the 2,000 acre land entitlement for SIL.

## 1995

### April 4

Memorandum of Understanding between the First Nations Peoples of SIL, Nelson House First Nation, the governments of Manitoba and Canada, wherein the parties agree to exercise their best efforts to ensure the success of a process leading to:

- I. The recognition of SIL as a "band" within the meaning of the Indian Act; and

*A Memorandum of Understanding is signed in 1995 with NCN and the federal and provincial government agreeing to exercise their best efforts to recognizing SIL, and setting lands aside for a reserve.*

2. The setting apart of the Compensation Lands as a “reserve” within the meaning of the Indian Act for the use and benefit of SIL, which process shall be pursued in an expeditious manner and shall commence within 90 days of the date hereof.

### May 19

Letter from Minister Ronald Irwin to Chief Jerry Primrose concerning the arrangements with the Nelson House First Nation for the administration of social assistance to members resident at SIL.

*Government restates its commitment to support SIL in its efforts to achieve reserve status.*

He references the **April 4, 1995** meeting and comments it was a success and that a Memorandum of Understanding signed by the Manitoba Regional Director General on behalf of his Department confirms the federal commitment to support the people of South Indian Lake in their efforts to achieve reserve status.

He states he is confident the signed MOU represents a cooperative effort by all parties to resolve matters of concern for the First Nation residents of SIL, however cautions that Canada’s commitment to social assistance in SIL hinges upon the province fulfilling its obligation to transfer administration and control of approximately 8,500 acres of Provincial Crown land including the town site of SIL to Canada for the purpose of setting these lands aside as reserve. He further cautions that, if by **June 30, 1995**, Manitoba has not issued an Order-in-Council to that effect, Canada will once again expect Manitoba to begin to provide social assistance to residents of SIL who qualify.

### October 23

NCN passed Band Council Resolution #313-291 resolving South Indian Lake members be separated from the Nelson House First Nation to form the First Nation at South Indian Lake with their own reserve at South Indian Lake.



# 1996

## January 30

Letter from R. Hatfield to Chief and Council, Nelson House First Nation acknowledging its Band Council Resolution #313-291, dated **October 23, 1995** and received on **January 23, 1996**. This Band Council Resolution resolves that Nelson House First Nation Council supports the separation of the band members, identifying SIL as their home community, from the members identifying Nelson House as their home community, for purposes of recognizing the members from SIL as a distinct band within the meaning of the Indian Act subject to conditions. (attached is a cover letter from Nelson House First Nation lawyer, the Band Council Resolution and the SIL Submission Requirements.)

## January 31

Chief J. Primrose and five Councillors of Nelson House First Nation pronounce a Band Council Resolution supporting the creation of a reserve at SIL and removing the headmen and council of SIL.

***Yet another Band Council Resolution is passed supporting SIL's bid.***

In the Band Council Resolution, Chief and Council resolve that the Nelson House First Nation membership resident at SIL can determine who should fill the vacant headmen and council positions.

## March

NCN, along with Canada, Manitoba and Manitoba Hydro, ratify and sign the Nelson House NFA Implementation Agreement, under which NCN supported (Article 5), the initiative of South Indian Lake members wishing to be organized as a band under the Indian Act, and agreed to select 2,000 acres of Provincial Crown land in the South Indian Lake Trapline Zone, for the purpose of establishing a reserve for a new South Indian Lake First Nation, and to establish procedures for Members resident, at or in the vicinity of the community of South Indian Lake to select these lands;

# 1997

## September 17

NCN Chief Primrose and MKO Grand Chief Francis Flett write to Minister Stewart.

1. Chief Primrose presented a resolution requesting the MKO Chiefs in Assembly to recognize the First Nation at South Indian Lake;
  2. References former Chief Thomas Linklater's letter to the Deputy Minister on this matter in **1958**;
  3. Members of Nelson House First Nation have been living as a community at South Indian Lake since at least **1875**, More than 22 percent of the NCN reside at South Indian Lake and this has created considerable complications in virtually all aspects of government administration,
- Almost all federal and provincial government agencies insist on communicating and negotiating directly with Nelson House First Nation Chief and Council at Nelson House on matters related to the rights, interests and objectives of the South Indian Lake First Nation members, instead of resolving these matters directly with the South Indian Lake First Nation.
  - They state: "Clearly South Indian Lake is an existing, viable and on-going community, both in terms of historic continuity and within the meaning of the Additions To Reserves Policy of your Department. The Chief and Council of the Nelson House First Nation have recognized the membership at South Indian Lake as the South Indian Lake First Nation, and MKO has now recognized the South Indian Lake First Nation as the 27th member of the MKO First Nation.

***“The Chief and Council of the Nelson House First Nation have recognized the membership at South Indian Lake as the South Indian Lake First Nation, and MKO has now recognized the South Indian Lake First Nation as the 27th member of the MKO First Nation. “***

- In summary they conclude, “It is evident the South Indian Lake First Nation should be immediately recognized by you and your Department as a band within the meaning of the Indian Act, and that reserve lands should be established for the use and benefit of the South Indian Lake First Nation.”

*“It is evident the South Indian Lake First Nation should be immediately recognized ... as a band within the meaning of the Indian Act, and that reserve lands should be established for the use and benefit of the South Indian Lake First Nation.”*

### December 19

INAC Minister Stewart replies to Chief Primrose and Grand Chief Flett and acknowledges the support of MKO and NCN for the immediate recognition and establishment of South Indian Lake as a reserve.

## 1998

### July 22

Manitoba Keewatinowi Okimakinak, in a resolution moved by NCN Councillor Jimmy Spence, numbered 98-07-14 and dated **July 22-24**, resolved to recognize the South Indian Lake First Nation and directed Grand Chief Francis Flett to lobby INAC Minister Stewart and the provincial government for the creation of a reserve in South Indian Lake.

### September 24

The Assembly of Manitoba Chiefs, in a resolution moved by NCN Councillor David Spence, numbered and dated **September 24**, resolved to recognize the South Indian Lake First Nation, and directed Grand Chief Rod Bushie to lobby INAC Minister Stewart and the provincial government for the creation of a reserve in South Indian Lake.

## 1999

### August 10

Letter from Chief Jerry Primrose to RDG Lorne Cochrane with a proposal to hold an election under the NCN election code to determine the Head Person for the Treaty people of South Indian Lake. The person is to be elected by the electorates of South Indian Lake to be their representative responsible:

1. To INAC for furthering the South Indian Treaty,
2. For representing the treaty people of NCN residing in SIL at the MKO level, and
3. For representing the Treaty people of NCN residing in SIL on the SIL reserve negotiations.

### November 16

Letter from Chief Jerry Primrose to the Honourable Eric Robinson, Minister of MANA, referencing the **1995** MOU commitment to a fast-track-process to create a reserve for the people of SIL, and stating that the people of SIL have been waiting for over 70 years for a separate reserve to be created.

*NCN supports electoral independence for SIL and once again asks governments to fast-track the process of creation of a reserve for SIL as set out by the MOU signed in 1995.*

## 2001

### May

NCN agreed with Canada to finance the independent Land Capability, Use and Selection study for O-Pipon-Na-Piwin Cree Nation in order that they may identify their per capita share of the Treaty Land Entitlement Agreement (TLE), the 2,000 acres as committed in the 1996 NCN NFA Implementation Settlement Agreement, and the 8,500 acres pursuant to the 1992 CASIL Settlement Agreement, in order to confirm the future reserve lands of the O-Pipon-Na-Piwin Cree Nation and facilitate them in obtaining First Nation recognition and independent reserve lands.

## July

OPCN and NCN has negotiated a TLE land selection extension plan, which is required pursuant to Section 4.02 of the Framework Agreement Treaty Land Entitlement, Manitoba, to extend the land selection time period until **July 2003**, given Manitoba and Canada's delay in initiating their committed negotiations on First Nation recognition and the setting apart of reserve land in South Indian Lake;

## 2002

### Fall

NCN supported the proposal to have an independent OPCN TLE coordinator financed by Canada to facilitate the reserve land selection study and to facilitate the formal recognition of the O-Pipon-Na-Piwin Cree Nation. One of the TLE coordinator's work plan objectives is to, "Communicate the interrelationship between the TLE action plan and the Federal-Provincial-OPCN-NCN initiative, to recognize NCN members living at South Indian Lake as a separate First Nation and to ensure all OPCN members are kept up to date on the progress of these discussions."

*A process is put in place to set up systems and structures to assist OPCN ~with the establishment of its on reserve and band council.*

## 2003

### January to March

Supported, signed off, and facilitated flow through funding to OPCN for the capacity building program, which is intended to ensure the capacity of OPCN is prepared for formal and independent recognition by Canada, including the development of policies, procedures, structures and systems to administer the full range of INAC programs, develop an OPCN membership code, develop an OPCN election code, Chief and Council policies, an O-Pipon-Na-Piwin Cree Nation organization chart and Land Transfer Plan for the community of South Indian Lake.

## February to March

NCN supported, signed off and facilitated flow through negotiation funding, which was to finance activities to ensure the participation of the OPCN technical team in the upcoming negotiations relating to the formal recognition of the OPCN as a First Nation and the establishment of a reserve at the community of SIL.

Primary objectives are to:

1. Establish planning and strategic advisory services, which will provide support services to OPCN technical negotiation team,
2. Establish a community consultation and grassroots participation process to ensure information sharing,
3. Establish a computerized land management data system, and
4. Ensure the full participation of the OPCN technical team in negotiation meetings with Canada and Manitoba, and in bilateral discussions with NCN, relating to the development of an agreement-in-principle as to the division of assets, land and trusts.

## July 28

Band Council Resolution #313-29-03-038 dated **July 28, 2003** reiterates the agreement to a division of lands of the Treaty Entitlement Agreements (TEA), and will transfer (22.25 percent) 17,674.29 acres for the use and benefit of O-Pipon-Na-Piwin Cree Nation, on the understanding that additional lands may be transferred once the Manitoba easements calculations are completed, pursuant to the terms of the TEA.

The Band Council Resolution further confirms the crown land selections made by O-Pipon-Na-Piwin Cree Nation, and confirms these should be set apart for the use and benefit of OPCN.

NCN also confirms the selections only and does not wish for Canada or Manitoba to process them beyond step 2.08 of the “Land Transfer and Reserve Creation Process Manual” (which manual was produced by the TLEC, Canada and Manitoba as mandated by section 6.04 of the FA, and as executed by the Senior Advisory Committee in November, 1999). And NCN requests a crown land use permit be issued granting the NCN members living on or near SIL the exclusive right to use and occupy the land selection prior to them being set apart as reserve for the OPCN.