

California Valley Miwok Tribe aka Sheep Ranch Rancheria

Historical Chronology

Overview of History of California Indians

1905-1910:

The 1905 Appropriations Act included funds for the investigation which was led by special agent C. E. Kelsey. Resulting from the investigation was the introduction of the "Rancheria System" which provided the homeless Indians of California with small acreages. These individuals and/or families were given a small parcel of land to farm and construct dwellings. Some tribes were also provided with small parcels of land and some measure of recognition by the Federal Government.

1907: The Sheepranch was identified as needing land but since reservation land was the first priority the request for Sheepranch was pushed back another eight years.

August 13, 1915

Letter from Special Agent to Commissioner with attached census, identifies twelve Indians:

Peter Hodge (1/2) and Annie, wife (4/4)
Children: Malida, Lena, Tom, and Andy
Jeff Davis (4/4) and Betsey, wife (4/4)
Mrs. Limpey (4/4)
John Tecumchey (4/4) and Pinkey (4/4)
Mamy Duncan, granddaughter of Jeff Davis (3/4)

"Note: to some extent the Indians at Sheepranch, Murphys, Six-Mile, Avery and Angles are interchangeable in their relations." The letter states that the twelve Indians "designated Sheepranch Indians . . . constitutes the remnant of once quite a large band of Indians. . ." Peter Hodge, "the leading member of this little band," held a 160-acre homestead, which only had one acre of land worthy of cultivation. The Indian Agent states: "By reason of the long and strong attachment of this small band to Sheepranch, ...and that in the old town a number of old improved places of one to two acres with more or less orchards and vines may be purchased cheap, would suggest, if possible to do so, one or two of such places be purchased for these Indians."

November 28, 1916

Letter from Chief Clerk to Secretary: Mentions that land was being purchased "for the benefit of twelve landless California Indians."

June 8, 1935

List of Voters for Indian Reorganization Act on Sheep Ranch Rancheria, Calaveras County, and approved on June 8, 1935, which lists a Davis, Jeff, Date of Birth, May 14, (1858)

February 3, 1954

Letter from Area Director to Tom Hodges re: ownership rights to Sheep Ranch. Area Director states that Tom has “no rights in the Sheep Ranch Rancheria,” since he was a member of and had a house at Tuolumne. The letter also mentions a survey dated 04/29/51, identifying two families at Sheep Ranch:

John Tecumsek and an unknown cousin

Don Carsoner, wife, and six children, who moved there in 1950

“The right of residence of Mr. Carsoner and his family was accepted.” “Since that time John Tecumsek has died.”

February 17, 1965:

Memorandum to file by Realty Specialist re: current occupants at Sheep Ranch. They are:

Merle Butler (not on the California judgment roll)

Mabel Dixie

Lenny Jeff (her uncle)

Memorandum states that “no assignment has been requested by or given to any of the three people.” Recommendation: To give the three formal assignments, and then enter into a termination plan to distribute the assets to the three.

August 18, 1966:

Distribution Plan distributing assets to Mabel Dixie. Approved by Associate Commissioner on 10/12/66. Effective date is 10/14/66. Plan notes that “there has never been a formal type organization” and that “there have been no allotments or formal assignments issued.” She is identified as “the only Indian entitled to participate in the distribution of assets of the Sheep Ranch Rancheria and the rights or beneficial interest of Mrs. Dixie in the property may be inherited or bequeathed, but shall not otherwise be subject to assignment, alienation or encumbrance before the transfer by the United States of full legal title of such assets except with the approval of the Secretary.”

October 27, 1966:

Letter from the Area Director to the Commissioner of Indian Affairs, noticing the Commissioner that Mrs. Mabel Hodge Dixie, the only distributee of the Sheep Ranch Rancheria, voted to accept the distribution plan, effective October 14, 1966.

May 2, 1967:

Letter from Area Director to Mabel Dixie delivering “a deed which conveys title from the United States of America to you, as grantee and distributee, for land on the Sheep Ranch Rancheria.” “... (T)he enclosed deed transfers title of this property to you in an unrestricted status (fee), and you may lease, mortgage or dispose of it as you so desire.” A Receipt for Deed was attached to the letter, but it was not signed.

May 15, 1967:

Letter from Area Director to Mabel Dixie (through a Mr. Hayden Stephens) stating that “although the deed has been recorded sooner than anticipated it is not intended to pass title to you until after the Conservator has been set up and made a record. The setting up of the

Conservator is now in process and at such time that this is consummated title will then be passed to you upon receipt of the grant deed.” Courtesy copy sent to the Regional Solicitor's Office, Sacramento, to the attention of Barry K. Berkson.

September 6, 1967:

Quitclaim deed between Mabel Dixie and the United States of America, whereby Mabel quitclaims the Sheep Ranch Rancheria back to the U.S. The deed states that “(t)his quitclaim deed is executed in order to clear the record and to restore record title in and to the (U.S.) just as though that certain deed dated April 11, 1967, from the (U.S.) to (Mabel), which was inadvertently executed and recorded in Book 229, Page 184, in the Records of Calaveras County, California, on April 26, 1967, was never in fact executed and recorded, the said deed having been executed and recorded prior to compliance with all of the statutory requirements set forth in the Rancheria Act...and which deed was not intended to pass title nor did said deed actually pass title.”

August 11, 1971:

Letter from Dora Mota seeking a “special permit” to occupy the house at Sheep Ranch; letter included two obituaries for Mabel Dixie, who presumably passed away “quite sometime” before this date. One obituary lists Mabel's relations as follows:

Tex Hodge, brother

Sons: Melvin, Tommy, Richard, and Edward

Note: her address is in care of Lena Shelton, her mother. There was a Lena Hodge listed on the 1915 Census as the daughter of Peter Hodge.

August 12, 1971:

Memorandum to Realty Officer, SAO, from Agency Realty Officer

- Mabel Dixie passed away 07/11/71

- States that Lena Hodge Shelton, age 71, is an Indian who lives in the first house north of the Rancheria

- Lists probable heirs:

 - Merle Butler, common-law husband

 - Sons: Richard, Melvin, Tom, and Yakima Edward

- Notes that no legal divorce from Romie Dixie is apparent

- States that “the big question now is whether we should submit the case to the Hearing Examiner for probate. Under the approved Distribution Plan (Mabel) may be the beneficial owner of the entire Rancheria, including the new house. Incidentally, none of the probable heirs are mentioned in the Distribution Plan.”

- Raises the issue – “. . . should the Distribution Plan be revoked because of the death of the distributee, the complicated heirship problem, and the change in BIA policy.”

- First clear position statement: “... the property was deeded to (Mabel)...and recorded...

The deed was never delivered to her though because the (BIA) was not able to get a court appointed conservator. This transfer of title was nullified by a quit claim deed executed by (Mabel)...which reverted the title of the property to the (U.S.).”

August 13, 1971:

Memorandum from the Area Realty Officer to the Area Director, which reiterates much of the information in the previous memorandum dated 08/12/71. The memorandum cites 25 CFR 242.9:

“Beneficial interest: Upon approval of a plan, revision, or modification thereof by the Secretary and acceptance by a majority of the adult distributees, the distributees listed in the plan, revision, or modification shall be the final list of Indians entitled to participate in the distribution of the assets of the Rancheria or reservation, and the rights or beneficial interests of each person whose name appears on this list may be inherited or bequeathed, but, shall not otherwise be subject to assignment, alienation or encumbrance before the transfer by the United States of full legal title to such assets, except with the approval of the Secretary.” Based on this, “... (Mabel's) death should be reported to the Hearing Examiner for probate. We would appreciate an opportunity to discuss this matter to resolve the distribution of the Sheep Ranch Rancheria.”

November 1, 1971:

Order of Determination made re: the estate of Mabel Dixie. Heirs determined to be as follows:

Merle Butler, husband	Undivided 1/3 Interest
Richard Dixie, son	Undivided 1/6 Interest
Yakima Edward Dixie, son	Undivided 1/6 Interest
Melvin Dixie, son	Undivided 1/6 Interest
Tommy Dixie, son	Undivided 1/6 Interest

December 31, 1971:

Letter from Merle Butler re: request to sell the Sheep Ranch Rancheria, stating that ‘all parties concerned want the property to be sold.’

January 11, 1972:

Letter from Yakima Kenneth Dixie to Merle Butler, challenging the proposed Sheep Ranch land sale. This is the first instance of communication with Yakima in the files.

January 9, 1989:

Memorandum from Area Director to Superintendent re: Status of Sheep Ranch Rancheria. After reviewing the Title Status Report, notes that “... the Title Plant lists the land as owned by the (U.S.); however, Page 3, Item 2 states that the –‘Right of the heirs of the sole distributee, (Mabel), acquired pursuant to (termination).’” “In reviewing Agency records it appears the Area considered this as individually owned property owned by the heirs of (Mabel); however, the Title Plan has it listed as Government land subject to the approved distribution plan. This puts a cloud on the title as the last record the Title Plant has is the approved Distribution Plan and the Agency records list the (Mabel) probate order.” “In any case some documentation will need to take place to reflect true ownership...” The memorandum closes with the statement that “...a Solicitor's opinion be obtained regarding ownership to this property.”

September 1, 1989:

Memorandum from the Area Director to Superintendent re: Sheep Ranch Title Status. “... We were advised that deeds were not issued to the individuals listed as the sole distributee’s heirs.”

"...We recommend that you make attempts to locate all of the heirs of (Mabel) in order that we may initiate actions to revoke the Distribution Plan. Revocation of the Distribution Plan can be published in the Federal Register and should suffice as a title-clearing document.

October 6, 1989:

Letters from Superintendent to all heirs re: status of title. "... (I)n order to clear this land title, we need to know whether or not you as an interested party wish to have this property deeded to you under the Distribution Plan, or whether you wish to have the (BIA) publish in the Federal Register a Cancellation of the Distribution Plan. If the Distribution Plan is cancelled, title will revert to the (U.S.) for homeless Indians of California."

October 18, 1989:

Contact sheet from Agency Realty Officer documenting call from Evelyn Wilson, who said that:

Richard died two years previous, unmarried, with no children

Tommy died 6 months previous, unmarried, with no children

Romie died several years previous

Yakima Dixie had just recently been released from jail for killing Lennie Jeff.

Note: Mabel Dixie's uncle was named Lenny Jeff.

October 24, 1989:

Memorandum from Superintendent to Area Director re: Sheep Ranch Land Status, states that no responses were received to the 10/06/89 letters to the heirs. "Due to the complex land title, it is recommended by this office that revocation of the Distribution Plan be published in the Federal Register and have the property restored to its original title." "Also, in order to complete the chain of title should the land remain in the name of (Mabel), it would necessitate having the estates of the deceased sons probated. Once this was done and if the land were transferred to the heirs, it would be fee property."

November 28, 1989:

Memorandum from Area Director to Deputy to Assistant Secretary re: Request for Publication of the Revocation of the Sheep Ranch Distribution Plan. "Because of the probate order, the property in question is presently considered as individually-owned trust property by the heirs of (Mabel); however; the LTRO...has determined it to be Government land, subject to the approved distribution plan which resulted in clouding the title." "... (W)e are requesting publication of the revocation of Sheep Ranch Rancheria Distribution Plan in the Federal Register to restore the land to its original status (purchased by the United States in fee simple pursuant to the Acts of June 21, 1906...and April 30, 1908."

January 10, 1990:

Memorandum from Area Director to Solicitor re: revocation. "As recommended by memorandum dated December 22, 1989, we have prepared another revocation and are submitting the package to your office for your review and recommendations." "... (W)e are proposing to have an administrative modification to omit this land from the real property inventory pursuant to 43 CFR Part 4.273."

September 13, 1990:

Memorandum from Solicitor to Area Director re: title to Sheep Ranch Rancheria. "Under the plan of distribution, (Mabel)... was to have received title to the land upon fulfillment of certain specified conditions. Apparently those conditions were never fulfilled and a deed was never issued by the (U.S.) to (Mabel)." "(Mabel) repudiated the distribution plan ... by execution of a quitclaim deed..." "Repudiation prior to the fulfillment of condition precedent cancels or terminates the contract (Distribution Plan). With (Mabel's) repudiation, she gave up any interest she may have acquired in the Rancheria... The Area Real Property Officer was therefore in error by including Sheep Ranch Rancheria as an asset of (Mabel's) estate...and this error was carried over into the probate decision..." BIA needs an Administrative Law Judge to correct probate records, then publish revocation of Distribution Plan statement in the Federal Register.

October 4, 1990:

Memorandum from Area Director to Superintendent re: Sheep Ranch Land Status. Directs Superintendent to initiate petition for review by an administrative law judge pursuant to 43 CFR 4.273.

October 24, 1990:

Memorandum from Superintendent to Administrative Law Judge re: petition to modify Mabel's estate to delete the Sheep Ranch Rancheria from the Inventory of Trust Properties. Once the probate record has been corrected, this office will have the Distribution Plan revoked in the Federal Register, and the land will revert to the status as U.S. Government land, which it was prior to the Plan of Distribution."

May 12, 1992:

Memorandum from SAO Realty Officer re: Occupation of Sheep Ranch Rancheria, Probate hearing on the proposed modification on the estate of Mabel Hodge Dixie. Do the agency records accurately reflect that the Rancheria is currently occupied by one of Mabel's sons, Yakima Edward Dixie? At the hearing, Mr. Dixie advised that his mailing address is as follows: P. O. Box 41, Sheepranch, CA 95250. Mr. Dixie further advised that no one else is living on the Rancheria. Mr. Dixie stated that his brothers, Richard and Tom Dixie, are both deceased and that to his knowledge, neither had married or had children. He did indicate that he had heard Tom had a "common law" wife while he lived in Stockton, but that he'd never seen her. He also stated that his brother Melvin Dixie was believed to be in the Sacramento area, however, he hasn't heard from him in over 20 years. As to Merle Butler, his mother's non-Indian common law spouse, he stated that he believes

April 14, 1993:

Order of the Administrative Law Judge denying relief requested by the Superintendent.

- Valid delivery of deed to Mabel; however, unable to determine quality of title received by the U.S. by virtue of the quit claim deed.
- Quit claim deed cannot be used as evidence that Mabel refuted the Distribution Plan---the plan may still be viable, arguably.

March 17, 1995:

Memorandum from Area Director to Superintendent re: title to Sheep Ranch Rancheria; states that the Administrative Law Judge denied Superintendent's request and held that the heirs of

Mabel Dixie were vested with title. Two clarifications arrived at by the Area Director and the Superintendent:

- Sheep Ranch Rancheria shall remain Federally-recognized
- Land will be moved from BIA acreage reports as "tribal" land and will be added to the "individually owned" land list.
- Two additional probates need to be completed (for Richard and Tommy), and then the heirs should be asked to consider submission of a formal request to revoke the Distribution Plan.

September 22, 1995:

Letter from the Superintendent, Central California Agency, to Ms. Silvia Burley responding to Ms. Burley's request of September 6, 1995, in which she requested that correction be made to the family tree issued by the Bureau of Indian Affairs, dated October 6, 1986, to reflect the correct information that your biological great-grandmother is Minnie Eaph, and not Angie (Fisher) Mose. Angie (Fisher) Mose was married at one time to Dewey Mose, therefore, stepmother to your grandmother, Eva L. (Mose) Jeff. Additionally, she requested information which would reveal that a sibling relationship exists between your grandfather, Manuel Jeff, and Hattie Jeff Hernandez Hodge. Upon the Agency's concluded research on her family background reflecting her Indian heritage, and provided her with both a revised Certification of Degree of Indian Blood, (1/2 Miwok) dated September 22, 1995, and a Family Tree Chart dated September 20, 1995, which reflects the information she was seeking along with supporting documentation. The 1928 applications for enrollment with the Indians of the State of California under the Act of May 18, 1928 (45 Stat. L 602) for Tillie Jeff and Hattie Hernandez Hodge indicate that the parents of Manuel Jeff and Hattie Jeff Hernandez Hodge are John Jeff and Tillie (Billy) Jeff, which establishes the fact that they are brother and sister.

November 26, 1997:

Letter from the Acting Superintendent, Central California Agency, addressed to Marie Douglas, MWS, Court Investigator, County of Sacramento, re: The status of the Sheep Ranch Rancheria: "The Sheep Ranch Rancheria, located in Calaveras County, California, is comprised of 0.92 acres which were purchased in 1916 and held in trust by the United States for the use and benefit of certain homeless California Indians. In 1966, the Tribe was terminated pursuant to the Rancheria Act (P.L. 85-671, 72 Stat. 619) whereby the Tribe voted to accept a plan for the distribution of the Rancheria's assets to one distributee. Prior to the complete implementation of the distribution plan, the distributee passed away. As a result of a probate decision in 1990, the Rancheria was distributed to six heirs. At present, only two heirs remain. Although the distribution plan has never been revoked, the Sheep Ranch Rancheria remains a Federally-recognized Tribe. The Bureau of Indian Affairs recognizes Mr. Kenneth Yakima Dixie, one of the two remaining heirs, as the current spokesperson of the Tribe. Although the Tribe voted in 1935 to accept the terms of the Indian Reorganization Act, the Tribe has never formally organized under a constitution approved by the Secretary of the Interior. While the Tribe does possess the inherent sovereign right to determine its own membership, there is no means for determining the membership of the Tribe outside of the two remaining heirs, until such time as they formally organize the Tribe. To date, the two remaining heirs have not expressed an interest in seeking the revocation of the distribution plan, nor in pursuing the formal organization of the Tribe. Therefore, the Tribe, while Federally-recognized, is not presently engaged in a

government-to-government relationship with the United States. Until such time as the two remaining heirs initiate the formal organization process for the Tribe, the determination of Tribal membership cannot ensue.”

August 5, 1998:

Letter signed by Yakima Kenneth Dixie, as Spokesperson/Chairman of the Sheep Ranch Rancheria accepting Silvia Fawn Burley as an enrolled Tribal member of the Sheep Ranch Rancheria, enrollment number 08829. Also enrolled as Tribal members were Rashel K. Reznor, Anjelica J. Paulk, and Tristian S. Wallace.

August 6, 1998:

Letters signed by Yakima Kenneth Dixie, as Spokesperson/Chairman of the Sheep Ranch Rancheria, further verifying the enrollment of Silvia Fawn Burley, Rashel K. Reznor, Anjelica J. Paulk, and Tristian S. Wallace into the Tribe.

August 14, 1998:

Letter from Superintendent, Central California Agency, addressed to Ms. Rashel K. Reznor returning her Tribal Enrollment Certification form stating that the appropriate agency to complete the form is the tribe in which she is enrolled with, which is the Sheep Ranch Rancheria..

September 8, 1998:

Letter signed by Yakima Dixie, as Spokesperson for the Sheep Rancheria, addressed to the Superintendent, Central California Agency, requesting that FY 98/99 Tribal Priority Allocation funding be reprogrammed.

September 20, 1998:

Bureau of Indian Affairs, Office of Indian Education, Higher Education Program Award Letter issued to Ms. Silvia Burley, grant for academic year 1998, fall semester, for the amount of \$2,000.

September 24, 1998:

Letter from Superintendent, Central California Agency, addressed to Yakima K. Dixie, Spokesperson, Sheep Ranch Rancheria, summarizing the issues discussed at a meeting with him and Silvia Burley on September 8, 1998. The purpose of the meeting was, among other things, to discuss the process of formally organizing the Tribe.

November 5, 1998:

Tribal Resolution #GC-98-01, Establishing a General Council to serve as the Governing Body of the Sheep ranch Rancheria Band of Me-Wuk Indians, adopted by a vote of 2 in favor, 0 opposed, and 0 abstaining, Certification signed by Yakima Dixie and Silvia Burley.

December 29, 1998:

Bureau of Indian affairs, Office of Indian Education, Higher Education Program Award Letter issued to Ms. Silvia Burley, grant for academic year 1999, fall and spring semester, for the amount of \$4,000.

February 6, 1999:

Bureau of Indian affairs, Office of Indian Education, Higher Education Program Award Letter issued to Ms. Silvia Burley, grant for academic year 1999, spring semester, for the amount of \$2,000.

April 20, 1999:

Formal notice of resignation as Chairperson of the Sheep Ranch Tribe of Me-Wuk Indians signed by Yakima K. Dixie, which further states that "This written document shall serve as a formal notice within the Tribe and the United States Government and/or other powers that may be."

General Council Governing Body of the Sheep Ranch Tribe of Me-Wuk Indians, General Council Meeting Notice that there will be a meeting of the all voting members of the Sheep Ranch Rancheria on the 8th of May, 1990, with agenda items as follows:

- Ratification of Constitution
- Organization of Provisional Government
- Election of Officers
- Development Agreement
- Selection of Attorney & Contract Approval

Receipt of Meeting Fee, was certified and signed for by Yakima Dixie, Silvia Burley and Rashel Reznor.

May 8, 1999:

Certification of Election of Officers for Provisional Government signed by Rashel Reznor, and the Election of Officers were as follows:

Silvia F. Burley, Chairperson
Yakima Dixie, Vice Chairperson
Rashel K. Reznor, Secretary/ Treasurer

May 14, 1999:

The Tribe's attorney of record transmitted to the Agency a constitution, approved by Yakima K. Dixie, Vice-Chairman; Silvia Burley, Chairperson; and Rashel Reznor, Secretary, on May 8, 1999. The tribal constitution was accompanied by a request for filing and approval by the U.S. Secretary of the Interior, Bureau of Indian Affairs. The Agency returned the Tribe's constitution to the Tribe on June 25, 1999, for lack of a proper request for a formal BIA review of the proposed constitution.

May 25, 1999:

Letter from Superintendent, Central California Agency, addressed to Yakima K. Dixie, Chairperson, Sheep Ranch Rancheria, acknowledging receipt on May 17, 1999, of the proposed Development Agreement between BBC Entertainment Inc. and the Tribe. On May 21, 1999, faxed a copy of the development proposal to the National Indian Gaming Commission for further review.

July 28, 1999:

The Agency received the Tribe's original Withdrawal Request of the Petition to the Secretary of the Interior for BIA review of the Tribe's constitution, which was signed and approved by two members of the tribal council, Silvia Burley and Rashel Reznor.

August 25, 1999:

Letter from Silvia Burley, Chairman, Sheep Ranch Rancheria, addressed to the Superintendent, Central California Agency, re: Proposed Development Agreement with Charles Colombe and Attorney contract with Mary Wayne, which notices and requests that should the original contracts be received, the Bureau of Indian Affairs not to process without further notice/approval.

September 17, 1999:

Letter from Silvia Burley, Chairman, Sheep Ranch Rancheria, addressed to the Superintendent, Central California Agency, re: Sheep Ranch Band of Me-Wuk Indian 638 BIA Application Submission for the amount of \$166,144.00, and supporting documentation.

September 24, 1999:

The Agency received a transmittal from the Tribe's attorney, which included an original copy of the Petition to the Secretary of the Interior, pursuant to 25 U.S.C. 476, and a copy of the amended constitution, which was approved by the voters of the Sheep Ranch Rancheria on July 10, 1999. The Agency acknowledged receipt on August 16, 1999, of the documents and informed the Tribe that the Agency would conduct a formal review of the Tribe's proposed constitution, pursuant to the Act of June 18, 1934 (48 Stat. 987), as amended, and applicable federal regulations.

September 24, 1999:

Bureau of Indian affairs, Office of Indian Education, Higher Education Program Award Letter issued to Ms. Silvia Burley, grant for academic year 1999, summer term, for the amount of \$4,000.

September 24, 1999:

The Agency received a Withdrawal Request of the Petition to the Secretary of the Interior for BIA review of the Tribe's constitution, which was signed and approved by two members of the tribal council, Silvia Burley and Rashel Reznor. The Agency received the Tribe's original request on July 28, 1999.

October 9, 1999:

Tribal Council Tribal Resolution R-2-10/09/99, re: Interim Operating Authorities and Authorities, which states among other things, "pending adoption of the Tribal Constitution, the Tribal Council shall have the following specific powers to exercise in the best interest of the Tribe and its members." Further listing of powers and signed by Silvia Burley, Chairperson, and Rashel Reznor, Secretary/Treasurer.

October 20, 1999:

Fred Doka, PRO
E. Colliflower, TGS, Central Office
April 27, 2010

Yakima Dixie's letter to Mr. Dale Risling, Superintendent, Central California Agency, concerning use of power and asking what procedures does he have to follow in excluding them (Silvia Burley and Reshel Reznor ?) as members of the Sheep Ranch Rancheria. Further, requests to put 638 funding on hold.

October 26, 1999:

Superintendent's, Central California Agency, letter to Silvia Burley, Chairperson, Sheep Ranch Rancheria, acknowledge receipt of a petition dated September 24, 1999, signed by a majority of the members of the Sheep Ranch Tribe of Me-Wuk Indians, withdrawing the petition of July 10, 1999. Resolution No. R-2-10/09/99, received at the Agency on October 13, 1999, states: "(t)hat any and all proposed or draft Constitutions are hereby rescinded and/or withdrawn immediately and no work shall continue on any Constitution heretofore submitted to the Bureau of Indian Affairs." The resolution also serves to affirm and ratify previous Tribal actions establishing the Tribal Council as the governing body of the Tribe. Therefore, the Agency suspends its review of the proposed constitution.

October 28, 1999:

Letter signed by Yakima Kenneth Dixie, as Spokesperson of the Sheep Ranch Rancheria, in regards to the adoption of Mr. Rocky McKay as a member of the tribe.

December 22, 1999:

The Superintendent, Central California Agency, acknowledged receipt of and provide a response to Silvia Burley's correspondence dated November 29, 1999, regarding the decision of the Tribal Council to change the name of the Tribe from the "Sheep Ranch Rancheria" to the "California Valley Miwok Tribe." Further, stating that "such a name change must be accomplished through the successful adoption and approval pursuant to Section 16 of the Indian Reorganization Act, as amended (25 USC §476) of a Tribal Constitution specifying the official name of the Tribe. Upon such approval, the Agency would then request that the Central Office, Bureau of Indian Affairs, amend the list of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs, as published annually in the Federal Register, pursuant to Section 104 of P. L. 103-454 (108 Stat. 4791)." Therefore, the Agency was unable to recognize the action of the Tribal Council. Until such time as the qualified voters of the Tribe adopt and the Regional Director, Pacific Region, approves pursuant to Section 16 of the Indian Reorganization Act, as amended (25 USC §476) of a Tribal Constitution specifying the official name of the Tribe, we shall continue to address the Tribe as the "Sheep Ranch Rancheria of Me-Wuk Indians of California," or alternatively, the "Sheep Ranch Rancheria."

December 28, 1999:

The following documents were received at the Central California Agency during a meeting with Yakima Dixie and other interested parties on December 28, 1999.

1. Construction and By-Laws
2. Enrollment Applications
3. Enrollment of new members into the Tribe
4. List of names of new members
5. Minutes of last Meeting at the office of the Tribe at Sheep Camp, California
6. Copies of correspondence sent to the BIA by Yakima K. Dixie, the Chairperson.

7. Letter of introduction from the Tribe to the BIA stating the purpose of our meeting.
8. Copy of letter sent by the BIA, to the Chairperson, Yakima K. Dixie, requesting more information in general concerning the operation of the Tribe.
9. A notice sent to the BIA claiming that the Chairperson, Yakima K. Dixie, had resigned his office.
10. Plus a sundry of other papers apparently designed to mislead the officers of the BIA into thinking that she, Sylvia Burley, was the new head of the Sheep Ranch (Rancheria) Miwok Indian Tribe of Sheep Ranch, California.

February 4, 2000:

The Superintendent, Central California Agency's correspondence to Yakima Dixie, Vice-Chairman, Sheep ranch Rancheria, served three purposes. First, the Agency respond to concerns raised by Mr. Dixie and other persons purporting to be members of the Sheep Ranch Rancheria, during a meeting held at the Central California Agency on December 28, 1999. The concerns raised at the meeting center around allegations of fraud or misconduct relative to the change in Tribal leadership during April and May 1999. Second, was to respond to Mr. Dixie delivery during the aforementioned meeting of the "Constitution of the Sheep Ranch Rancheria, Miwok Indian Tribe of California," purportedly adopted on December 11, 1999. Third, was to give notice of the meeting to be held on Tuesday, February 15, 2000, for the purpose of discussing further these issues among the members of the Tribe.

February 8, 2000:

Bureau of Indian Affairs, Central California Agency awarded P.L. 93-638 Contract CTJ51T62801 (FY 99/01), which was signed on September 30, 1999, by Silvia Burley, Chairperson, of the Sheep Ranch Rancheria. Total awarded: \$1,089,578.00.

March 6, 2000:

The Tribe submitted Resolution No. 1-3-06-2000, requesting an Agency technical review of Draft B of March 6, 2000, Constitution and the Agency to conduct an election under the Indian Reorganization Act. Resolution No. 2-03-06-2000 serves to adopt Draft B of March 6, 2000, Constitution of the California Valley Miwok Tribe as the interim governing document of the Tribe and will serve as such until this document is either ratified or rejected by the Tribe.

March 9, 2000:

The Agency acknowledged receipt of the above documents. The Agency waited to complete a review of Draft B of March 6, 2000, Constitution as the Tribe informed the Agency that an amendment was forthcoming, which the Agency received in September of 2000. September 2000 became the new starting date for the Agency review of the proposed constitution. (The Agency completed a formal review of this amended constitution and submitted it to the Pacific Regional Office on March 5, 2001, for further processing.)

April 27, 2000:

The Attorney on behalf of Yakima K. Dixie submitted a document entitled, Objection to Proposed Tribal Constitution in regards to Sheep Ranch Rancheria Miwok Indian Tribe of California. Yakima K. Dixie, Chairperson of the Sheep Ranch Rancheria, and his son Rocky

Dixie (aka Rocky McKay), and Melvin Dixie object to a proposed constitution submitted by Silvia Burley to the Bureau of Indian Affairs entitled, Constitution of the Sheep Ranch Band of Me-Wuk Indians.

July 12, 2000:

Letter from the Superintendent, Central California Agency, in response to the Tribe's request for a recognition letter from the Bureau of Indian Affairs, stating that BIA recognizes the following individuals as members of the Tribal Council, of the Sheep Ranch Rancheria:

Silvia F. Burley, Chairperson
Vacant, Vice-Chairperson

July 20, 2000:

The Tribe held an election to amend the Tribe's constitution. On September 14, 2000, Silvia Burley, Chairperson, submitted the amended Constitution of the California Valley Miwok Tribe, dated July 20, 2000, to the Agency with the election results.

July 26, 2000:

Letter from the Superintendent, Central California Agency, to the Assistant Secretary-Indian Affairs, in which the Superintendent introduces Silvia Burley as Chairperson of the Sheep Ranch Rancheria of Me-Wuk Indians of California and to confirm that Ms. Burley is an elected official of a federally recognized tribe.

January 25, 2001:

Rapport and Marston, legal counsel for Silvia Burley, Chairperson, requested the Agency to act on the Tribe's March 6, 2000, request to conduct an election under the Indian Reorganization Act as soon as possible to avoid continuing violation of obligations under federal law.

March 6, 2001:

The Agency acknowledged receipt of legal counsel correspondence of January 25, 2001, advising the review had been completed and forwarded to the Regional Director, Pacific Region, for his authorization to conduct a Secretarial election on the proposed constitution.

May 7, 2001:

Tribal Council Resolution -1-5-07-2001, Authorizing submission of a request to change the name of the Tribe Sheep ranch Rancheria of Me-Wuk Indians of California" to the California Valley Miwok Tribe" and published in the Federal Register.

May 18, 2001:

A Petition to Withdraw Tribe's request for a Secretarial election, pursuant to 25 U.S.C. 476 of the California Valley Miwok Tribe aka Sheep Ranch Rancheria of Me-Wuk Indians of California Constitution, dated March 6, 2000, signed by Silvia Burley, Chairperson, Angelica Paulk, Vice-Chairperson, and Rashel Reznor, Secretary/Treasurer (sent by facsimile dated June 5, 2001 to the Agency).

June 7, 2001:

Silvia Burley, Chairperson, California Valley Miwok Tribe aka Sheep Ranch Rancheria, requests the Agency to return in its entirety the California Valley Miwok Tribe Constitution (formerly known as the Sheep Ranch Rancheria of Me-Wuk Indians). The Agency letter to Silvia Burley, Chairperson, Sheep Ranch Rancheria, documenting telephone conversation between Ms. Burley and Agency staff member Brian Golding, Sr., regarding the purpose of the Petition to withdraw executed on May 18, 2001. Ms. Burley stated that the main purpose of the Tribe submitting a petition for Agency review of the Tribe's constitution and subsequent Secretarial election was to effect a name change for the tribe. Since the Tribe didn't need to go through the Secretarial election process to effect a name change for the Tribe, the Tribe would not be submitting its constitution/amendments to the Bureau for review or approval. They believed they did not need Secretarial approval of the Tribe's constitution.

June 7, 2001:

Letter from the Superintendent, Central California Agency, to Silvia Burley, Chairperson, the purpose of this correspondence was to commit to writing the substance of a telephone conversation on May 31, 2001, regarding the Petition withdrawing the Tribe request for a Secretarial election on the Tribe's proposed constitution of March 6, 2001.

June 7, 2001:

Deputy Commissioner of Indian Affairs, Sharon Blackwell's letter addressed to Silvia Burley, Chairperson Sheep Ranch Rancheria, regarding the Tribal Council's desire to change the name of the Sheep Ranch Rancheria of Me-Wuk Indians of California to the California Valley Miwok Tribe. The Tribe received conflicting information on how to accomplish the name change so you've requested us to clarify the matter. A tribal resolution, such as resolution No R-1-5-07-201, enacted by the Tribal Council on May 7, 2001, is sufficient to effect the tribal name change. The Tribe's new name has been included on the Tribal Entities List that will be published in the FEDERAL REGISTER later this year.

July 24, 2001:

Agency acknowledged receipt to tribal attorney of document entitled, Constitution of Sheep Ranch (Rancheria) Miwok Indian Tribe of California, presumably delivered on behalf of his client, Mr. Yakima Dixie. The document bears the signature of Mr. Rocky D. McKay, and is dated June 30, 2000. The Agency received the document on July 18, 2001. The Agency returned the document to the attorney without any action since there was no explanation given as to why the document was delivered to the Agency.

September 7, 2001:

Under cover of correspondence dated November 2, 2001, Silvia Burley, Chairperson, California Valley Miwok Tribe, submitted to the Agency two copies of the Tribe's Constitution as amended/modified at a duly called general council special meeting held on September 7, 2001.

October 31, 2001:

Agency acknowledged receipt of a document entitled "Constitution of the California Valley Miwok Tribe", ratified March 6, 2000, by a vote of 2 in favor and 0 against, amended and corrected September 2001. The Agency can not act on this document without a formal written

request document. The Agency had reviewed the Tribe's constitution of March 6, 2000, however a petition to withdraw the Tribe's request for a Secretarial election on the proposed constitution was received. Further, stating that "The Agency will continue to recognize the Tribe as an organized Tribe and its elected officials as an interim Tribal council until the Tribe takes the necessary steps to complete the Secretarial election process."

November 13, 2001:

Letter from David J. Rapport, Attorney, on behalf of Silvia F. Burley responded to the Superintendent, Central California Agency, letter dated October 31, 2001.

April 18, 2002:

Bureau of Indian Affairs, Central California Agency awarded P.L. 93-638 Contract CTJ51T62801 (FY 02/05), which was signed on April 11, 2002, by Silvia Burley, Chairperson, of the Sheep Ranch Rancheria. Total awarded: \$1,160,947.00.

November 24, 2003:

Letter from the Acting, Superintendent, Central California Agency, addressed to "Whom It may Concern" stating that "As of this day the Bureau of Indian Affairs maintains a government-to-government relationship with the California Valley Miwok Indians through the tribal council chaired by Ms. Silvia Burley."

February 11, 2004:

Silvia Burley, California Valley Miwok Tribe, submitted a copy of the California Valley Miwok Tribe's Constitution as promulgated by the Tribe on March 6, 2000. Ms. Burley stated the Tribe is submitting this document to the BIA for inclusion in its records as the governing document of the California Valley Miwok Tribe, which has chosen to organize its government pursuant to its inherent authority as a sovereign government. The Tribe is prepared to seek a judicial declaration to ensure that its rights as a non-IRA Tribe are respected.

March 26, 2004:

Letter from the Superintendent, Central California Agency to Ms. Silvia Burley, acknowledging the receipt of a document represented to be the tribal constitution for the California Valley Miwok Tribe. It was the Agency's understanding that the Tribe has shared this tribal constitution with the BIA in an attempt to demonstrate that it is an "organized" tribe. Regretfully, the Agency disagreed. Further stating that ... the Agency has a responsibility to develop and maintain a government-to-government relationship with each of the 54 federally recognized tribes situated within CCA's jurisdiction. This relationship includes among other things, the responsibility of working with the person or persons from each tribe who either are rightfully elected to a position of authority within the tribe or who otherwise occupy a position of authority within an unorganized tribe. To that end, the BIA has recognized you, as a person of authority within the California Valley Miwok Tribe. However, the BIA does not yet view your tribe to be an "organized" Indian Tribe and this view is borne out not only by the document that you have presented as the tribe's constitution but additionally, by our relations over the last several decades with members of the tribal community in and around Sheep Ranch Rancheria. Where a tribe that

has not previously organized seeks to do so, BIA also has a responsibility to determine that the organizational efforts reflect the involvement of the whole tribal community. We have not seen evidence that such general involvement was attempted or has occurred with the purported organization of your tribe.” Appeal rights were included in this letter.

May 13, 2004:

Agency correspondence to Silvia Burley, Chairperson, California Valley Miwok Tribe, giving notice that it shall serve as an official transmittal of the March 26, 2004, Agency letter sent by certified mail. Attempts were made to deliver this letter to your tribal office on April 1, 2004, and April 24, 2004. Since this letter was not signed for on either date, it was returned to the Agency.

February 11, 2005:

Principal Deputy Commissioner of Indian Affairs, Michael D. Olsen’s letter addressed to Mr. Yakima K. Dixie, of the Sheep Ranch Rancheria of Miwok Indians of California, in response to Mr. Dixie’s appeal filed with the office of the Assistant Secretary Indian Affairs on October 30, 2003. The appeal was of the BIA’s recognition of Ms. Burley as tribal Chairman has been rendered moot by the BIA’s decision of March 26, 2004, rejecting the Tribe’s proposed constitution. The BIA made it clear that the Federal government did not recognize Ms. Burley as the tribal Chairman. Rather, the BIA would recognize her as “a person of authority within California Valley Miwok Tribe.” Until such time as the Tribe has organized, the Federal government can recognize no one, including you, as the tribal Chairman. Further, encouraged Mr. Dixie, either in conjunction with Ms. Burley, other tribal members, or potential tribal members, to continue your efforts to organize the Tribe along the lines outlined in the March 26, 2004, letter so that the Tribe can become organized and enjoy the full benefits of Federal recognition. The first step in organizing the Tribe is identifying putative tribal members.

Further, stating that “In 1999, you first challenged the BIA’s recognition of Ms. Burley as Chairman of the Tribe. In February 2000, the BIA informed you that it defers to tribal resolution of such issues. On July 18, 2001, you filed a lawsuit against Ms. Burley in the United States District Court for the Eastern District of California challenging her purported leadership of the Tribe. On January 24, 2002, the district court dismissed your lawsuit, without prejudice and with leave to amend, because you had not exhausted your administrative remedies by appealing the BIA’s February 2000 decision. After the court’s January 24, 2002, order, you should have pursued your administrative remedies with the BIA. Instead, you waited almost a year and a half, until June 2003, before raising your claim with the Bureau. As a result of your delay in pursuing your administrative appeal after the court’s January 24, 2002, order, your appeal before me is time barred.

In light of the BIA’s letter of March 26, 2004, that the Tribe is not an organized tribe, however, the BIA does not recognize any tribal government, and therefore, cannot defer to any tribal dispute resolution process at this time.

March 7, 2005:

Memorandum from Scott Keep, Assistant Solicitor, Branch of Tribal Government & Alaska, to Regional Director, Bureau of Indian Affairs, Pacific Region, Subject: Reorganization of the California Valley Miwok Indians. The memorandum was to provide guidance to the staff of the

Central California and Pacific Region as they work with the two groups of individuals who are trying to reorganize the Tribe. Further, provides a brief analysis of the Departments authority to accept or reject governing documents submitted by groups of individual Indians seeking to reorganize their tribe.

March 7, 2005:

Mr. Yakima K. Dixie's letter to the Superintendent, Central California Agency re: A Formal Request for Action, request from Ray Fry, CCA, Tribal Operations Officer "a written acknowledgement of his right to organize the Tribe ... in such terms as may be mutually agreeable."

April 8, 2005:

Silvia Burley, Chairperson, California Valley Miwok Tribe, in response to the letter the Agency received from Yakima Dixie on or about March 16, 2005. First mention the P.L. 638 contract with the tribe; the tribe has no dispute with Mr. Dixie and that the only dispute the Tribe has is with the Bureau of Indian Affairs. The Tribe will not allow the Bureau to make unilateral decisions on the organization, composition or governance of the Tribe. However, the Tribe is will to try to work out a solution, which both parties can mutually agree upon that address the core concerns of the Bureau while protecting the sovereignty of the Tribe.

May 13, 2005:

Silvia Burley, Chairperson, California Valley Miwok Tribe, in response to the Superintendent, Central California Agency's letter to Mr. Yakima Dixie dated 10, 2005. Stating that the Tribe applauds your decision to stay clear of getting the BIA further involved in the internal matters of the California Valley Miwok Tribe. Further requesting the BIA's assistance in providing the information requested from the Tribe's enrollment attorney.

July 19, 2005:

Central California Agency, P.L. 638 Awarding Officer's letter addressed to Mrs. Silvia Burley, stating the following "In light of correspondence addressed to Mr. Yakima K. Dixie dated February 11, 2005 (copy enclosed) and signed by Mr. Michael D. Olsen, Principal Deputy, Acting Assistant Secretary - Indian Affairs, it states in part that the Bureau of Indian Affairs does not recognize any tribal government ... Whereas there is no recognized tribal government with which to take action on behalf of the tribe or to sustain a government to government relationship with, we must take appropriate action to safeguard federal funds and until such time as the tribe becomes formally organized and a tribal government is re-established, the following modification is issued. Modification No. Fourteen (14) to Contract No. CTJ5IT62802 suspends the current contract in it entirety effective February 11, 2005.

August 4, 2005:

Letter from Cyrus J. Richards, Chief Counsel, State of California, Gambling Control Commission, addressed to Ms. Silvia Burley and Yakima Dixie, Re: Revenue Sharing Trust (RSTF) Distribution, notifying them that the California Gambling Control Commission will not release current RSTF quarterly distributions to the California Valley Miwok Tribe for quarter ending June 30, 2005, and subsequent distribution. This action was based on information recently received from the Bureau of Indian Affairs (BIA) regarding the fact that the California

Valley Miwok Tribe does not have a recognized tribal government, nor a recognized tribal chairperson and that, based on the organizational/governmental status of the Tribe, the BIA has taken action to suspend Contract No. CTJ51 T62802 (FY 05/06 Mature Status - Aid to Tribal Government Program), pursuant to PL 93-638.

August 19, 2005:

Pacific Regional Director's letter addressed to the Central California Agency, P.L. 638 Awarding Officer, in which he clarifies that "the Bureau of Indian Affairs' relationship with Silvia Burley, spokesperson for the California Valley Miwok Tribe. By letter dated March 26, 2004, the Bureau made clear that it did not recognize Ms. Burley as chairperson of the Tribe. Rather, the Bureau recognized that she was a "person of authority" within the Tribe and could serve as a spokesperson. This position is consistent with the declaration of April 2004, filed in California Valley Miwok Tribe v. United States, CIV S-02-0912 FCD/GGH, by Bureau of Indian Affairs employee, Brian Golding, who stated officially the departmental position regarding Ms. Burley's status:

"At the present time, the Bureau of Indian Affairs acknowledges Silvia Burley as the authorized representative of the California Valley Miwok Tribe with whom government-to-government business is conducted. However, the BIA does not view the Tribe to be an organized tribe and, therefore, declines to recognize Ms. Burley as a "tribal chairperson" in the traditional sense as one who exercises authority over an organized Indian tribe."

Therefore, although Ms. Burley is not the chairperson, she is a person with whom government-to-government relations can be conducted within approved Bureau of Indian Affairs contracts.

August 19, 2005:

Central California Agency, P.L. 638 Awarding Officer's letter addressed to Mrs. Silvia Burley, indicating that the BIA is reinstating its P.L. 93-638 contract with the California Valley Miwok Tribe, only for the purposes of fulfilling the Scope of Work and approved Standards for the Aid to Tribal government program as outlined in the original contract, dated April 10, 2002.

August 19, 2005:

Letter from Cyrus J. Richards, Chief Counsel, State of California, Gambling Control Commission, Re: California Valley Miwok Tribe-Revenue Sharing Trust Fund Distributions, as a result of the BIA's reinstatement of the Tribe's P.L. 93-638 contract, the distributions to the tribe will be made and direct it to Ms. Burley, no later than August 29, 2005.

January, 2006:

District Court dismisses CVMT (Burley) litigation seeking declaratory and injunctive relief from federal government interference in CVMT internal affairs. The Court held that "the BIA was not required to recognize the Tribe's governing body and its governing documents when the leadership did not actually represent tribal membership."

November 6, 2006:

Letter to Silvia Burley and Yakima Dixie from Troy Burdick, Superintendent, Central California Agency, BIA stating that the BIA will initiate the tribal reorganization process starting with the

publication of a notice in newspapers that potential members are invited to a meeting to reorganize the tribe.

November 10, 2006:

Silvia Burley appeals the Nov. 6th action of the BIA to reorganize the tribe to the Interior Board of Indian Appeals.

December 14, 2007:

BIA denies Silvia Burley's Aid To Tribal Government Indian Self Determination contract (ISDA) for lack of a governing body. Silvia Burley appealed to the IBIA. IBIA dismissed as untimely on **June 10, 2008**. Burley appealed the IBIA decision to District Court for the Eastern District of California.

February 23, 2009:

District Court for Eastern District of California dismissed the Burley's appeal for plaintiff's failure to exhaust administrative remedies.

January 28, 2010

The appeal of the decision of the Superintendent, CCA of November 6, 2006, to reorganize the tribe is dismissed by IBIA. The IBIA dismissed:

1. Burley's claims related to the Tribe's FY 2007 ISDA contract;
2. Burley's claims that BIA improperly determined that the Tribe is "unorganized," and failed to recognized her as the Tribe's Chairperson, and is improperly intruding into tribal affairs by determining the criteria for a class of putative tribal members and convening a general council meeting that will include such individuals; and
3. Burley's claim that the Regional Director erred in stating that the Tribe is not a "restored" tribe.

IBIA referred the second claim to the Assistant Secretary.

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