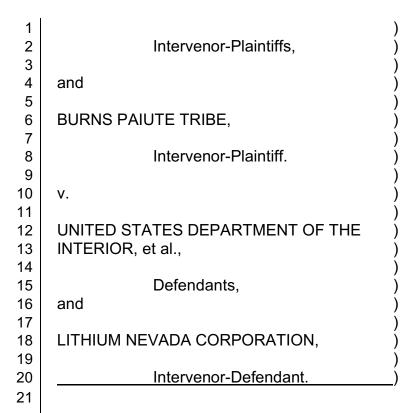
Exhibit 13:

Third Declaration of Michon R. Eben

1 2 3 4 5 6 7 8 9 10 11 2 13 14 15 16 17 18 19 20 1 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46	Julie Cavanaugh-Bill (State Bar No. 11533) Cavanaugh-Bill Law Offices Henderson Bank Building 401 Railroad Street, Suite 307 Elko, NV 89801 (775) 753-4357 julie@cblawoffices.org William Falk (Utah Bar No. 16678) 2980 Russet Sky Trail Castle Rock, CO (319) 830-6086 falkwilt@gmail.com Terry J. Lodge (Ohio Bar No. 29271) 316 N. Michigan St., Suite 520 Toledo, OH 43604-5627 (419) 205-7084 tjlodge50@yahoo.com Attorneys for Reno-Sparks Indian Colony and Ats UNITED STATES DIST DISTRICT OF NI BARTELL RANCH LLC, et al., Plaintiffs, V. STER M. MCCULLOUGH, et al., Defendants,	RICT COURT
	and LITHIUM NEVADA CORPORATION, Intervenor-Defendant. WESTERN WATERSHEDS PROJECT, et al., Plaintiffs, Plaintiffs, RENO SPARKS INDIAN COLONY, et al., 1	Case No.: 3:21-cv-103-MMD-CLB (CONSOLIDATED CASE)



- I, Michon R. Eben, hereby make the following statements:
- 1. On Friday, September 10, 2021, I emailed and mailed a letter to Ms.
 Kathleen Rehberg, Field Manager of BLM's Humboldt River Field Office. I also copied Ms. Ester McCullough, District Manager for BLM's Winnemucca District.
 In that letter, I notified BLM that, because of the new evidence about the
 September 12, 1865 massacre, RSIC believed if BLM issued an ARPA permit under the current HPTP that BLM would be in violation of both the Archaeological Resources Protection Act and Native American Graves Protection and
 Repatriation Act.
 - 2. Later on September 10, 2021, BLM emailed me a letter stating that "BLM

- 3. On Thursday, September 23, 2021, I spoke with Ms. Rehberg and BLM Winnemucca Archaeologist Mark Hall and arranged for a consultation meeting on October 5, 2021. Ms. Rehberg and Mr. Hall led me to believe that consultation for the ARPA permit was ongoing.
- 4. On Wednesday, September 29, 2021, I wrote an email confirming the conversation I had with Ms. Rehberg and Mr. Hall from the week before about the October 5 meeting. Twenty minutes later, I received an email from Shannon Deep, BLM District Archaeologist and Native American Coordinator, stating that the ARPA permit would be issued during the week of September 27, 2021.
- 5. When I spoke with Ms. Rehberg and Mr. Hall on September 23, I believe they likely knew that they were planning on issuing the ARPA permit during the week of September 27. It was an act of bad faith and dishonesty not to disclose the plans for issuing the ARPA permit during the week of September 27, especially when they led me to believe the October 5 meeting was part of ongoing consultation for the ARPA permit.
- 6. On Thursday, September 30, 2021, I spoke on the phone with BLM Lead Archaeologist of the Nevada State Office Bryan Hockett. He confirmed that he signed the ARPA permit on September 29, 2021. He also explained that he

was retiring from BLM that same day (September 30). It appears to me that BLM 1 2 rushed the ARPA permit to get Mr. Hockett to sign it before he retired and before an interim archaeologist took his place. 3 4 Executed on this 29th day of November, 2021. 5 /s/ Michon R. Eben 6 7 Reno-Sparks Indian Colony Cultural Resources Manager 8 Tribal Historic Preservation Officer 9 10 11