



**RESOLUTION OF THE GOVERNING BODY  
OF THE  
THREE AFFILIATED TRIBES  
OF THE  
FORT BERTHOLD INDIAN RESERVATION**

*A Resolution entitled, "Robert W. Brugh Sr. Land Exchange with the Tribe"*

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

**WHEREAS,** The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

**WHEREAS,** The Natural Resources Committee of the Tribal Business Council approved the exchanges of land between the Three Affiliated Tribes and Robert W. Brugh Sr., under the conditions stated below, and

**NOW, THEREFORE BE IT RESOLVED,** subject to proof of clear title, that the Three Affiliated Tribes' Tribal Business Council approves the exchange of lands described below, exclusive of minerals, held in trust by the United States of America for the Three Affiliated Tribes and lands held in trust status by the United States of American for Robert Brugh, Sr., 301U1428, hereby authorizes the Chairman of the Tribal Business Council, its Secretary, and the Superintendent of the Fort Berthold Agency, the Area Director, and the Commissioner of Indian Affairs to prepare all documents and to do all things necessary to exchange lands for which title is to be transferred to the Tribe and Robert W. Brugh, Sr., under the terms and conditions as stated below:

**Robert W. Brugh**

Allot. # 1795 Lot 8, S1/2SE1/4 Sec. 24, NE1/4, Lot 5 & 6 Sec. 25, T. 149N., R.95W, containing 317.84 acres valued at \$55,100.00.

**Tribal Land**

Allot. #715A E1/2NE1/4,S1/2NW1/4NE1/4,SW1/4NE1/4,SE1/4; Sec. 31, T.149N, R.94W., containing 300 acres valued at \$51,100.00.

Allot.#715A-A N1/2NW1/4NE1/4 Sec. 31, T.149N,R.94W., containing 20 acres valued at \$3,400.00.

LAND Exchange between Three Affiliated Tribes and

Robert W. Brugh, 301U1428

Married, Victoria

Reviewed By: DJL 8/4/03

Received & Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

New Town, ND 58763

BIA - Realty: TW 8/05/03

TNRD: [Signature]

Date: 08-05-03

| Allot. | Legal Description                         | Co. | Total Acres | Land Type       | Income    | Lessee/Permitee | Permit Lease Expiration | Tribal Interest | Indiv. Interest | Indiv. Acres | Actual Value |
|--------|---|-----|-------------|-----------------|-----------|-----------------|-------------------------|-----------------|-----------------|--------------|--------------|
| 1795   | Lot 8, SSE<br>24-149-95                   | 53  | 317.84      | 317.84<br>Grass |           | Owners Use      |                         | 0.00%           | 100.00%         | 317.84       | \$55,100.00  |
|        | NE, Lot 5 & 6<br>25-149-95                |     |             |                 |           |                 |                         |                 |                 |              |              |
|        | <b>Exchange for<br/>Tribal Allotments</b> |     |             |                 |           |                 |                         |                 |                 |              |              |
| 715A   | ENE, SNWNE,<br>SWNE, SE<br>31-149-94      | 53  | 300.00      | RU22            | \$ 625.00 | R&C Brugh       | 11/30/2004              | 100.00%         |                 |              | \$51,100.00  |
| 715A-A | NNWNE 31-149-94                           | 53  | 20.00       | RU22            | \$40      | R&C Brugh       | 11/30/2004              | 100%            |                 |              | \$3,400.00   |

**Comments:**

Exclusive of Minerals  
County Code 53-McKenzie County  
Coal Tracts: 1795, 715A, 715A-A

|          |       |             |
|----------|-------|-------------|
| Robert's | Total | \$55,100.00 |
| Tribes   | Total | \$54,500.00 |

# memorandum

DEC 07 2000

DATE:

REPLY TO  
ATTN OF:

Realty Specialist, Acq. & Disp. Section, Branch of Trust Services

SUBJECT:

Pending Gift conveyance transactions by May Brugh to her son, Robert Brugh, Sr.

TO:

Superintendent, Fort Berthold Agency

Enclosed are the case assemblies of nine (9) gift conveyance transactions wherein May B. Brugh, 301-A1795, is proposing to convey all her surface and mineral interests to her son, Robert Brugh, Sr., 301-U1428, see attached list for legal descriptions.

These gift conveyance transactions will have no adverse effect on the financial status of the grantor. She is aware of the value of the property.

None of the parties involved are Federal employees or members of the Tribal governing body.

All requirements have been met to approve these gift conveyance transactions by May to son Robert.

CONCURRED BY:

*acty* James E. Whitman  
Realty Officer

APPROVED BY:

Faige Baker  
SUPERINTENDENT

This is an official notice of change of title effective DEC 07 2000.  
Please change your records accordingly.

DISTRIBUTION:

Land Operations - P. Staples *PS*  
Farm Leasing - J. Smith *mm*

# memorandum

OCT 10 2000

DATE:

REPLY TO  
ATTN OF:

Realty Specialist, Acq. & Disp. Section, Branch of Trust Services

SUBJECT:

Pending Gift conveyances of Allotments 278A & 1795 by May Brugh to Robert Brugh, Sr.

TO:

Superintendent, Fort Berthold Agency

Enclosed is the case assembly of two gift conveyance transactions wherein May Brugh, 301-A1795 is proposing to convey to her son, Robert Brugh, Sr. 301-U1428, the following described lands:

Allotment 278A, an undivided 3/50 surface interest and 1/5 minerals interest in the SE1/4 Sec. 23; SW1/4 Sec. 24-149-90;

Allotment 1795, all surface and mineral interest in the S1/2SE1/4, Lot 8 Sec. 24; Lots 5 & 6, NE1/4 Sec. 25-149-95.

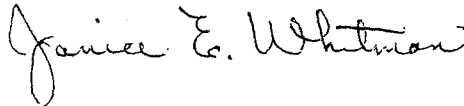
These gift conveyance transactions will have no adverse effect on the financial status of the grantor. She is aware of the value of the property.

None of the parties involved are Federal employees or members of the Tribal governing body.

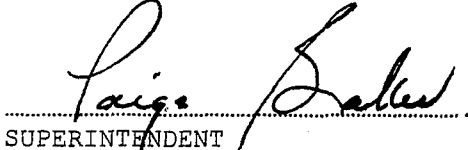
All requirements have been met to approve these gift conveyance transactions by May to her son, Robert.

CONCURRED BY:

  
Realty Officer





APPROVED BY:

  
SUPERINTENDENT

This is an official notice of change of title effective  
Please change your records accordingly.

OCT 11 2000

DISTRIBUTION:

Land Operations - P. Staples   
Farm Leasing - C. Beaks \ J. Smith 

## GENERAL DURABLE POWER OF ATTORNEY

I, **MAE B. BRUGH**, the principal, of Box 671, New Town, North Dakota 58763; hereby designate my son, **ROBERT W. BRUGH**, of Box 671, New Town, North Dakota 58763, as my attorney in fact and agent (hereinafter called agent) in my name and for my benefit:

A. **GENERAL GRANT OF POWER:** To Exercise or perform any act, duty, right or obligation whatsoever that I now have or may hereafter acquire, relating to any person, matter, transaction or property, real or personal, tangible or intangible, now owned or hereafter acquired by me, including, without limitation, the following specifically enumerated powers. I grant to my agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present, hereby ratifying and confirming all that my agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

1. **Powers of Collection and Payments:** To forgive, request, demand, recover, collect, receive, or hold all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interest, stock certificates, bonds, dividends, certificates of deposit, annuities, pension, profit sharing, retirement, social security, insurance or other benefits and proceeds, all documents of title, all property, real or personal, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, now or hereafter owned by, or due, owing, payable or belonging to me in which I have or may hereafter acquire an interest; to have, use, and take by all lawful and equitable means and legal remedies and proceedings (including foreclosures, cancellations, and any proceeding permitted by law) in my name for the collection and recovery thereof, and to adjust, sell, compromise, and agree for the same, and to execute and deliver for me, on my behalf, and in my name, all endorsements, releases, receipts, or other sufficient discharges for the same;

2. **Power to Acquire and Sell:** To acquire, purchase exchange, grant options to sell, sell and convey real or personal property, tangible or intangible, or interests therein, on such terms and conditions as my agent shall deem proper;

3. **Management Powers:** To maintain, repair, improve, invest, manage, insure, rent, lease, encumber, and in any manner deal with real or personal property, intangible or tangible, or any interest therein, that I now own or may hereafter acquire, in my name and for my benefit, upon such terms and conditions as my agent shall deem proper;

4. **Banking Powers:** To make, receive and endorse checks and drafts, deposit and withdraw funds, acquire and redeem certificates of deposit, in banks, savings and loan associations and other institutions, execute or release such deeds of trust or other security agreements as may be necessary or proper in the exercise of the rights and powers herein granted;

5. **Motor Vehicles:** To apply for a Certificate of Title upon, and endorse and transfer title thereto, for any automobile, truck, pickup, van, motorcycle or other motor vehicle, and

to represent in such transfer assignment that the title to said motor vehicle is free and clear of all liens and encumbrances except those specifically set forth in such transfer assignment;

6. **Business Interests:** To conduct or participate in any lawful business of whatever nature for me and in my name; execute partnership agreements and amendments thereto; incorporate, reorganize, merge, consolidate, capitalize, sell, liquidate or dissolve any business; elect or employ officers, directors and agent; carry out the provisions of any agreement for the sale of any business interest or the stock therein; and exercise voting rights with respect to stock either in person or by proxy, and exercise stock options;

7. **Tax Powers:** To prepare, sign and file joint or separate income tax returns, including Forms 1040, 1040A, 1040EZ, any schedules attached thereto, and any other forms necessary to comply with applicable tax laws; to prepare, sign and file gift tax returns with respect to gifts made by me for any year or years; to consent to any gift and utilize any giftsplitting provisions or other tax election; and to prepare, sign and file any claims for refund of any tax;

8. **Safe Deposit Boxes:** To have access at any time or times to any safe deposit box rented by me, wherever located, and to remove all or any part of the contents thereof, and to surrender or relinquish said safe deposit box, and any institution in which any such safe deposit box may be located shall not incur any liability to me or my estate as a result of permitting my agent to exercise this power;

9. **Instruments:** To sign, seal, execute and deliver all instruments in writing of whatever kind and nature as may be necessary and proper;

10. **Securities:** To purchase United States treasury bills, bonds, certificates and notes, including so-called "FLOWER BONDS" and to borrow money and mortgage property to obtain funds for purchase;

11. **Trusts:** To create or establish trusts for my sole benefit during my lifetime to be distributed in equal shares to my children upon my death with the share for any deceased child of mine going to his surviving issue by right of representation; to amend or revoke any trust agreement heretofore established by me, and to fund any trust;

12. **Insurance:** To purchase life and health insurance and other forms of insurance and to exercise all rights to convert and modify existing insurance policies including the power to borrow against cash values of any policy.

13. **Gifts:** To embark upon or continue any program of gifts to my children and their issue and to make transfers in furtherance of any plan or pattern of gifts;

14. **Disclaimer:** To disclaim interest in property.



**ACCEPTANCE**

I, Robert W. Brugh, do hereby accept the General Durable Power of Attorney granted to me by my mother, Mae W. Brugh.

Dated this 20 day of January, 2000.

Robert Brugh  
ROBERT W. BRUGH

Fort Berthold Tribal Court  
**FILED**  
Date: 4/20/00



No. 301-1795

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

MAY BRADFIELD/BRUGH

DEED TO RESTRICTED INDIAN LAND

THIS INDENTURE, Made and entered into this 31st day of January  
~~one thousand nine hundred and~~ two thousand, by and between

May Brugh, aka May Bradfield Brugh, 301-A1795, a widow

of New Town, ND  
Indians, part y of the first part, and the United States of America in trust for  
Robert W. Brugh, Sr., 301-U1428  
of New Town, ND, part y of the second part.

WITNESSETH, That said part y of the first part, for and in consideration of the sum of  
One dollar, Love and Affection dollars  
in hand paid, the receipt of which is hereby acknowledged, do es hereby grant, bargain, sell, and convey  
unto said part y of the second part the following-described real estate and premises situated in  
McKenzie County, State of North Dakota  
on the Fort Berthold Indian Reservation, to wit:  
S½E½, Lot 8 of Section 24; Lots 5 & 6, NE¼ of Section 25, T. 149 N., R. 95 W.,  
Fifth Principal Meridian, North Dakota, containing 317.84 acres, more or less.

Subject to all valid existing rights-of-way of record:

THIS CONVEYANCE IS MADE PURSUANT TO THE  
PROVISIONS OF THE ACT OF JUNE 18, 1934  
(48 STAT. 984)

No homestead rights involved

together with all the improvements thereon and the appurtenances thereunto belonging. And the said  
part y of the first part, for herself and her heirs, executors, and administrators,  
do es hereby covenant, promise, and agree to and with the said part y of the second part,  
her heirs and assigns, that she will forever warrant and defend the said premises against the  
claim of all persons, claiming or to claim by, through, or under her only.

To have and to hold said described premises unto the said part y of the second part, her  
heirs, executors, administrators, and assigns, forever.

IN WITNESS WHEREOF, That said part y of the first part has hereunto set her hand  
and seal the day and year first-above written.

WITNESSES:

Donald E. Hood  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

May Brugh [SEAL]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ [SEAL]

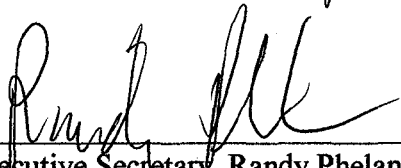


**CERTIFICATION**

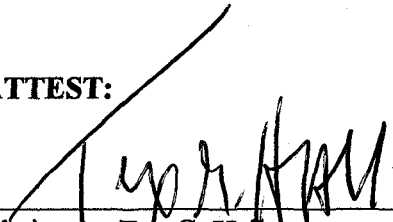
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14<sup>th</sup> day of August, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman  Voting. [ ] Not Voting.

Dated this 14<sup>th</sup> day of August, 2003.

  
Executive Secretary, Randy Phelan  
Tribal Business Council

ATTEST:

  
Chairman, Tex G. Hall  
Tribal Business Council