

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

**A Resolution entitled, "Land Exchange with Nelson Bird Bear 301-U1611"**

**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 Constituion authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activities 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 exchange of land between the Three Affiliated Tribes and Nelson Bird, under the terms and conditions stated below; and

**NOW, THEREFORE, BE IT RESOLVED,** That the Three Affiliated Tribes' Tribal Business Council approves the exchange of land 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 America for Nelson Bird Bear, 301-U1611 , hereby authorizes the Chairman of the Tribal Business Council, it's 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 Nelson Bird Bear, under the terms and conditions as stated below;

**Nelson Bird Bear**

Allot. No. 771, an undivided 1/2 interest in the N1/2 Sec. 36, T. 149 N., R. 93 W., 5<sup>th</sup> Principal Meridian, containing 320.00 acres of which his share of 160 acres, more or less, was appraised at \$214.05 per acre, more or less, for a total value of \$34,249.00 for his one-half interest.

**Tribal Land**

T997A-A S1/2N1/2S1/2NE1/4,S1/2S1/2NE1/4N1/2SE1/4 Sec. 28, T. 150 N., R. 94 W containing 140.00 acres, more or less, appraised At \$182.86 per acre, more or less, for a total value of \$25,600.00.

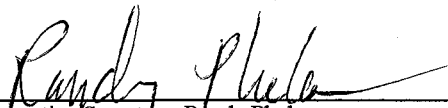
The Tribe will pay the difference of \$8,649.00

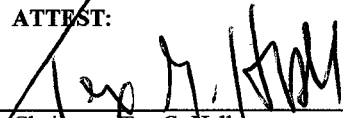
**C E R T I F I C A T I O N**

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 08 day of Jan., 2004, 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 8 day of Jan., 2004.

  
\_\_\_\_\_  
Executive Secretary, Randy Phelan  
Tribal Business Council

ATTEST:  
  
\_\_\_\_\_  
Chairman, Tex G. Hall  
Tribal Business Council

LAND EXCHANGE between the Three affiliated Tribes and

Nelson Bird Bear, 301U001611

Married  
PO Box 563  
Mandaree, ND

Reviewed By: DSB 12/14/03

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

BIA - Realty: TW 12/16/03

TNRD: [Signature] Date: 12/17/03

Allot.	Legal Description	Co.	Total Acres	Land Type	Income	Lessee/Permitee	Permit Lease Expiration	Tribal Interest	Indiv. Interest	Indiv. Acres	Actual Value
771A	N½ 36-149-93	25	320	115 Crop 36 Range 157.95 Past 11.05 R/W	\$73.10	Owners Use T. Lone Fight	11/30/2004	0.00%	1/2	160.00	\$34,249.00
238A-B	Lot 4 & 5 06-148-89	55	55.41	55 Crop 4.41 Past	\$ 1,606.50	M & G Gilbertson	1/238/12 2002/2004	0.00%	4/45	4.93	\$2,424.00
	EXCHANGE FOR									<b>Total</b>	<b>\$36,673.00</b>
T997A-A	SNSNE, SSNE NSE 28-150-94	53	140.00	81 Crop 55.74 Past 3.26 R/W	\$ 1,001.00	G Fettig	02-T107-06 2002/2006	100.00%			\$25,600.00

Comments:

771A & 238A-B - Exclusive of Minerals  
 T997A-A - Prior Mineral Reservation  
 Full Legal Description for T997A-A - SNE, NSE 28-150-94 containing 160.00 acres  
 T997A-A - 79 acres of grassland is not leased.

**RECEIVED**

DEC 17 2003

NATURAL RESOURCES DEPT.

# Soil Productivity Inventory

Tract No 0 002

January 08, 2004

Page 1

Map Symbol	Soil Class	H&B Use	Acres	Soil Index
ArA	II	Past	4.41	90
MiD	IV	Crop	13.12	70
WoA	II	Crop	14.37	90
WoB	II	Crop	23.51	90
Total Acres & Soil Index			55.41	85

# Soil Productivity Inventory

Tract No 0 007

January 08, 2004

Page 1

Map Symbol	Soil Class	H&B Use	Acres	Soil Index
3	VI	Past	32.71	50
4	II	Crop	8.75	90
4	II	Past	6.25	90
9E	VI	Past	54.07	50
18	III	Crop	5.31	80
18	III	Past	0.62	80
21B	III	Crop	5.62	80
21B	III	Past	3.12	80
21C	III	Crop	7.50	80
29B	III	Crop	2.50	80
29B	III	Past	3.12	80
30E	VI	Crop	2.17	50
30E	VI	Past	0.95	50
52C	IV	Crop	11.87	70
52C	IV	Past	4.37	70
62B	VI	Crop	17.50	50
62B	VI	Past	6.87	50
62D	VI	Crop	15.35	50
62D	VI	Past	56.25	50
69B	III	Crop	17.81	80
73C	VI	Past	14.37	50
102	II	Crop	5.62	90
106	IV	Crop	15.00	70
106	IV	Past	11.25	70
Total Acres & Soil Index			308.95	60