

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

- WHEREAS, This Corporation is an Indian Chartered Corporation as defined by the Indian Reorganization Act of June 18, 1934, and authority is granted under said Act, and;
- WHEREAS, The Constitution and By-Laws of the Three Affiliated Tribes authorize the Tribal Business Council to engage in activities for the welfare and benefit of the tribe and tribal members, and;
- WHEREAS, The Three Affiliated Tribes is desirous in establishing beneficial conservation practices in range management;
- NOW THEREFORE BE IT RESOLVED, hereby amends Resolution 75-28 and hereby adopts the attached stocking and range conservation regulation;
- BE IT FURTHER RESOLVED, that these regulations become effective immediately and that the Superintendent of the Fort Berthold Agency is instructed and empowered to enforce these regulations;
- BE IT FURTHER RESOLVED THAT, that is any provision of this ordinance shall be held to be invalid unconstitutional, or unenforceable, the validity of the other provisions of this ordinance shall not be effected thereby.

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 Reservation, hereby certify that the Tribal Business Council is composed of 11 member, of whom 10 constituting a quorum were present at a Special Meeting, thereof duly called, noticed, convened and held on the 5 day of April, 1976; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 4 members, 0 members opposed, 2 abstentions, X members passed and that the said resolution has not been amended or rescinded in any way.

Chairperson not voting.

Dated this 5 day of April, 1976.

Austin H. Dillette
Secretary, Tribal Business Council

ATTES:

Rose Crow Flies High
Chairperson, Tribal Business Council

THREE AFFILIATED TRIBE'S
STOCKING AND RANGE CONSERVATION AND MANAGEMENT REGULATIONS

The following regulations are sent for the purpose of checking range units and keeping count on cattle in order to protect and promote better range conservation and management.

LAND OPERATIONS GRAZING REGULATIONS

1. Definition on Open Range:
 - a. Open range means that there are no fences along the highways of the Reservation and warning signs are posted to indicate the danger of cattle crossing the road.
 - b. It does not mean that cattle can be turned loose on the Reservation to wander where they please.
2. Definition on Fencing Unit:

All private land, Fee Patent Land, and Range Units must be fenced by the owner or owner and lessor through an agreement which will be required in writing and attached to the lease.
3. Checkpoints for the purpose of checking all livestock will be set up at designated entrances and exits of the Western and Southern Segments from May 1st thru May 17, 1975. Checkpoints will be open Monday thru Friday between 8:00 a.m. thru 5:00 p.m. Designated checkpoints are Lost Bridge, Watford City junction, North end of Highway #22 and Blue Buttes exit. Checkpoints for the South Segment will be Highway #28, Dodge Road exit and Golden Valley exit. Above checkpoints and time designated are as stands unless otherwise declared by the Superintendent or his designated representatives.
4. No livestock will be allowed on Reservation before May 1st on 6 or 8 month leases or on undesignated routes and hours.
5. Trucks and trailers transporting cattle or other animals onto the Reservation during undesignated hours will be refused entrance and turned back or escorted to holding pens until daylight hours for inspection. Horses will be included as part of the allocated head per unit.
6. Truckers will be expected to present the following identifications upon entering Reservation:
 1. Brand and Health Certificate
 2. Owner's Bill of Sale (Proof of ownership)
 3. Unit to which animals are to be transferred or located.
 4. Proper branding
7. It shall be at the discretion of the inspecting official to unload livestock for inspection. (Such as number of head, type of animals, Health and Brand Certificate, etc.) Porta-pens will be set up in Mandaree and in Twin Buttes for these purposes.
8. Violation of leases by overstocking, unkept fences, trespassing, etc. will be subject to fines. Fines shall be paid before said livestock or animals are removed. The owner shall be notified by Certified Mail immediately upon discovery and will be given five (5) days to recover cattle or animals and make restitution for all damages.

9. Fines shall be as follows:

1. Schedule of fines: \$5.00 per day per head for trespassing and overstocking.
2. Payment of fines will be by cash or certified check.

10. Non-resident and resident ranchers bringing livestock into the Reservation will be notified in advance of forementioned stipulations before May 1, 1975. In-coming livestock must be reported by their operators in advance to the Assistant Superintendent at the respective Sub-agency. All trucks bringing cattle after May 17 must stop at the Sub-agency.

11. The Superintendent is hereby empowered to enforce these Tribal regulations.

Office of Trust &
Natural Resources

April 14, 1976

Memorandum

To: Area Director, Aberdeen Area Office
From: Superintendent, Fort Berthold Agency
Subject: Tribal Resolution Number 76-52

Enclosed is a copy of Tribal Resolution No. 76-52 passed on April 5, 1976, and received at our office at 11:00 A.M., April 14, 1976.

Due to the lateness receiving of this resolution only a short analysis is given.

Provision #2 is vague in actually who is responsible for fencing. This provision states that fencing will be required on leases and presumably on grazing permits. This provision is, in a sense, already been put into practice when the preparation of leases or permits have been stipulating (in some cases) fencing as a condition of the contract. Therefore, this provision is not necessary.

Provision #3 refers to check points during the 1975 grazing season. What about the present and succeeding grazing seasons?

Provision #4 refers to 6 or 8 month grazing leases on permits. In some cases we have permits permitting cattle on the units before May 1 on a season permit. This would conflict with those types of contracts.

Provision #5 refers to designated hours for cattle movement. There is a problem whether effective enforcement by the Bureau is possible economically.

Provision #7 refers to the authority of the inspector (who?) to unload livestock. Can the inspector be viewed responsible in case of damage to cattle or trucks?

Provision #8 refers to fine for violations. We have an established schedule of fine, in our opinion adequate to cover the violations on grazing lands.

We welcome your comments and will discuss the afore mentioned comments we have outlined with the Tribal Council shortly. This resolution is approved with noted reservations.

Superintendent