

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

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

WHEREAS, The Constitution and By-laws of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities for the welfare and benefit of the tribes and tribal members; and

WHEREAS, Attorneys, Wilkinson, Cragun & Barker, contract #A004C14201145 have submitted voucher for payment of legal services of \$4,394.60 and legal expenses of \$50,89, incurred during the month of January 1-31, 1982; and

THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes payment of \$4,445.49 to Wilkinson, Cragun & Barker, for legal services and legal expenses rendered for the month of January 1-31, 1982.

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 members of whom 7 constitutes a quorum, 7 were present at a Regular meeting, thereof duly called, noticed, convened and held on the 11 day of March, 1982; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 member(s) not voting, and that said resolution has not been rescinded or amended in anyway.

Chairman (voting) (~~not voting~~).

Dated this 11 day of March, 1982.


Secretary, Tribal Business Council

ATTEST:


Chairman, Tribal Business Council

WILKINSON, CRAGUN & BARKER
LAW OFFICES

1735 NEW YORK AVENUE, N. W.
WASHINGTON, D. C. 20006
(202) 783-4800

CABLE: "WILCBAR"

TELEX: (710) 822-9349

OLEN A. WILKINSON
CHARLES A. HOBBS
LEON T. KNAUER
JERRY C. STRAUS
PIERRE J. LAFORCE
GORDON C. COFFMAN
STEPHEN R. BELL
FOSTER D. REITZES
PHILIP A. NACKE
EDWARD M. FOGARTY
JOSEPH P. MARKOSKI
WILLIAM H. TIMME *

ROBERT W. BARKER
PAUL S. QUINN
RICHARD A. BAENEN
HERBERT E. MARKS
FRANCES L. HORN
PATRICIA L. BROWN
R. ANTHONY ROGERS
JOHN M. FACCIOLA
THOMAS E. WILSON
ROBERT B. McKENNA, JR.
STEVEN C. LAMBERT

JAMES E. MAGEE
CHARLES I. APPLER
F. THOMAS MORAN
JACQUELYN R. LUKE
TIMOTHY C. SLOAN
SUSAN O. BERGHOF
LUISA L. LANCETTI
JAMES A. MICHAELS

STEPHEN A. HILDEBRANDT
LAUREL R. BERGOLD
CAROL L. BARBERO
JAMES L. CASSERLY
KENNETH E. SATTEN
GLENN P. SUGAMELI
PAUL J. SINDERBRAND **

February 26, 1982

ERNEST L. WILKINSON (1899-1978)
JOHN W. CRAGUN (1906-1989)
ANGELO A. IADAROLA (1933-1980)

ROSEL H. HYDE
COUNSEL

ANCHORAGE OFFICE
SUITE 420
601 WEST FIFTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 276-3390

* Admitted in Alaska and Texas only
** Admitted in New York only

Mr. Austin Gillette, Chairman
Tribal Business Council
Three Affiliated Tribes
New Town, North Dakota 58763

Dear Austin:

Enclosed is our voucher for fees and expenses incurred during January, 1982. If you or anyone else on the Council has any question about this voucher, please let us know.

A copy of this letter, and the original of the statement and accompanying documents (and three copies), are being sent to the Aberdeen Area Office for its review.

Sincerely,

WILKINSON, CRAGUN & BARKER



By: Charles A. Hobbs

Enc.

cc: Business Council
Aberdeen Area Director
Supt., Fort Berthold Agency

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO.

3. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

DATE VOUCHER PREPARED

SCHEDULE NO.

INTERIOR - Indian

2-26-82

CONTRACT NUMBER AND DATE

PAID BY

A00C14201145

REQUISITION NUMBER AND DATE

PAYEE'S
NAME
AND
ADDRESS

WILKINSON, CRAGUN & BARKER
1735 New York Avenue, N.W.
Washington, D.C. 20006

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

SHIPPED FROM

TO

WEIGHT

GOVERNMENT B/L NUMBER

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES <i>(Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)</i>	QUAN- TITY	UNIT PRICE		AMOUNT
				CGST	PER	
		Legal services rendered on behalf of Three Affiliated Tribes of Ft. Berthold Reservation during January 1-31, 1982, pursuant to Contract No. A00C14201145.				\$4,394.60
		Expenses incurred pursuant to the same contract, posted during January 1-31, 1982.				50.89

(Use continuation sheet(s) if necessary)

(Payee must NOT use the space below)

TOTAL \$4,445.49

PAYMENT: <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL <input type="checkbox"/> PROGRESS <input type="checkbox"/> ADVANCE	APPROVED FOR	EXCHANGE RATE	DIFFERENCES
	= \$	= \$1.00	
	BY:		
	TITLE	Amount verified; correct for (Signature or initials)	

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date)

(Authorized Certifying Officer)

(Title)

ACCOUNTING CLASSIFICATION

PAID BY	CASH	ON TREASURER OF THE UNITED STATES	CHECK NUMBER	ON (Name of bank)
	\$	DATE	PAYEE'S	

¹ When stated in foreign currency, insert name of currency.

² If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.

³ When a voucher is received in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: John Doe Company, per

PER

TITLE

[Handwritten Signature]
1/17

A F F I D A V I T

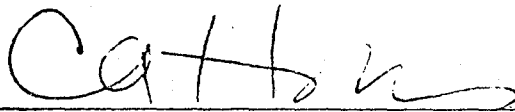
City of Washington)
: ss.
District of Columbia)

CHARLES A. HOBBS, being first duly sworn, upon oath deposes and states:

That he is an attorney at law, duly enrolled and authorized to practice before the courts of the District of Columbia and the Department of the Interior of the United States, and is a partner of Wilkinson, Cragun & Barker;

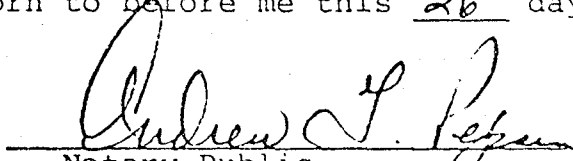
That under the provisions of Section 81, Title 25 of the U.S. Code said firm made and entered into Contract No. A00C14201145 with the Three Affiliated Tribes of the Fort Berthold Reservation, which is currently in effect through December 31, 1983;

That all of the services listed in the attached statements were rendered by the personnel and in the number of hours stated, as more particularly shown by the attached daily diaries of said personnel.



Charles A. Hobbs, partner

Subscribed and sworn to before me this 26th day
of February, 1982.


Notary Public
District of Columbia

My commission
expires: 5/14/82

WILKINSON, CRAGUN & BARKER

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February 26, 1982

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Three Affiliated Tribes
New Town, North Dakota 58763

STATEMENT

General counsel services during January, 1982:

Special authorized services:

Garrison Dam: Prepare for and attend meeting in D.C. with Attorney General Wefald on hunting and fishing and Restoration Bill; calls with Hugh Baker; telecon Corps of Engineers on extension of license and work on proposed amendment to license; provide explanation statement on Restoration Bill to Hans Walker; meet John Fritz, Deputy Assistant Secretary of Interior, with Austin Gillette on Restoration Bill; review maps of present ownership of Lake bed.

		<u>Standard Rates</u>	<u>Tribal Rate (85%)</u>
Mr. Hobbs	9.1 hrs. x \$155 =	\$1,410.50	\$1,198.92
Ms. Berghoef	6.6 hrs. x 75 =	495.00	420.75
Paralegal	1.7 hrs. x 40 =	68.00	57.80

Judgment Distribution Plan: Discuss problems of extension on plan with BIA and Frank Ducheneaux, send letter to Gillette.

Mr. Hobbs	1.6 hrs. x \$155 =	\$ 248.00	\$ 210.80
Ms. Brown	2.1 hrs. x 125 =	262.50	223.12
Ms. Berghoef	1.4 hrs. x 75 =	105.00	89.25

Ft. Berthold Statement
 February 26, 1982
 Page Two

Indian Preference: Call from Dick Anderson of Fargo re TERO ordinance; review Anderson's Access Permit sent to Vance Gillette; discuss with Gillette.

		<u>Standard Rates</u>	<u>Tribal Rate (85%)</u>
Mr. Hobbs	1.8 hrs. x \$155 =	\$ 279.00	\$ 237.15
Mr. Sugameli	0.4 hr. x 75 =	30.00	25.50

Taxes: Analyze Jicarilla decision and discuss with Gillette; telecon Minot reporter on effects of decision; review Tribe's tax ordinance in light of Jicarilla and consider amendments; meet with Gillette regarding taxes; telecon Ted Smith of CERT re possible possessory interest tax; telecon Hugh Baker re Tribe administering oil and gas leases.

Mr. Hobbs	5.6 hrs. x \$155 =	\$ 868.00	\$ 737.80
Ms. Brown	0.7 hr. x 125 =	87.50	74.38
Ms. Berghoef	0.3 hr. x 75 =	22.50	19.13

Total special authorized services:	\$3,294.60
Retainer fee*	<u>1,100.00</u>
Total fees	\$4,394.60
Expenses posted during January, 1982 (per attached statement)	<u>50.89</u>
TOTAL	<u><u>\$4,445.49</u></u>

* The retainer fee covers, in part, the Tribe's share of the firm's "All Tribal Client Services," which is the time put in by all attorneys in the firm on matters affecting all our tribal clients. The retainer fee also includes attorney travel time for up to four trips a year, and includes minor telephone conversations.

Initials used in the following breakdown of expenses refer to the following persons in the law offices of Wilkinson, Cragun & Barker and are associated with the contract attorneys:

CAH Charles A. Hobbs, Partner

SOB Susan O. Berghoef, Associate

PAYEE: Wilkinson, Cragun & Barker

Page 1

<u>81</u>		
11/12	Tel., CAH, D.C. to Anderson, Fargo, N.D.	4.96
12/2	Messenger Service charge for pick-up from Mayflower Hotel	5.10
12/17	Tel., SOB, D.C. to Vance Gilette, Bismarck, N.D.	.66
12/18	Tel., CAH, D.C. to Hugh Baker, Newtown, N.D.	.66
12/24	Tel., SOB, D.C. to Vance Gilette, Bismarck, N.D.	.42
1/31	Excess postage incurred during the month of January	15.00
1/31	Spee-dee-que - Cost of multilith charges during the month of January	24.09
		<hr/>
	<u>TOTAL OF VOUCHER</u>	<u>\$50.89</u>

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>FT. BERTHOLD GENERAL</u>	<u>ATTY HOURS 1.0</u>	<u>CLIENT CODE 4.ftb.67</u>
<u>CLIENT</u>		
<u>K&K Berghoef/kfn</u>	<u>ATTY INITIALS SOB</u>	<u>DATE 1/30/82</u>
<u>ATTORNEY LAST NAME AND SECY INITIALS</u>		

Working on proposed amendment to Corps of Engineers license to State for fish and wildlife management to allow tribal participation in same.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Ber. Gen.</u>	<u>ATTY HOURS 4.8</u>	<u>CLIENT CODE 4ftb.67</u>
<u>CLIENT</u>		
<u>Hobbs/ccw</u>	<u>ATTY INITIALS CAH</u>	<u>DATE 1/29/82</u>
<u>ATTORNEY LAST NAME AND SECY INITIALS</u>		

Telecon Ted Smith (CERT) re possible possessory interest tax; try to call Gerry White; telecon Hugh Baker re proposed tax and possibility of contracting administration of oil and gas leases to the Tribe; also advise Hugh of my meeting with Ken Smith on management budget; letter to Area Director re renewal of contract; confer with RAR and GPS re Indian tax status bill, and letter to Morton Blackwell of White House re same. Memo to JCS re inviting Sen. Andrews to Night of First Americans. Memo to SOB re Corps of Engineers making State license permanent.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Ber. Gen.</u>	<u>ATTY HOURS 1.2</u>	<u>CLIENT CODE 4.ftb.67</u>
<u>CLIENT</u>		
<u>Hobbs/ccw</u>	<u>ATTY INITIALS CAH</u>	<u>DATE 1/28/82</u>
<u>ATTORNEY LAST NAME AND SECY INITIALS</u>		

Go over maps showing present ownership pattern of lake bed. Chat with Roy Sampsel at NCAI banquet (no charge).

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Ber. Gen.</u> CLIENT	<u>ATTY HOURS</u> 1.7	<u>CLIENT CODE</u> 4.ftb.67
<u>Bierman/ccw</u> ATTORNEY LAST NAME AND SECY INITIALS	<u>ATTY INITIALS</u> MEB	<u>DATE</u> 1/27/82

Colored map of Ft. Berthold Reservation to show various mineral reserves (to be used for meeting with Austin Gillette).

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Berthold</u> CLIENT	<u>ATTY HOURS</u> 0.4	<u>CLIENT CODE</u> 4.FTB.67
<u>Sugameli/sd</u> ATTORNEY LAST NAME AND SECY INITIALS	<u>ATTY INITIALS</u> GPS	<u>DATE</u> 1-27-82

discussion with Austin Gillette re Taylor v. Watt case, access permit and other matters.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Berthold General</u> CLIENT	<u>ATTY HOURS</u> 0.5	<u>CLIENT CODE</u> 4.FTB.67
<u>Brown/sd</u> ATTORNEY LAST NAME AND SECY INITIALS	<u>ATTY INITIALS</u> PLB	<u>DATE</u> 1-27-82

meet with Austin Gillette on the question of tribal taxes.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>FT. BERTHOLD GENERAL</u> CLIENT	<u>ATTY HOURS</u> 2.8	<u>CLIENT CODE</u> 4.ftb.67
<u>Berghoef/kfn</u> ATTORNEY LAST NAME AND SECY INITIALS	<u>ATTY INITIALS</u> SOB	<u>DATE</u> 1/27/82

Meeting with Austin Gillette and John Fritz of Bureau of Indian Affairs on land restoration bill and judgment distribution plan; meeting with Chairman Gillette and Mr. Hobbs on various matters.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

40
0

<u>Ft. Ber. Gen.</u> CLIENT	<u>ATTY HOURS 3.5</u>	<u>CLIENT CODE 4.ftb.67</u>
<u>Hobbs/ccw</u> ATTORNEY LAST NAME AND SECY INITIALS	<u>ATTY INITIALS CAH</u>	<u>DATE 1/27/82</u>

Confer with PLB re judgment plan, letter to Austin; gather materials for meeting with Austin; short telecon with Skip Seiser of Minot News re Jicarilla; meet Ken Smith and explain need for \$200,000 comprehensive management program. Meet Austin in John Fritz's office (Deputy Ass't Secretary); confer with Austin and various attorneys over pending matters.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Ber. Gen.</u> CLIENT	<u>ATTY HOURS 0.7</u>	<u>CLIENT CODE 4.ftb.67</u>
<u>Hobbs/ccw</u> ATTORNEY LAST NAME AND SECY INITIALS	<u>ATTY INITIALS CAH</u>	<u>DATE 1/26/82</u>

Confer with PLB and SOB re Tribe's tax ordinance in light of Jicarilla case, discuss amendments. Memo to SOB re access permit plan.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

0.3
2

<u>FT. BERTHOLD XXX GENERAL</u> CLIENT	<u>ATTY HOURS 0.5</u>	<u>CLIENT CODE 4.ftb.67</u>
<u>Berghoef/kfn</u> ATTORNEY LAST NAME AND SECY INITIALS	<u>ATTY INITIALS SOB</u>	<u>DATE 1/26/82</u>

Discussing Supreme Court decision in Jicarilla, Tribes' severance tax, and visit with Austin Gillette, with Mr. Hobbs; providing copy of explanatory statement of land restoration bill to Hans Walker.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>FT. BERTHOLD GNL</u> CLIENT	<u>ATTY HOURS 0.1</u>	<u>CLIENT CODE 4.ftb.67</u>
<u>Berghoef/-kfn</u> ATTORNEY LAST NAME AND SECY INITIALS	<u>ATTY INITIALS SOB</u>	<u>DATE 1/25/82</u>

telecon with reporter from Minot Daily News about

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

Ft. Ber. Gen.

ATTY HOURS 1.0

CLIENT CODE 4.ftb.67

CLIENT

Hobbs/cw

ATTY INITIALS CAH

DATE 1/25/82

ATTORNEY LAST NAME AND SECY INITIALS

Call Gillette re Jicarilla, analyze same.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

Ft. Berthold Gen.

ATTY HOURS 0.3

CLIENT CODE 4.FTB.67

CLIENT

Brown/sd

ATTY INITIALS PLB

DATE 1-25-82

ATTORNEY LAST NAME AND SECY INITIALS

letter to A. Gillette on judgment distribution plan.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

Ft. Ber. Gen.

ATTY HOURS 1.5

CLIENT CODE 4.ftb.67

CLIENT

Hobbs/ccw

ATTY INITIALS CAH

DATE 1/22/82

ATTORNEY LAST NAME AND SECY INITIALS

Review Dick Anderson's Access Permit ordinance which he sent to Vance Gillette. Memo to SOB, Prepare agenda for discussion with Tribe.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

Ft. Berthold

ATTY HOURS 0.2

CLIENT CODE 4.FTB.67

CLIENT

Brown/sd

ATTY INITIALS PLB

DATE 1-22-82

ATTORNEY LAST NAME AND SECY INITIALS

discuss IMPL reduction with CAH

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>FT. BERTHOLD GENERAL</u>	<u>ATTY HOURS 3.9</u>	<u>CLIENT CODE 4.ftb.67</u>
<u>CLIENT</u>		
<u>Berghoef/kfn</u>	<u>ATTY INITIALS SOB</u>	<u>DATE 1/18/82</u>
<u>ATTORNEY LAST NAME AND SECY INITIALS</u>		

Preparing for and meeting with Attorney General Wefald to discuss various matters, including possible tribal-state agreement on jurisdiction and other matters, land restoration bill; memorandum to file summarizing same; telecon with Buhl Chenoweth of Corps of Engineers on extension of state's license to manage fish and game within the Take Area, discussion with CAH concerning result of that phone conversation and necessary action, reviewing files on same.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Ber. Gen.</u>	<u>ATTY HOURS 4.0</u>	<u>CLIENT CODE 4.ftb.67</u>
<u>CLIENT</u>		
<u>Hobbs/cw</u>	<u>ATTY INITIALS CAH</u>	<u>DATE 1/18/82</u>
<u>ATTORNEY LAST NAME AND SECY INITIALS</u>		

Review files prior to meeting Wefald, try to call Gillette, Walker, Little Soldier, call Hugh Baker for update on Lake Sakakawea; confer with SOB. Meet Wefald for two hours, discuss hunting and fishing and Restoration Bill.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Ber. Gen.</u>	<u>ATTY HOURS 0.3</u>	<u>CLIENT CODE 4.ftb.67</u>
<u>CLIENT</u>		
<u>Hobbs/cw</u>	<u>ATTY INITIALS CAH</u>	<u>DATE 1/13/82</u>
<u>ATTORNEY LAST NAME AND SECY INITIALS</u>		

Call from Dick Anderson of Fargo, discuss TERO ordinance.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Berthold General</u> CLIENT	ATTY HOURS 0.2	CLIENT CODE 4.FTB.67
<u>Brown/sd</u> ATTORNEY LAST NAME AND SECY INITIALS	ATTY INITIALS PLB	DATE 1-13-82

finding letter re judgment distribution plan.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Ber. Gen.</u> CLIENT	ATTY HOURS 0.3	CLIENT CODE 4.fth67
<u>Hobbs/ccw</u> ATTORNEY LAST NAME AND SECY INITIALS	ATTY INITIALS CAH	DATE 1/12/82

Confer with SOB and PLB re judgment plan foulup.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Berthold General</u> CLIENT	ATTY HOURS 0.6	CLIENT CODE 4.FTB.67
<u>Brwon/sd</u> ATTORNEY LAST NAME AND SECY INITIALS	ATTY INITIALS PLB	DATE 1-12-82

call to F. Ducheneaux re extension of time for judgment distribution plan and letter to A. Gillette re same.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

<u>Ft. Ber. Gen.</u> CLIENT	ATTY HOURS 0.3	CLIENT CODE 4.ftb 4.ftb.67
<u>Hobbs/ccw</u> ATTORNEY LAST NAME AND SECY INITIALS	ATTY INITIALS CAH	DATE 1/11/82

Confer with PLB re judgment plan foulup by BIA.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

Ft. Ber. Gen.
CLIENT

ATTY
HOURS 0.5

CLIENT
CODE 4.ftb.67

Hobbs/ccw
ATTORNEY LAST NAME AND SECY INITIALS

ATTY
INITIALS CAH

DATE 1/8/82

Telecon Tillie re House's foulup in extending time for judgment plan. Confer PLB.

WILKINSON, CRAGUN & BARKER

ATTORNEYS DAILY DIARY

Ft. Berthold General
CLIENT

ATTY
HOURS 1.0

CLIENT
CODE 4.FTB.67

Brown/sd
ATTORNEY LAST NAME AND SECY INITIALS

ATTY
INITIALS PLB

DATE 1-8-82
2

Discuss with BIA and F. Ducheneaux problem with extension on judgment distribution plan.