

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 No. A00C1420-1145, have submitted voucher for payment of legal services in the amount of \$6,381.04 rendered during April 1-30, 1982; and
- WHEREAS, Wilkinson, Cragun & Barker have submitted voucher for payment of legal expenses in the amount of \$1,193.61 incurred during April, 1982;
- NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council hereby authorizes payment in the amount of \$7,574.65 to Wilkinson, Cragun & Barker for legal services and legal expenses incurred during April 1-30, 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, 10 were present at a Regular Meeting, thereof duly called, noticed, convened and held on the 10th day of June, 1982; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 10 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said resolution has not been rescinded or amended in any way.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 10th DAY OF June, 1982.

Zilli Kallas
SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:

Arvin H. Diercke
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

ERNEST L. WILKINSON (1899-1978)
JOHN W. CRAGUN (1906-1969)
ANGELO A. IADAROLA (1933-1980)

ROSEL H. HYDE
COUNSEL

ANCHORAGE OFFICE
SUITE 420
601 WEST FIFTH AVENUE
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LEON T. KNAUER
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PIERRE J. LAFORCE
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STEPHEN R. BELL
FOSTER DE 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

May 26, 1982

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

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

*Admitted in Alaska and Texas only
**Admitted in California 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 April, 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

Charlie

By: Charles A. Hobbs

Enc.

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

RECEIVED

JUN 01 REC'D

THREE AFFILIATED TRIBES

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO.

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

INTERIOR - Indian

DATE VOUCHER PREPARED

5/26/82

SCHEDULE NO.

CONTRACT NUMBER AND DATE

A00C14201145

PAID BY

REQUISITION NUMBER AND DATE

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

PAYEE'S NAME AND ADDRESS

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

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>	QUANTITY	UNIT PRICE		AMOUNT (¹)
				COST	PER	
		Legal services rendered on behalf of Three Affiliated Tribes of Ft. Berthold Reservation during April 1-30, 1982, pursuant to Contract No. A00C14201145.				\$6,381.04
		Expenses incurred pursuant to the same contract, posted during April 1-30, 1982.				1,193.61
TOTAL						\$7,574.65

(Use continuation sheet(s) if necessary)

(Payee must NOT use the space below)

TOTAL

\$7,574.65

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 ²		
	TITLE		Amount verified; correct for <i>(Signature or initials)</i>

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

(Date)

(Authorized Certifying Officer)³

(Title)

ACCOUNTING CLASSIFICATION

PAID BY	CHECK NUMBER	ON TREASURER OF THE UNITED STATES	CHECK NUMBER	ON (Name of bank)
	CASH	DATE	PAYEE ³	

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 John Smith, Secretary", or "Treasurer", as the case may be.

PER *Cattman*
TITLE *ptr*

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. A00Cl4201145 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.

CA Hobbs
Charles A. Hobbs, partner

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

Andrew J. Lepore
Notary Public
District of Columbia

My commission expires: 5/14/87

WILKINSON, CRAGUN & BARKER

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May 26, 1982

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Three Affiliated Tribes
New Town, North Dakota 58763

STATEMENT

General counsel services during April, 1982:

Special authorized services:

Lake Sakakawea Fishing Plan: Dictate minutes of meeting with Wefald and send to Business Council; telecons with Hugh Baker and Austin Gillette re Plan and delegation coming to see Andrews, Burdick and Dorgan; set up appointments; telecon Hugh Baker re white opposition to Plan and status; call from August Little Soldier re Parshall meeting and delegation, and threat of new litigation on boundary; discussion in office and with Ron Hodges re possible agreement between State and Tribes for jurisdiction over non-Indians in the Take and Homestead Areas; meet with delegates; discuss Governor's response to proposal with Ron Hodge and with Austin Gillette.

				Standard Rates	Tribal (85%) Rate
Mr. Hobbs	8.3 hrs.	x	\$155 =	\$1286.50	\$1,093.52
Ms. Berghoef	8.8 hrs.	x	75 =	660.00	561.00
Mr. Sugameli	0.1 hr.	x	75 =	7.50	6.37

Special authorized services (cont.):

Mineral Restoration Bill: Review tribal mineral restoration resolution; review taking statutes for other Missouri River Tribes re streambed takings and review files; plan ways to get support for bill; research and answer Burdick's staff's question re number of individuals who gave up mineral interests in the Take Area; send copies of Tribe's mineral rights bill to Jane Wrenn (Andrews) and Doug Norell (Dorgan); telecon Leo Wilking (Burdick); work on maps; plan meeting with delegation; meet with delegates and Senators Andrews and Burdick and Congressman Dorgan; read 1952 legislative history and obtain missing pages; get legislative materials re Rivers & Harbors Act of 1944.

			<u>Standard Rates</u>	<u>Tribal (85%) Rate</u>
Mr. Hobbs	9.5 hrs.	x \$155	= \$1,472.50	\$1,251.63
Ms. Berghoef	10.2 hrs.	x 75	= 765.00	650.25
Paralegals	9.3 hrs.	x 40	= 372.00	316.20

Oil and Gas: Telecon Hugh Baker re possessory interest oil and gas tax; draft comments on proposed royalty rate change for federal lands.

Mr. Hobbs	1.2 hrs.	x \$155	= \$ 186.00	\$ 158.10
Ms. Brown	0.5 hr.	x 125	= 62.50	53.12

Judgment Distribution Plan: Telecon Paulette Hanson of Burdick's office re effective date of Plan; work on hospital fund problem in Interest case; call Ms. Boylan, Frank Ducheneaux, Duard Barnes; meet with John Fritz and staff at Interior Department.

Mr. Hobbs	3.0 hrs.	x \$155	= \$ 465.00	\$ 395.25
Mr. Moran	0.1 hr.	x 100	= 10.00	8.50
Ms. Berghoef	0.9 hr.	x 75	= 67.50	57.38

Garrison Dam Fish and Game Management: Telecon Jim Cayce and Buhl Chenoweth of Corps of Engineers re policy of taking flooding easements instead of fee title; letters to Hugh Baker and Austin Gillette re Corps of Engineers' amendments to license; review Corps' joint acquisition policy.

Mr. Hobbs	0.6 hr.	x \$155	= \$ 93.00	79.05
Ms. Berghoef	2.8 hrs.	x 75	= 210.00	178.50

Special authorized services (cont.):

Van Hook Loop Road: Call from Matt Mason, try to call County Commissioner, letter to Austin Gillette, talk with Gillette.

		<u>Standard Rates</u>	<u>Tribal (85%) Rate</u>
Mr. Hobbs	1.0 hrs. x \$155 =	\$ 155.00	\$ 131.75

Wahpeton School Closing: Call from Congressman Dorgan's office, try to call Austin Gillette, August Little Soldier, Tillie Walker, call Renita, Willard Yellow Bird, Hugh Baker and Leroy Chief, gather facts; meet Dorgan, talk with Gillette.

Mr. Hobbs	2.1 hrs. x \$155 =	\$ 325.50	\$ 276.67
Ms. Berghoef	1.0 hrs. x 75 =	75.00	63.75

Total special authorized services:	\$5,281.04
Retainer fee*	<u>1,100.00</u>
Total fees:	\$6,381.04
Expenses posted during April, 1982 (per attached statement)	<u>1,193.61</u>
TOTAL	<u>\$7,574.65</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. Berghoeff, Associate
JAM	James A. Michaels, Associate
MEB	Mary Elizabeth Bierman, Paralegal
BWB	Broadus W. Boxley, Messenger

1982

1/8	Tel., CAH, D.C. to Tillie Walker, New Town, N.D.		.42
2/2	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.		1.10
2/3	Tel., CAH, D.C. to Tillie Walker, New Town, N.D.		1.10
3/25- 3/27	Reimbursement of miscellaneous expenses incurred by Charles A. Hobbs on trip to New Town, N.D.:		
	Airfare	711.00	
3/25	Taxi, to airport	7.00	
	Ramada Inn	39.90	
3/26	Breakfast	5.91	
	Lunch	2.85	
	Dinner allowance	12.00	
	Hertz Rental Car	92.07	
	Gas	15.48	
	Holiday Inn	35.70	
3/27	Breakfast	2.00	
	Taxi, to home	13.00	936.91
3/31	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.		.42
4/5	Tel., CAH, D.C. to Austin Gillette, New Town, N.D.		.66
4/5	Tel., CAH, D.C. to Austin Gillette, New Town, N.D.		3.79
4/5	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.		5.59
4/15	Taxi, to and from 2000 Mass. Ave. (BWB)		3.50
4/26	Delegation Luncheon		65.74
4/26	Taxi, to and from Capitol Hill (SOB & members of delegation)		6.50
4/26	Taxi, from Capitol Hill to WC&B (CAH & members of Delegation)		5.00
4/26	Taxi, from Office to Capitol Hill (CAH, Gillette & Delegation)		4.50
4/28	Taxi, to and from National Archives (MEB)		4.00
4/29	Taxi, to and from House Office Bldgs. (JAM)		4.00
4/30	Excess postage incurred during the month of April		40.50
4/30	Cost of photocopying during the month of April (477 ccs. at \$.15 per page)		71.55
4/30	Spee-dee-que - cost of multilith during the month of April		22.69

PAYEE: Wilkinson, Cragun & Barker

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3/3	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.	.66
3/5	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.	11.42
3/12	Tel., CAH, D.C. to Adeline Burnsell — Realty, New Town, N.D.	2.90
3/25	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.	<u>.66</u>

TOTAL OF VOUCHER

\$1,193.61