

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

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

WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefits of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI Section 5 (j) empowers the Tribes to protect and preserve the natural resources of the Fort Berthold Indian Reservation; and

WHEREAS, The Tribal Business Council desires to properly manage the natural resources of the Reservation and recognizes that the withdrawal of land from range units has created land management problems when such land is not fenced.

WHEREAS, The Natural Resources Committee concurs to the Land Withdrawal Policy recommended by the Bureau of Indian Affairs.

NOW THEREFORE, BE IT RESOLVED, That the Tribal Business Council concurs with the Land Withdrawal Policy developed by the Bureau of Indian Affairs, Fort Berthold Agency, in cooperation with the Tribal Natural Resources Committee. A copy of the Land Withdrawal Policy is attached and made a part of this resolution.

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Tribal Resolution No. 96-220-DSB
Land Withdrawal Policy

CERTIFICATION

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 7 members of who 5 constitutes a quorum, 5 were present at a Special Meeting, thereof duly called, notice, convened, and held on the 31st day of October 1996; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting and that said Resolution has not been rescinded or amended in any way.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 31st day of October, 1996

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:



Chairman, Tribal Business Council



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
FORT BERTHOLD AGENCY
P.O. BOX 370
NEW TOWN, NORTH DAKOTA 58763

IN REPLY REFER TO:

RANGE UNIT LAND WITHDRAWAL POLICY FORT BERTHOLD AGENCY

1. Landowners wishing to remove land from a range unit must contact the Range Office in person and sign the land withdrawal request in the presence of a witness, or, the signature must be notarized by a Notary Public.
2. Prior to any land being withdrawn from a range unit, the Range Office will research Agency records. The withdrawal application will be denied if income from the land to be withdrawn is encumbered for any reason.
3. The landowner(s) must fence their land separate from the range unit PRIOR to the effective date of withdrawal, or the land will not be withdrawn. The cost of the fence construction will be at the landowners expense.
4. The fence must be constructed of the type and quality to be adequate to prevent livestock trespass. The fence must be at least a standard four barbed wire .
5. Homesite leases within a range unit or farm pasture lease will contain a provision requiring the homesite to be fenced separate from the range unit or farm pasture lease prior to occupying the home.
6. The land withdrawal notice must be signed by 100% of the landowners of any given tract of land requested to be removed.
7. Completed land withdrawal requests must be submitted by May 1 preceding the annual anniversary date (Dec. 1) of the permit.
8. When land owners make an application to withdraw land from a range unit, the permittee will be notified in writing of the landowners intent to remove their land.
9. The Superintendent must give the existing permittee 180 days notice of the withdrawal prior to the annual anniversary date (Dec. 1) of the permit pursuant to 25 CFR 166.15, unless all parties mutually agree with the withdrawal. Withdrawal will be effective on the annual anniversary date of the Grazing Permit.

This policy is hereby effective this 31st day of October, 1996

Approved by: Adeline Brunzell Superintendent

Concurred by: [Signature] Chairman,