



3-15-1950

Statement by the Three Affiliated Tribes Tribal Business Council Regarding Flood Relief, March 15, 1950

Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation

[How does access to this work benefit you? Let us know!](#)

Follow this and additional works at: <https://commons.und.edu/burdick-papers>

Recommended Citation

Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, "Statement by the Three Affiliated Tribes Tribal Business Council Regarding Flood Relief, March 15, 1950" (1950). *Usher Burdick Papers*. 1.

<https://commons.und.edu/burdick-papers/1>

This Book is brought to you for free and open access by the Elwyn B. Robinson Department of Special Collections at UND Scholarly Commons. It has been accepted for inclusion in Usher Burdick Papers by an authorized administrator of UND Scholarly Commons. For more information, please contact und.common@library.und.edu.

CARL WHITMAN, JR.
Chairman

JOSEPH PACKINEAU
Vice Chairman

MARK MAHTO
Secretary

JAMES HALL, SR.
Treasurer

MEMBERS OF THE
COUNCIL

NATHAN L. SOLDIER
B. J. YOUNGBIRD
BENEDICT HEART
JAMES DRIVER
JOHN BAD BRAVE

Tribal Business Council

THREE AFFILIATED TRIBES
HEADQUARTERS—ELBOWOODS, NORTH DAKOTA
TELEPHONES 2411-2461

Superintendent
R. W. QUINN

STATEMENT FOR CARL WHITMAN, JR., CHAIRMAN,

TRIBAL BUSINESS COUNCIL
Three Affiliated Tribes,
Fort Berthold Reservation
To Secretary of the Interior

Mr. Secretary, ladies and gentlemen:

It is with a certain sense of relief that we come here today to transmit our formal acceptance of Public Law 437. Taking this step that brings us closer to our exile relieves somewhat the tension that has been building up in us throughout the years since we have been threatened with inundation. But we take this step sadly.

The majority of our people voted to accept the provisions of the Act. Their action was the direct result of the action of the Council. We advised them that if we should reject the Act, the next offer of the government would probably not be even as good as the one we were considering, but that if we should accept it, we could still ask Congress to amend it and Congress would consider and possibly act to delete the inequities in the law.

While we were canvassing our members on the acceptance of the Act, we also engaged in the constructive activity of making a survey of the desires and needs of the families of the Taking Area and formulating a program for the removal and reestablishment of these families. I am submitting herewith a copy of our program and requesting your early approval and cooperation so that we can put it into effect at the earliest date possible.

The main feature of our plan is to provide the affected families with a source of credit in reality, advances on payment of compensation for individual lands, to help them obtain new lands and establish themselves as the opportunity presents itself, instead of forcing them to wait until their lands have been appraised and their money turned over to them. We believe that by this method we can better assure that money received for capital assets lost will be reinvested in other capital assets and by this, will not be dissipated while the owner searches for a new home in a rising real estate market; that it will make for a gradual and orderly removal; and that it will result in a general rise in the standard of living of the members of the tribe.

We have divided this program into three parts--a credit and extension program, a tribal land program, housing, and a water development program.

Our land program is designed to place our members on lands, the area and location of which will be suitable for effective use in accordance with the desires of our members. It contemplates creation of a tribal land pool to permit exchanges and sales to individual Indians. For this purpose we need \$1,500,000 of our money.

Our credit program is designed to advance money against receipt of compensation for losses in the Taking Area for housing, machinery, livestock, operating expenses, and non-agricultural enterprises. For this purpose we need about \$3,000,000 of our money.

Our water development program contemplates the immediate development of wells and springs so that these sources of water may be taken into consideration in the selection of individual land units by the members who must move from the Taking Area. For this purpose we need \$150,000 of our money.

We need the help of the Department in getting these sums appropriated from the money to our credit in the United States Treasury. We trust that we will have your support, advice, and assistance.

We have accepted the Act. We have high hopes of an orderly resettlement of our people. And we are going forward with an effort to get Congress to buff some of the rough edges off of the Act and return to us some of the rights and privileges which we lost when the Senate rejected provisions in House Joint Resolution 33 which had been approved by this Department, the House of Representatives, and the President of the United States. We have the assurance of Senator O'Mahoney, Chairman of the Senate Committee on Interior and Insular Affairs that he will appoint a Subcommittee to hear testimony on our proposed amendments and will support any reasonable requests that we may make. He assured us also that these requests could be considered as well after as before acceptance of the Act by the Indians. We trust that this Department will give us its aid and support in obtaining amendment of the Act to clarify some of its provisions, and erase some of the inequities which crept in against your recommendations.

RESOLUTION OF TRIBAL
BUSINESS COUNCIL
CONCERNING GARRISON DAM SETTLEMENT

Whereas, by an Act of Congress, dated December 22, 1944 a program for the control of the Missouri River and the development of the valley of that river was authorized to be undertaken and completed, but beginning six months after peace was declared after the end of World War II; and

Whereas, the entire program so authorized, was put into effect and actually begun by an Act of Congress called the Civil Functions Act, War Department, 1945, even though no peace had been made; and

Whereas, the Missouri River Program involved the taking of hundred of thousands of acres of lands held by Indians under treaties with the United States which lands were and still are the very heart of the last depleted holdings of the Indians, including particularly the lands of Three Affiliated Tribes of Fort Berthold Reservation, North Dakota; and

Whereas, we, who now present this Resolution are a majority of the Tribal Business Council of the same Three Affiliated Tribes and as such Council we now declare that no notice, no hearing and no information was ever given to us or to our people in regard to the two Acts of Congress mentioned above and that we heard about the Missouri River Program and the starting of the project only by chance late in the year 1945; and

Whereas, the Tribal Business Council sent delegates to Washington, D.C. in the spring of 1946 to protest against the proposed taking of our river bottom lands as being a breach of our Treaty of September 17, 1851 with the United States, and as threatening to ruin and destroy all of us on Fort Berthold Reservation by the creation of a great lake on the very land where nearly all of our people live; and

Whereas, our delegates were assured that full hearings would be accorded to us and on May 25, 1946 we met in council with Maj. Gen. Louis Pick, who was then Division Engineer, Corps of Engineers and we, then and there, offered to give, without cost, to the United States a more desirable alternate dam site at a point up river from the proposed dam site near Garrison, N.D., but our offer was not accepted and was completely disregarded; and

Whereas, we renewed our offer to the Congress to give to the United States the alternate dam site when the Civil Functions Act for 1947 was pending, but were told that the Garrison Dam would be constructed and that we would be flooded out of our homes, regardless of our treaties and our rights, but that no money in that Act would be used for the construction of Garrison Dam until lieu lands were offered to us "comparable in quality and sufficient in area" to compensate us for the lands which were surely to be taken from us; and

Whereas, in November 1946, the Secretary of War offered to the Secretary of the Interior a tract of land on Knife River, N.D. as meeting the letter of the law, but the offer was refused as not meeting the requirements of the Act by the Secretary of the Interior on Dec. 21, 1946; and

Whereas, we sent delegation after delegation to Washington in the spring of 1947, all pleading for relief from the impending disaster, which grew closer and

closer, which delegations were largely disregarded but did result in a section being added to the War Department Civil Functions Act approved July 31, 1947 which appropriated the sum of \$5,105,625, (which sum was never agreed to by the delegates) conditioned on the making of a contract between us and the United States providing for the conveyance of our bottom lands to the United States, which contract was required to be submitted to Congress before the 1st day of June, 1948, which contract after months and months of effort and negotiation with Interior Department and the Corps of Engineers was made and accepted by a majority of our people, all in good faith, and upon specific conditions that justified our belief that the United States would not leave us naked with the miserably inadequate sum of \$5,105,625 for our lands which were worth more than four times that sum as the heart of our lives and our livelihood and for which we would not willingly have taken ten times the sum offered, and

Whereas, that contract, bearing our approval, but subject to supplemental provisions, was presented to Congress in House Joint Resolution 33, 81st Congress, which was passed by the House of Representatives upon our showing by printed brief and supported by full testimony on every point that the land was worth to us at least twenty million dollars, but was amended in the Senate and finally resulted in a report by the Committee on Conference and passed and is the Act of October 29, 1949, Public Law 437, which law, even though it provides a total of \$12,605,625, leaves us far short of the quality of justice and mercy that we, or any other people are entitled to have at the hands of our own country, and

Whereas, Section 1 of said Act provides "that if within six months from the date of its enactment the Three Affiliated Tribes of the Fort Berthold Reservation accept the provisions of this Act by an affirmative vote of a majority of the adult members, the sums herein provided for shall be made available as herein specified; and all right, title and interest of said tribes, allottees and heirs of allottees in and to the lands constituting the Taking Area . . . shall vest in the United States;" and

Whereas, said Act provides that the sums therein appropriated shall bear interest at 4 percentum per annum from the date of acceptance of the Act until disbursed; and

Whereas, on the effective date of the Act, there were 991 adult members of the Tribes eligible to vote for acceptance; and

Whereas, the Tribal Business Council considered the fact that the Act did not give to the Tribes many of the rights guaranteed to them by the contract theretofore negotiated with the United States Army, and suggested certain amendments for that purpose and others; and

Whereas, the Three Affiliated Tribes received appropriate assurances that the proposed amendments to the Act could be considered after as well as before the Indians would pass upon the measure as it now stands, and also that said proposals would be heard by a proper Committee of Congress, and so recommended to the Indians that the Act be accepted; and

Whereas, the Council determined a time and method of distributing and collecting ballots, and the votes were received under the supervision of members of the Council; and

Whereas, on March 5, 1950, there had been received 525 affirmative votes of adult members of the Tribes, whose right to vote was certified by Joseph Packineau, Jr., Vice Chairman of the Tribal Business Council, B. J. Youngbird, Councilman and R. W. Quinn, Superintendent; and the said votes were delivered to the Superintendent in his capacity as duly authorized representative of the United States; and

Whereas, the Chairman of the Tribal Business Council, Carl Whitman, Jr., the Vice Chairman, Joseph Packineau, Jr., Treasurer, James Hall Sr., the Secretary, Mark Mahto, and Councilmen B. J. Youngbird, Ben Heart, and James Driver, Jr. counted, and verified the authenticity of, the votes and the accuracy of the count; and

Whereas, the inundation that for years has confronted our people has now become imminent and it is desperately urgent that they may be enabled to move at once to more secure locations, such new locations having in many instances already been chosen, and further delay in the moving of these persons to their new homes would prevent the putting in of crops for the coming season and cause the loss of another year's income, which loss can be avoided only if money for the purpose is made available within the next few days;

NOW, THEREFORE, BE IT RESOLVED:

1. That by reason of the vote above described, the Tribal Business Council proclaims that the Tribes on March 5, 1950, accepted the provisions of said Act in accordance with the terms thereof;
2. That the Commissioner of Indian Affairs is urged to provide funds from those appropriated in the Act for the necessary preliminary steps in moving people from the Taking Area if possible within the next ten days, with the approval of the Tribal Business Council;
3. That a fund of \$5,147,000 out of the funds placed in trust for the Tribes should be made available immediately for loans to Indians to meet the emergency created by the Act without incurring delays incidental to determinations of values and payment for said land, and for other purposes set forth in the attached plan;
4. That the Government should proceed immediately to construct the new public facilities that are necessitated as a result of the building of Garrison Dam;
5. That dates be set as soon as possible for hearings upon the proposed amendments to the Act;
6. That the Secretary of the Interior should give his support to said amendments pursuant to the policy evolved during the consideration of the Act;
7. That the Secretary of the Interior should maintain the signed ballots together with the certificate of the Superintendent in the Archives or other place of safekeeping, as a permanent record of the acceptance of the Act by the people of the Tribes;

8. That the Council expresses gratitude to all those people in the government, in the Congress and elsewhere who supported the rights of the Indians and struggled for their preservation;

9. That the Secretary shall transmit a copy of this resolution, together with a copy of the Certificate of the Superintendent, to the President of the United States, the President of the Senate, the Speaker of the House, the Chairman of the Senate Committee on Interior and Insular Affairs, and the Chairman of the Subcommittee on Indian Affairs of the Committee on Public Lands of the House of Representatives, and that the Chairman shall deliver a copy thereof personally to the Secretary of the Interior.

SIGNED: Darl Whitman, Jr., Chairman
Joseph Packineau, Jr., Vice-Chairman
James Hall, Sr., Treasurer
Ben Youngbird, Councilman
James Driver, Jr., Councilman
Ben Hart, Councilman

This is to certify that the above resolution was considered at a meeting duly called and held on the 15th day of March, 1950 of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservatoon, at which 7 members of the Council, constituting a quorum were present, that the resolution was adopted by a vote of 6 to 0, and that it has been neither rescinded nor amended, that all of the said members present have signed this Resolution.

/s/ Mark Mahto
Secretary

Approved: R. W. Quinn, Superintendent

TRIBAL EXTENSION AND CREDIT PROGRAM

A recent survey made during the month of December, 1949, of 198 families having some source of agricultural income during the year, showed that 174 families wished to remain on the reservation and participate in some form of agriculture as a livelihood.

The survey also showed that the above agricultural families desired to move to the following Segments of the reservation:

(a)	Western Segment	89
(b)	Southern Segment	14
(c)	Eastern Segment	32
(d)	North East Segment	3
(e)	Northern Segment	8
* (f)	Undecided	28
		<u>174</u>

*The 28 families expressed their desire to remain on the reservation but are undecided where they plan to move. These families are waiting on future over-all developments.

Inasmuch as a satisfactory method of making land available for Indian use is the key to the future economic security, it is important that a well planned land program be inaugurated at the outset.

Approximately 95% of the farm families interviewed indicated a desire to engage in an individual land consolidation program in one of the Segments of the reservation, and they now have some equity in the land holdings. In many cases their land holdings will not be usable due to the fact that they will be inundated by the Garrison Reservoir; or are widely scattered in uneconomic units; or are otherwise not suitable because of location or type.

Operators desire to convert these interests into usable land holdings which will take the form of base properties around which they will plan and develop their enterprises. It may not be possible - or advisable for individual operators to own all the necessary land for their operations, especially those engaged in straight ranching, and it may be necessary to make a portion of the land available to the users by means of lease, unit permit, tribal assignments or tribal recoverable permits other than grazing. In this way it may be possible to reduce the amount of credit funds that would otherwise be required for the purchase of land. However, without doubt it will be necessary to provide some funds for the use of younger applicants as the land holdings tend to concentrate in the older age groups.

As a general rule, all the income derived from land lost from the taking area or any lands sold in the residual area, would be applied on the land purchase program of the individual.

Due to the inundation of strategic land bases by the Garrison Reservoir, the agriculture program on this reservation is faced with a complete change in methods of operation of livestock enterprises. The reason for this is that future operations will be without access to present optimum conditions afforded by sheltered bottom lands. The agricultural credit and repayment cattle program has in the past few years accelerated into a program which involved in 1949 a total of 198 families who had agricultural incomes. However, the tables shown below will indicate that only a small percent of these families have agricultural units of sufficient size to command a self sustaining income. The economy on the reservation has been centered largely around beef cattle production and it is anticipated that future operations will be in the main, either livestock or a combination of livestock and supplemental feed crops, and with some cash crops. Of the 6237 cattle owned by 188 families, 2874 are owed the Tribe by individuals on a repayment in kind basis. Since the inception of a \$200,000 revolving credit program, much progress has been made toward the objectives of raising farm family incomes to a self sufficient amount. It has been possible in the last two years to purchase power equipment which has been used to harvest and store hay and do the necessary field crop operations. The total acreage planted to field crops in 1949 was 6288 acres as compared to 4043 acres in 1948.

The following tables show the distribution of families by estimated gross agricultural income in 1949, (Table A) and the distribution of families by number of beef cattle owned. (Table B).

TABLE A

Total No. having agricultural income	Distribution of Families by Estimated Gross Agricultural Income						
	Under 250	250 to 499	500 to 749	750 to 999	1000 to 1249	1250 to 1499	1500 and over
198	22	21	35	24	17	15	64

TABLE B

No.	Distribution of Families by Number Beef Cattle Owned									
	105	6-10	11-20	21-30	31-40	41-50	51-75	76-108	101-150	151-200
Families	15	14	31	46	25	17	22	8	8	2

By relocating the 174 families having an agricultural income and who desire to continue in agriculture, it is the hope that almost all of them can be rehabilitated and their economic status improved by establishing them on suitable farming or grazing lands. In order to accomplish this rehabilitation of farm families an estimate was made of credit funds needed for this purpose. These credit fund needs could be classified as follows:

(A) For Home and Farmstead, including walls and all farm buildings	\$1,218,000
(B) Machinery	650,300
(C) Livestock	953,700
(D) Operating Funds (for first two years operation)	125,000
(E) Individual Non Agricultural Enterprises	<u>50,000</u>
Total	\$2,997,000

(A) Home and Farm Needs

The above cost for new home and farmstead construction, together with proper repairs and improvements or additions to buildings, was arrived at by an actual survey of each individual family and an estimate made of the costs involved. A complete set of buildings will be necessary in some instances, the number depending on the size of livestock enterprise planned. In other cases the home and farmstead will consist of only the house, with one or two smaller buildings to house the livestock, machinery, etc.

Costs of housing and farmstead buildings were estimated on the basis of the proposed Saw Mill Enterprise being initiated and allowing families to purchase building materials at the lowest possible cost. Construction of wells for family use were also included in the Home and Farmstead item.

The total cost of this item would be approximately \$1,218,000, or an average of about \$7,000 per family. As other families, other than the 174 families, become interested in agriculture, or young families just starting out in a livestock enterprise, provisions will be made to finance the home and farmstead development through repayments being made by present farm families.

(B) Machinery

This item included an estimate of all types of machinery needed for conducting farming operations. The cost was determined after the sizes of each family enterprise was established. Types of machinery needed will be largely power equipment in view of the type of farming to be practiced.

Total estimated cost of this item - \$650,300

Average cost per family - \$3735

(C) Livestock

This item included the financing of livestock enterprises for all 174 families. It is proposed that the unit for some families now in the livestock business would approach 200 head, and in no instance would the number fall below 50 head, with the majority having a unit of between 75 and 100 head.

In order to improve the quality of stock, only registered bulls would be purchased for use as sires.

Total estimated cost of this item - \$953,700

Average cost per family - \$5480

(D) Operating Funds

The majority of the families would need some funds for operating expenses during the first two years of operation. This would include funds for family living expenses, gas and oil for operation of power equipment, seed, feed, grazing fees, insurance, etc.

The total estimated cost of this item - \$125,000

Average cost per family - \$720

(E) Individual Non Agricultural Enterprises

These funds would be needed to establish a limited number of families in non-agricultural enterprises.

The following tables show probable schedule of advances and repayments of the \$2,997,000 needed to finance the agricultural and industrial program:

SCHEDULE OF ADVANCES

<u>Year</u>	<u>Families</u>	<u>Housing</u>	<u>Machinery</u>	<u>Livestock</u>	<u>Op.Exp.</u>	<u>Non.Ag.Ent.</u>	<u>Totals for all Purposes</u>	<u>Expected Repayments</u>	<u>Total Funds Needed</u>
1950	25	175,000	93,375	137,000	50,000	12,500	467,875	- -	467,875
1951	60	420,000	224,100	328,800	75,000	12,500	1,060,400	- -	1,060,400
1952	60	420,000	224,100	328,800	(75,000)**	12,500	1,060,400	60,400	1,000,000
1953	29	203,000	108,725	159,100	(58,000)**	12,500	541,325	72,600	468,725
1954	<u>(10)*</u>	<u>(70,000)**</u>	<u>(37,350)**</u>	<u>(50,480)**</u>	<u>(20,000)**</u>	<u>- -</u>	<u>177,830</u>	<u>177,830</u>	<u>- -</u>
TOTALS	174	1,218,000	650,300	953,700	125,000	50,000	3,307,830		2,997,000
Totals made from repayments									
		for 1954		(70,000)**	(37,350)**	(50,480)**	(153,000)**		

*New families to be started from funds available from repayments

**Amounts will be available from repayments for approximately 10 new families.

That portion of the loans covering Home & Farmstead to be repaid during a 20 year period.
 That portion of the loans covering Livestock & Machinery to be repaid during a 6-8 year period.
 That portion of the loans covering Operating Expenses to be repaid during a 1 or 2 year period.

TRIBAL LAND PROGRAM

The Three Affiliated Tribes, living in a farming and livestock country, realize that if we are to become self reliant in agriculture, we must find the means of over-coming the serious handicaps attendant to our present land ownership situation. The immediate need for a solution arises out of the Garrison Reservoir which inundates 155,000 acres of bottom land leaving the only upland grazing with very little arable land. For the most part we have never used these areas before. The relocation of some 300 families into the residual areas by October 1, 1952 accentuates the need for immediate action particularly when consideration is given to the fact that we must move into roadless areas without water development suitable for small cattle operators and that we must build our cattle shelters and all other farmstead structures.

In coming to these conclusions, we are being mindful of the needs and desires of the majority of our people. House to house surveys have been conducted, meetings held over a period of two years and since the passage of Public Law No. 437 - 81st Congress, we have intensified our discussions in all reservation districts and in nearby towns where small groups of our people reside and from this widespread investigation we have ascertained the needs and problems of our people. Before presenting our recommendations, the problem should be analyzed.

In contemplation of the land problem we must realize that not all of our families are interested in Agriculture, some desire only a homesite with garden and some pasturage, others want to sell and leave the reservation and still others will be content to lease their lands and work for wages or live from other sources of income. The most difficult problems face those who would use the land to further their agriculture enterprises. As closely as can be ascertained we have about 174 such families. They now own some 168,000 acres in the residual areas and they will need some 249,000 acres of land over and above what they now own in order to operate successfully. These acreages are based on the average needs of some 200 families now in agriculture to a wide varying degree interviewed within the past 3 months. Agricultural families will need approximately 417,000 acres of land.

The complicated present ownership of our land stems from the fact that since 1895 some 3401 allotments were made varying in size from 40 acres tracts to 320 acre tracts. Soil and range surveys made by the Missouri River Basin Investigation Staff indicate that some 2500 acres are needed to establish an average straight 50 cow range unit consisting of 50 cows, 36 calves over 6 months old, 9 yearling heifers, 4 yearling steers, and 2 bulls and that a straight farming unit would require at least 640 acres for this area and preferable 800 acres. We learned from a recent survey that some 46 families want only a straight livestock program, 4 want straight farming and some 124 want livestock with some crops. It is apparent therefore that the size of the allotments were totally inadequate and the land base allotted to our people were made to follow a set pattern rather than to meet the agricultural needs of our people. Since the days our people were first allotted, we have found our land ownership becoming increasingly complex because the progressive subdivision of the allotments has continued as owners and heirs have died.

Of the 1242 allotments in the taking area, which were the first ones made, 358 are owned by living allottees age 55 and older, 174 held by restricted deed and 710 are in heirship status. Those allotments in heirship status have disintegrated to 4240 undivided interests. The same situation to a lesser degree is found in the land in the residual areas. The ownership of land is now centered in the older tribal members, much of our land is owned by non-enrolled Indians, and there are some 44,130 acres of alienated lands in the five segments. Coupling these facts with the heirship problem the absolute necessity for establishing a Tribal land acquisition and adjustment program is clearly apparent.

The following tables and charts were taken from the Social and Economic Report and amendments thereto prepared by the Missouri River Basin Investigation Staff and graphically depict the situation herein described:

TABLE OF LANDS IN RESIDUAL SEGMENTS

Designation of Segment	Total acreage in segment	Indian owned	Alienated	Indian Land by type	
				Under farm lease in 1947	Used for grazing in 1947
Northern	25,482	19,860	5,622	4,227	15,633
Northeastern	27,591	21,432	6,159	11,418	10,014
Southeastern	85,051	67,378	17,673	18,155	49,223
Southern	79,658	74,498	5,160	4,480	70,018
Western	<u>252,761</u>	<u>243,245</u>	<u>9,516</u>	<u>3,397</u>	<u>239,848</u>
Total	470,543	426,413	44,130	41,677	384,736

INDIVIDUAL LAND OWNERSHIP BY AGE OF UNROLLED INDIAN

Acres owned	<u>AGE OF ENROLLED INDIAN</u>										
	<u>0- 15</u>	<u>16- 20</u>	<u>21- 25</u>	<u>26- 30</u>	<u>31- 35</u>	<u>36- 40</u>	<u>41- 45</u>	<u>46- 50</u>	<u>51- 55</u>	<u>56- 60</u>	<u>over 60</u>
none	714	118	36	6	2	0	3	2	1	1	4
1-100	32	53	40	11	5	2	8	5	5	2	3
101-200	13	32	26	6	4	5	8	4	2	1	7
201-300	0	6	14	17	7	13	11	10	8	5	8
301-400	0	7	11	47	40	20	11	10	7	1	9
401-500	5	1	2	8	7	10	9	6	7	4	7
501-600	1	1	1	8	3	6	7	4	5	4	6
601-700	0	0	0	4	7	2	5	9	5	3	8
701-800	0	0	0	2	1	2	5	7	3	5	6
801-900	1	1	0	1	4	2	2	1	2	2	5
901-1000	0	0	0	1	1	1	2	2	2	1	5
1001-1100	0	0	0	1	0	1	4	1	0	1	5
1101-1200	0	0	0	0	2	1	0	3	2	1	3
1201-1300	0	0	0	0	1	0	1	0	1	1	2
1301-1400	0	0	0	0	0	1	2	2	1	0	3
1401-1500	0	0	0	0	0	0	0	0	0	0	0
over 1500	0	0	0	0	1	0	1	0	0	4	7

NUMBER OF PIECES OF LAND OWNED OUTSIDE TAKING AREA

No. Pieces Land Owned

No. Families Owning Land

0	34
1	33
2	26
3	22
4	22
5	21
6	21
7	29
8	16
9	18
10	19
11	21
12	20
13	13
14	13
15	10
16	16
17	11
18	5
19	4
20	5
21	5
22	3
23	8
24	6
25	4
26	2
27	2
28	0
29	2
30	2
31	1
32	1
33	1
34	0
37	1
47	1
48	1
57	1

In the past approximately 63,510 acres of allotted land have been placed in fee patent status of which 60,085 acres has been sold to non-Indians; this is approximately 95%. Should any appreciable amount of land go into fee patent status the margin for Indian use would drop below the needs of the people. Already 134 families have expressed a desire to sell or lease about 108,000 acres of land with an additional 114,000 acres in an undetermined status with respect to sale.

With the possibility of sales being considered by owners holding some 222,000 acres of land and in view of our past history of fee patents it is essential that the tribe meet this problem. Many plan on moving to their own allotments; however, if a large pool of tribal holdings were available exchanges could be affected which would place people on lands not on the basis of present ownership but on the basis of desirable locations both from an agriculture and homesite point of view. We are attaching to this report a copy of the Superintendent's report to the Commissioner wherein the agricultural problems are thoroughly discussed.

In contemplation of the finances to fully cover this program there are five factors involved:

1. Land purchases by individuals using proceeds from damages sustained by the Garrison Dam.
2. Land purchased by Individuals through revolving credit funds which ordinarily will be resorted to as a supplement to Item 1 hereof.
3. Tribal land purchases.
4. Exchanges between individual and the tribe.
5. Sale of tribal land to individuals.

The success of Items 1, 2, 4 and 5 will depend a great deal on the effectiveness of Item 3, Tribal land purchases. In the Social and Economic Report prepared by the Missouri River Basin Investigation Unit they recommended the purchase of 1/3 of the residual land base to be used in a large revolving pool. The Tribe will have no trouble in these transactions particularly from the older factions. The other item to be considered in the Tribal land purchasing program is the alienated lands within the reservation. It is our belief that as Indian use of land is accelerated the non-Indian owners who have only a small base will be anxious to sell particularly if a fair and reasonable price would be met. The following estimates of costs and types of land with the prices prescribed after considerable thought on the part of those people versed in reservation land values sums up the Tribal Land Acquisition Program.

Alienated Land to be Purchased by Tribe

<u>Segment</u>	<u>Acres Grazing</u>	<u>Cost Grazing</u>	<u>Acres Farm</u>	<u>Cost Farm</u>	<u>Total Cost</u>
Northern	2322	23,220	3300	82,500	105,720
Northeastern	2559	25,590	3600	90,000	115,590
Western	7612	76,120	1904	47,600	123,720
Southern	4100	41,000	1060	26,500	67,500
Eastern	8873	88,730	8800	220,000	308,730
	<u>25,466</u>	<u>\$254,660</u>	<u>18,664</u>	<u>\$466,600</u>	<u>\$721,260</u>

The cost of the alienated land is based on \$10 per acre and farm land at \$25 per acre, both values to include improvements. These, of course, are average costs. It is expected that out of the \$3,280,270 to be paid to individuals for damages at least \$200,000 of this type of land should be purchased by individual Indians. As a consequence we believe that not to exceed \$500,000 of tribal funds need be used to acquire these properties. We estimated grazing land on the following percentage basis: Northern Segment 40%, Northeastern Segment 40%, Western Segment 80%, Southern Segment 80%, Eastern Segment 50% with the remainder being farming land.

With respect to allotted and heirship land it has been estimated that one-fourth of the residual land base would cost an estimated \$999,665 to purchase. Page 60 of the Social and Economic Report prepared by the NRBI group. Because some of these lands will also be purchased by Indians, it is our belief that approximately a \$1,000,000 would be needed to secure an adequate tribal land pool to permit exchanges and sales to individual Indians. This amount of land would serve to reduce our land heirship problem and also to meet the needs of our people.

We recommend therefore that \$1,500,000 be appropriated out of funds provided in Sec. 12 of Public Law No. 437 to implement this program immediately.

TRIBAL WATER DEVELOPMENT PROGRAM

One of the most vital needs for the establishment and continuation of a successful livestock program is an ample supply of suitable water. The grazing land in the residual areas of reservation have for the most part undetermined water problems which have not been acute because small sustained ranch and farm units have not been maintained on a large scale. Ranchers under grazing permits have used the land and water supply to its best natural advantages and have not developed additional supplies of water. Ranges as a consequence were not used to their fullest extent. Few non-Indian ranchers live within the residual areas, particularly is this true of the Western Segment. They have off reservation ranch headquarters using Indian land to supplement their home ranches.

Indian cattle operations on the other hand will require permanent home sites within the reservation with necessary pasturage immediately adjacent to their ranch operations. The development of a large number of these units will require efficient distribution of water. Average normal rainfall is about 16 inches but we have experienced as little as 5 inches in one year and as much as 27 inches in one year. Extreme temperatures have been recorded from 112° above to 56° below zero. Cattle operating under these conditions must have feed, shelter and water. Recent soil and moisture surveys indicate only a small amount of arable land with the bulk of the residual areas running to upland grazing classified from very good to bad lands.

With the development of a large number of small cattle operators almost all of the remaining lands will be needed and the relocation of families should be on a selected homesite basis depending on the type of livestock and farm program desired. With this in mind water development could feasibly precede the actual settlement by families provided the selection of well locations would be governed not only by a geological study but also by a detailed agricultural appraisal of the unit keeping in mind homesite locations, hay land, available springs and any other factor that might enter into the planning. The reservation has a large number of springs and these should be developed. Considerable thought should also be given to stock water dams.

It will be difficult to proceed with a relocation program until roads and schools are decided upon; however, we believe a good substantial supply of water will be a real benefit to the range and will make the location of homesites desirable even though some of the other factors are not too encouraging.

The Tribal Business Council may deem it necessary to take easements of some nature to insure full use of each well to advantage particularly in the case of multiple users. Wells will be located for the most efficient use of the range.

During 1949 the Geological survey began a detailed water survey in the Eastern Segment with some preliminary investigation in the Western Segment. During 1950 plans have been completed for the Geological survey to make a detailed survey in the Western Segment and also in the Southern Segment if time permits. Preliminary investigation indicates that as a general rule water can be found at the 200 feet level in the Fort Union and Lignite formations and that water will probably rise to within 70 feet of the surface. This water

is satisfactory for stock usage; however, it has a high percentage of sodium bicarbonate which tends to discolor some foods, but it is satisfactory in most instances. Shallow wells suitable for domestic purposes but lacking in volume for stock water purposes can also be readily located in most cases.

The G.S. had originally planned to locate only a few test wells which were not to be cased, but in view of the need for a considerable number of wells throughout the reservation, they have agreed to greatly increase these drillings provided the Tribal Business Council would be willing to finance the cost of the additional drillings and casings of all wells. The location of wells under their expert guidance would increase the percentage of successful drilling and would result in a real saving to the Tribe. The G.S. has also agreed to advertise for the drilling contracts and to facilitate the program as much as possible provided the financing can be arranged by the Tribal Council. The Missouri River Basin Investigation funds will be used only for the purpose of making the survey by the G. S.

The G.S. has recommended 4" heavy casing and if possible 5" casings. The life of such wells would be from 30 to 50 years depending on the casings used. Cost of drilling has been estimated at \$2.00 a foot and the cost of casing and screens from \$2.00 to \$2.50 per foot. The cost of the pump and windmill will be approximately \$300. The Tribal Business Council felt that the well pump and windmill should be furnished by the users so that well construction cost would involve only drilling and casing. Each well will have a platform or cement slab for sanitation and as added protection to the well.

From maps showing tentative location of proposed homesites and the known location of springs and other natural sources of water the G.S. has estimated the need for approximately 110 wells throughout the entire reservation. The wells and the cost thereof would be located in the following segments:

<u>Segment</u>	<u>Number Wells</u>	<u>Cost Each Well</u>	<u>Total Cost</u>
Western	55	1000	55,000
Northern	6	1000	6,000
Northeastern	6	1000	6,000
Eastern	22	1000	22,000
Southern	21	1000	21,000
Total cost of wells			<u>\$110,000</u>

In addition to cost of wells we would also desire to develop the springs on the reservation and at this time we have no way of estimating the cost of spring development. The G.S. will explore spring supplies of water for us and determine the springs that should be developed and what would be the best method of bringing the springs to their best efficiency. For this phase of water development we desire to set aside \$40,000 in the hopes that when a SMCO unit is established on our reservation these funds would materially contribute to the establishment of a spring development program for the entire reservation or for other projects for improvement of the reservation.

We therefore recommend that \$150,000 from these funds be made available pursuant to section 2 (b) of the Act of October 29, 1949 and that it be earmarked for the purpose herein outlined.

TRIBAL HOUSING PROGRAM

The major portion of the houses on the reservation have always been constructed of logs and it has only been in recent years that any appreciable number of Indian homes have been of frame construction. Indians have used log construction because of the accessibility of the material and because their economic standards have not permitted the frame type of construction in homes to materialize. Log houses are generally warm and are easily moved and do not require the craftsmanship required in frame houses.

Generally speaking Indian homes are below standard in construction, room space is inadequate and they are frequently without adequate windows and doors. These conditions are not conducive to progressive educational, health or economic development. The Missouri River Basin Investigations Unit report indicates the present type of construction as follows:

Log	42 percent
Frame	55 "
Stucco(over log)	3 "

The following chart taken from Report No. 94 of the Missouri River Basin Investigations shows the following house sizes in relation to the number of persons:

Number of persons living in each household	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>Total number of rooms in these houses</u>
1	12	4	2	2	0	1	0	40
2	8	5	1	2	6	3	1	84
3	8	15	2	4	4	3	0	98
4	9	8	5	9	6	2	1	125
5	7	9	8	4	1	5	0	100
6	10	13	2	5	5	2	0	99
7	4	7	4	6	1	1	1	72
8	4	8	3	7	2	3	0	85
9	2	5	2	3	2	2	0	52
10	3	5	1	1	2	0	0	30
11	0	1	4	1	3	0	0	33
12	0	1	2	2	0	0	0	16
13	0	0	0	0	1	0	0	5
17	0	0	1	0	1	0	0	8
Total	67	81	37	46	34	22	3	

847 rooms
290 households
1585 individuals

The future need of housing is an urgent need. Many plan to construct new homes; however, many will not be able to finance such construction nor will they be able to plan homes or supervise the completion of new homes. With these factors in mind the Tribal Business Council feels that these needs should be met by the development of a housing program to be financed by long term loans patterned after the needs of and ability of the people to repay such loans. The administration of a reservation-wide housing program should be centered under an able administrator.

Part of the cost of a housing program will be met by loans under the Tribal Extension and Credit Program for the agricultural people; however, those Tribal members who do not have an interest in agriculture should also have a source of credit available for the construction of homes. On the premise we believe that an additional \$500,000 of tribal funds should be set aside to develop a well organized Tribal Housing Program.