



## THREE AFFILIATED TRIBES NATURAL RESOURCES DEPARTMENT

Fort Berthold Indian Reservation  
404 Frontage Road – New Town, North Dakota 58763-9404  
Office: (701) 627-6100 / Fax: (701) 627-2393

### WHAT ARE THE PROCEDURES FOR A TRIBAL HOMESITE?

- 1) Complete **TRIBAL HOMESITE LEASE APPLICATION** at Natural Resources Department (NRD).
  - Complete application, must include your printed name/current address/current telephone number/current photo identification, and applicant signature.
- 2) Identify **WHAT TYPE** of home you will have: **mobile home/manufactured (double-wide)/etc.**
- 3) Identify **WHICH SEGMENT** you want to live in:
  - City Lot
  - Subdivision
  - Scatter Home Site
- 4) Identify availability of necessary utilities (i.e., electricity, water, sewer, roads). **Applicant is responsible to apply for all individual services as needed.**
  - a. Septic system, (i.e., drain field or tank), contact the Public Works Office at (701) 627-5291.
  - b. Access Road to home site, contact the TAT Roads Department at (701) 627-3716.
  - c. Water line installation, Fort Berthold Rural Water at (701) 627-8185.
  - d. Electric Company that services area.
  - e. Phone/Internet/Cable Company services the area.
- 5) **Meet with Segment Representative/Staff to obtain approval; written approval must be submitted to NRD.**
- 6) Landowner will comply with NEPA and THPO requirements and clearance. A reservation-wide environmental assessment is available from Bureau of Indian Affairs (BIA) on tribal home site locations.
- 7) Natural Resources Committee (NRC) will review all tribal homesite applications during a regularly scheduled Natural Resources Committee (NRC) meeting. NRC will make recommendations for approval/disapproval/deferment/etc.
- 8) Upon NRC approval of home site, NRD will prepare a Tribal Resolution (which will include all applicable Right of Way's/Utility Corridors on tribal lands), which will then be forwarded to the next Tribal Business Council (TBC) Meeting for approvals.
- 9) Applications approved by TBC via Tribal Resolution will be returned to NRD *after the Secretary's Office obtains all signatures.*
- 10) Prior to lease signing: Applicant must pay *Lease Preparation Fee* (\$20.00) to NRD by **money order/certified check/personal check only.**
- 11) A lease will be prepared by **TAT NRD**, lessee will then sign completed lease; the lease is between the Tribe and the home site applicant. *Please bring your \$50.00 lease payment upon signing a Lease by* **money order/certified check/personal check only.**
- 12) Lease will be forwarded to BIA for their review and final approval.
- 13) After BIA approval, NRD will mail lessee an official lease including all signatures, for your records.

**This application will stay active for a period of one (1) year.**

(If no action is taken within a year, a new application must be submitted to Natural Resource Department.)

**\*Always keep a copy for your records**

BIA Checklist & Guidelines  
Residential Leases

Landowner(s): \_\_\_\_\_

Allotment Number: \_\_\_\_\_ Lease Number: \_\_\_\_\_

Reservation: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_

Legal Description: \_\_\_\_\_ Section(s): \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Meridian: \_\_\_\_\_ Tract Numbers: \_\_\_\_\_

- Title Status Report—Check the Agency land file to verify ownership of this parcel. Check for a current certified TSR on file or other documentation in the file verifying land status. If there is not a current TSR order a Title Status Report from your local Land Titles and Records Office. A Certified Title Status report must be in the final residential lease file.
- Check with the Probate Office to see if the land has undetermined estates. If there are undetermined heirs, these lands can only be committed to a two year lease and that may not be practical for a home site lease.
- Draft Lease should follow the format suggested for the type of Residential Lease proposed.
- Appraisal Request—If the applicant submits an appraisal forward the appraisal to Office of Appraisal Directorate for review and certification. If the applicant does not submit an appraisal, request an appraisal.
- NEPA – Categorical Exclusion with Environmental Checklist, you can reference 30 BIAM for what types of leases require a Categorical Exclusion. Environmental Assessment and FONSI, you can reference 30 BIAM for what types of leases require an Environmental Assessment. Environmental Impact Statement, you can reference 30 BIAM for what types of leases require an Environmental Impact Statement. Wetlands Permit Archeological Clearance documentation.
- Obtain a subdivision plat, surveys, or maps to verify the land description.
- Verify ingress and egress.
- Check if utilities (services line agreements) are in place.
- Verify all required consents are obtained and include a Tribal resolution for Tribal land.
- If the lessee is a Housing Authority ensure that there is a Resolution from the Housing Board authorizing Housing Authority to enter into a lease.
- Verify bonding requirements in accordance with the terms and conditions of the lease.
- Assign a BIA transaction number.
- If the rental payment is not for a nominal rate, Issue Bill for Collection for rent due. Keep a copy of the Bill for Collection in the lease file.
- Collect first years rental payment all other fees.
- Prepare Change Order for Office of Trust Funds Management to set up a Special Deposit Account (SDA). Rental for lease on land wholly owned by the Tribe are deposited into a tribal treasury account. Rentals for lease on lands owned in part by the Tribe and individuals are deposited in a SDA.
- Prepare Journal Voucher and submit to OTFM.
- Prepare a Decision Letter recommending approval/disapproval, addressing all of the above factors. The recommendation should include a detailed explanation on how the recommendation was formulated.
- Approval/Disapproval by Superintendent.
- Provide Notice of Decision and appeal rights to all interested parties.
- Upon expiration of appeal process, approve lease.
- Fees and rental distribution
- Send lease to Land, Titles & Records for recording.



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## TRIBAL HOMESITE LEASE APPLICATION

Date: \_\_\_\_\_

- 1) I, hereby apply to lease, for the purpose of a homesite, the following described Tribal land for a period of twenty-five (25) years, beginning \_\_\_\_\_, 20\_\_ and ending \_\_\_\_\_, 20\_\_; with the option to renew for additional 25 years.  
Tribal Tract \_\_\_\_\_, described as \_\_\_\_\_,  
Section \_\_\_\_\_, Township \_\_\_\_\_ North, Range \_\_\_\_\_ West, Fifth Principal Meridian,  
North Dakota, containing 2.5/\_\_\_\_\_ acres at \$\_\_\_\_\_ per (circle one) MONTH or YEAR.  
**SEGMENT:** \_\_\_\_\_.
- 2) As additional consideration, I propose to place the following improvements on the land claiming no right of removal on the expiration of the lease: \_\_\_\_\_.
- 3) The following improvements will be placed on the land with the rights to remove them withing ninety (90) days after the expiration of the lease or as soon thereafter as the weather permits: \_\_\_\_\_.
- 4) In submitting this application, I hereby certify that I have read and understand, or have had explained to me and understand the Federal Regulations and other requirements in the leasing of Tribal lands held in trust by the United States of America for the Three Affiliated Tribes.
- 5) I further agree to respect all laws and customs of the Three Affiliated Tribes of the Fort Berthold Indian Reservation; including all enrolled TAT members.
- 6) I expressly agree to bind myself to the jurisdiction of the Fort Berthold District Court for the lease contract should be it be approved, in accordance with Tribal Resolution No. 76-1, a copy is attached for your records. \_\_\_\_\_ **(Initial)**
- 7) I also understand that I do not have legal right to enter on or use the lands in question until a lease contract has been approved by the Superintendent of the Fort Berthold Agency or his/her designated representative.
- 8) I understand that should I enter upon and utilize these lands without an approved contract approved by the Three Affiliated Tribes Natural Resources Committee and the Superintendent of the Fort Berthold Agency or his/her designated representative, I will be charged with trespassing, assessed damages and will forfeit any right that I may have had under this application.

\_\_\_\_\_  
Applicant Name **(Print)**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Applicant Address (City/State/Zip Code)

\_\_\_\_\_  
Phone Number(s)

**Enrollment Number: 301**

\_\_\_\_\_  
E-Mail Address

FOR OFFICE USE ONLY: (CIRCLE ONE)

APPROVAL

DISAPPROVAL



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**APPLICATION FOR EASEMENTS**

|   |           |           |
|---|-----------|-----------|
| NAME:   |           |           |
| COMPANY (IF APPLICABLE):  |           |           |
| CURRENT ADDRESS:  |           |           |
| CITY:   | STATE:    | ZIP CODE: |
| HOME PHONE:   | CELL:     | FAX:      |
| EMAIL:  |           |           |
| SEGMENT:  |           |           |
| PROJECT/MAP(S):   |           |           |
| UTILITIES: <input type="checkbox"/> ELECTRICITY <input type="checkbox"/> TELEPHONE <input type="checkbox"/> WATER <input type="checkbox"/> ROAD |           |           |
| SECTION:  | TOWNSHIP: | RANGE:    |
| ALLOTMENT:  |           |           |
| PURPOSE OF APPLICATION ( <b>CHECK ONE BELOW</b> )   |           |           |
| <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> TRUST <input type="checkbox"/> FEE            |           |           |
| NEPA COMPLIANCE:  |           |           |
| COMMENTS/NOTES:   |           |           |

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE

APPLICANT(S) WILL NEED TO CONTACT THESE OTHER DEPTS FOR THEIR APPLICATIONS/FORMS TO BE TURNED INTO THOSE DEPTS:

FORT BERTHOLD RURAL WATER SYSTEM WATER APPLICATION

PUBLIC WORKS – NEW CUSTOMER APPLICATION

SOLID WASTE – WASTE CONTAINER RENTAL AGREEMENT

ROADS WORK ORDER REQUEST FORM

Thank you!