



United States Department of the Interior

PACIFIC REGIONAL OFFICE
2800 COTTAGE WAY, ROOM W-2820
SACRAMENTO, CA 95825

2020079012

IN REPLY REFER TO:
Real Estate Services
TR-4609-P5

June 15, 2020

Case Number: 15562

NOTICE OF NON-GAMING LAND ACQUISITION APPLICATION

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, 151.11 Off-Reservation, notice is given of the application filed by the Northfork Rancheria of Mono Indians of California (Tribe) to have real property accepted "in trust" for said applicant by the United States of America. The determination whether to acquire this property "in trust" will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- (1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- (2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- (3) Any governmental services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, or inconsistent, with the zoning.

We provide the following information regarding this application:

Applicant:

Northfork Rancheria of Mono Indians of California

Governor's Office of Planning & Research

Legal Land Description/Site Location:

See "Exhibit A" for legal descriptions.

JUL 07 2020

STATE CLEARINGHOUSE

Project Description/Proposed Land Use:

The subject property consists of land containing 4.79 acres, more or less, commonly referred to as the Manzanita/TANF property and Assessor's Parcel Numbers 060-130-002 and 060-110-039. The Manzanita/TANF property is not contiguous to any other property currently held in trust for the Tribe. The Manzanita parcel currently contains a three story building that houses the Tribe's

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governmental and administrative offices. The TANF parcel is the current home of the Tribe's TANF building, transportation & training center, and housing services building. The Tribe has no plans to change the use of either parcel.

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.

This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act (NEPA) of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs office listed at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted one thirty day extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. Additionally, copies of all comments will be provided to the applicant for a response. You will be notified of the decision to approve or deny the application.

If any party receiving the enclosed notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy to said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act (FOIA), is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, please contact Alexis St. John, Realty Specialist, at (916) 978-6059.

Sincerely,



RYAN HUNTER Digitally signed by RYAN HUNTER
Date: 2020.06.15 11:15:10 -0700

ACTING REGIONAL DIRECTOR

Enclosure(s)

NOLA001



Office Codes: J-J-51-532 AD Number: 4200197473 Case: 15562

CC:

BY CERTIFIED MAIL:

CALIFORNIA STATE CLEARINGHOUSE OFFICE OF PLANNING AND RESEARCH

P.O. BOX 3044

SACRAMENTO, CA 95814

Certified Mail ID: 7019 0140 0000 7334 5927

SENIOR ADVISOR FOR TRIBAL NEGOTIATIONS OFFICE OF THE GOVERNOR

STATE CAPITOL BUILDING, SUITE 1173

SACRAMENTO, CA 95814

Certified Mail ID: 7019 0140 0000 7334 6245

UNITED STATES SENATOR DIANNE FEINSTEIN

331 HART SENATE BUILDING

WASHINGTON, DC 20510

Certified Mail ID: 7019 0140 0000 7334 6269

SARA DRAKE, DEPUTY ATTORNEY GENERAL

STATE OF CALIFORNIA DEPARTMENT OF JUSTICE

P.O. BOX 944255

SACRAMENTO, CA 94244-2250

Certified Mail ID: 7019 0140 0000 7334 6252

MADERA COUNTY BOARD OF SUPERVISORS

200 WEST 4TH STREET

MADERA, CA 93637

Certified Mail ID: 7019 0140 0000 7334 6290

MADERA COUNTY TAX ASSESSOR'S OFFICE

200 WEST 4TH STREET

MADERA, CA 93637

Certified Mail ID: 7019 0140 0000 7334 6283

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MADERA COUNTY PLANNING DEPARTMENT

200 W. 4TH ST SUITE 3100

MADERA, CA 93637

Certified Mail ID: 7019 0140 0000 7334 6337

MADERA COUNTY TREASURER-TAX COLLECTOR

200 WEST 4TH STEET

MADERA, CA 93637

Certified Mail ID: 7019 0140 0000 7334 6306

MADERA COUNTY FIRE DEPARTMENT

14225 ROAD 28

MADERA, CA 93638

Certified Mail ID: 7019 0140 0000 7334 6313

MADERA COUNTY SHERIFF'S DEPARTMENT

2725 FALCON DR

MADERA, CA 93637

Certified Mail ID: 7019 0140 0000 7334 6320

UNITED STATES HOUSE OF REPRESENTATIVES 4TH DISTRICT

2200A DOUGLAS BOULEVARD

SUITE 240

ROSEVILLE, CA 95661

Certified Mail ID: 7019 0140 0000 7334 6276

PICAYUNE RANCHERIA OF CHUKCHANSI INDIANS OF CALIFORNIA

P.O. BOX 2146

OAKHURST, CA 93644

Certified Mail ID: 7019 0140 0000 7334 6344

NO LA Q01



Office Codes: JJJ51532 AD Number: 4200197473 Case: 15562

HONORABLE ELAINE BETHEL FINK
CHAIRPERSON, NORTHFORK RANCHERIA OF MONO INDIANS OF CALIFORNIA
P.O. BOX 929
NORTH FORK, CA 93643-0929
Certified Mail ID: 7019 0140 0000 7334 5910

BY FIRST CLASS MAIL:

CENTRAL CALIFORNIA AGENCY
650 CAPITOL MALL, SUITE 8-500
SACRAMENTO, CA 95814

N0LAQ01



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Bureau of Indian Affairs, Interior

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Titles and Records Offices are designated as Certifying Officers for this purpose. When a copy or reproduction of a title document is authenticated by the official seal and certified by a Manager, Land Titles and Records Office, the copy or reproduction shall be admitted into evidence the same as the original from which it was made. The fees for furnishing such certified copies are established by a uniform fee schedule applicable to all constituent units of the Department of the Interior and published in 43 CFR part 2, appendix A.

§ 150.11 Disclosure of land records, title documents, and title reports.

(a) The usefulness of a Land Titles and Records Office depends in large measure on the ability of the public to consult the records contained therein. It is therefore, the policy of the Bureau of Indian Affairs to allow access to land records and title documents unless such access would violate the Privacy Act, 5 U.S.C. 552a or other law restricting access to such records, or there are strong policy grounds for denying access where such access is not required by the Freedom of Information Act, 5 U.S.C. 552. It shall be the policy of the Bureau of Indian Affairs that, unless specifically authorized, monetary considerations will not be disclosed insofar as leases of tribal land are concerned.

(b) Before disclosing information concerning any living individual, the Manager, Land Titles and Records Office, shall consult 5 U.S.C. 552a(b) and the notice of routine users then in effect to determine whether the information may be released without the written consent of the person to whom it pertains.

PART 151—LAND ACQUISITIONS

Sec.

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- 151.14 Formalization of acceptance.
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AUTHORITY: R.S. 161; 5 U.S.C. 301. Interpret or apply 46 Stat. 1106, as amended; 46 Stat. 1471, as amended; 48 Stat. 985, as amended; 49 Stat. 1967, as amended, 53 Stat. 1129; 63 Stat. 605; 69 Stat. 392, as amended; 70 Stat. 290, as amended; 70 Stat. 626; 75 Stat. 505; 77 Stat. 349; 78 Stat. 389; 78 Stat. 747; 82 Stat. 174, as amended, 82 Stat. 884; 84 Stat. 120; 84 Stat. 1874; 86 Stat. 216; 86 Stat. 530; 86 Stat. 744; 88 Stat. 78; 88 Stat. 81; 88 Stat. 1716; 88 Stat. 2203; 88 Stat. 2207; 25 U.S.C. 2, 9, 409a, 450h, 451, 464, 465, 487, 488, 489, 501, 502, 573, 574, 576, 608, 608a, 610, 610a, 622, 624, 640d-10, 1466, 1495, and other authorizing acts.

CROSS REFERENCE: For regulations pertaining to: The inheritance of interests in trust or restricted land, see parts 15, 16, and 17 of this title and 43 CFR part 4; the purchase of lands under the BIA Loan Guaranty, Insurance and Interest Subsidy program, see part 103 of this title; the exchange and partition of trust or restricted lands, see part 152 of this title; land acquisitions authorized by the Indian Self-Determination and Education Assistance Act, see parts 900 and 276 of this title; the acquisition of allotments on the public domain or in national forests, see 43 CFR part 2530; the acquisition of Native allotments and Native townsite lots in Alaska, see 43 CFR parts 2561 and 2564; the acquisition of lands by Indians with funds borrowed from the Farmers Home Administration, see 7 CFR part 1823, subpart N; the acquisition of land by purchase or exchange for members of the Osage Tribe not having certificates of competency, see §§ 117.8 and 158.54 of this title.

SOURCE: 45 FR 62036, Sept. 18, 1980, unless otherwise noted. Redesignated at 47 FR 13327, Mar. 30, 1982.

§ 151.1 Purpose and scope.

These regulations set forth the authorities, policy, and procedures governing the acquisition of land by the United States in trust status for individual Indians and tribes. Acquisition of land by individual Indians and tribes in fee simple status is not covered by these regulations even though such land may, by operation of law, be held in restricted status following acquisition. Acquisition of land in trust status by inheritance or escheat is not covered by these regulations.

[79 FR 76897, Dec. 23, 2014]

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§ 151.2 Definitions.

(a) *Secretary* means the Secretary of the Interior or authorized representative.

(b) *Tribe* means any Indian tribe, band, nation, pueblo, community, rancheria, colony, or other group of Indians, including the Metlakatla Indian Community of the Annette Island Reserve, which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs. For purposes of acquisitions made under the authority of 25 U.S.C. 488 and 489, or other statutory authority which specifically authorizes trust acquisitions for such corporations, "Tribe" also means a corporation chartered under section 17 of the Act of June 18, 1934 (48 Stat. 988; 25 U.S.C. 477) or section 3 of the Act of June 26, 1936 (49 Stat. 1967; 25 U.S.C. 503).

(c) *Individual Indian* means:

(1) Any person who is an enrolled member of a tribe;

(2) Any person who is a descendant of such a member and said descendant was, on June 1, 1934, physically residing on a federally recognized Indian reservation;

(3) Any other person possessing a total of one-half or more degree Indian blood of a tribe;

(4) For purposes of acquisitions outside of the State of Alaska, *Individual Indian* also means a person who meets the qualifications of paragraph (c)(1), (2), or (3) of this section where "Tribe" includes any Alaska Native Village or Alaska Native Group which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs.

(d) *Trust land* or *land in trust status* means land the title to which is held in trust by the United States for an individual Indian or a tribe.

(e) *Restricted land* or *land in restricted status* means land the title to which is held by an individual Indian or a tribe and which can only be alienated or encumbered by the owner with the approval of the Secretary because of limitations contained in the conveyance instrument pursuant to Federal law or because of a Federal law directly imposing such limitations.

(f) Unless another definition is required by the act of Congress authorizing a particular trust acquisition, *Indian reservation* means that area of land over which the tribe is recognized by the United States as having governmental jurisdiction, except that, in the State of Oklahoma or where there has been a final judicial determination that a reservation has been disestablished or diminished, *Indian reservation* means that area of land constituting the former reservation of the tribe as defined by the Secretary.

(g) *Land* means real property or any interest therein.

(h) *Tribal consolidation area* means a specific area of land with respect to which the tribe has prepared, and the Secretary has approved, a plan for the acquisition of land in trust status for the tribe.

[45 FR 62036, Sept. 18, 1980, as amended at 60 FR 32879, June 23, 1995]

§ 151.3 Land acquisition policy.

Land not held in trust or restricted status may only be acquired for an individual Indian or a tribe in trust status when such acquisition is authorized by an act of Congress. No acquisition of land in trust status, including a transfer of land already held in trust or restricted status, shall be valid unless the acquisition is approved by the Secretary.

(a) Subject to the provisions contained in the acts of Congress which authorize land acquisitions, land may be acquired for a tribe in trust status:

(1) When the property is located within the exterior boundaries of the tribe's reservation or adjacent thereto, or within a tribal consolidation area; or

(2) When the tribe already owns an interest in the land; or

(3) When the Secretary determines that the acquisition of the land is necessary to facilitate tribal self-determination, economic development, or Indian housing.

(b) Subject to the provisions contained in the acts of Congress which authorize land acquisitions or holding land in trust or restricted status, land may be acquired for an individual Indian in trust status:

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(1) When the land is located within the exterior boundaries of an Indian reservation, or adjacent thereto; or
(2) When the land is already in trust or restricted status.

§ 151.4 Acquisitions in trust of lands owned in fee by an Indian.

Unrestricted land owned by an individual Indian or a tribe may be conveyed into trust status, including a conveyance to trust for the owner, subject to the provisions of this part.

§ 151.5 Trust acquisitions in Oklahoma under section 5 of the I.R.A.

In addition to acquisitions for tribes which did not reject the provisions of the Indian Reorganization Act and their members, land may be acquired in trust status for an individual Indian or a tribe in the State of Oklahoma under section 5 of the Act of June 18, 1934 (48 Stat. 985; 25 U.S.C. 465), if such acquisition comes within the terms of this part. This authority is in addition to all other statutory authority for such an acquisition.

§ 151.6 Exchanges.

An individual Indian or tribe may acquire land in trust status by exchange if the acquisition comes within the terms of this part. The disposal aspects of an exchange are governed by part 152 of this title.

§ 151.7 Acquisition of fractional interests.

Acquisition of a fractional land interest by an individual Indian or a tribe in trust status can be approved by the Secretary only if:

- (a) The buyer already owns a fractional interest in the same parcel of land; or
- (b) The interest being acquired by the buyer is in fee status; or
- (c) The buyer offers to purchase the remaining undivided trust or restricted interests in the parcel at not less than their fair market value; or
- (d) There is a specific law which grants to the particular buyer the right to purchase an undivided interest or interests in trust or restricted land without offering to purchase all of such interests; or

(e) The owner of a majority of the remaining trust or restricted interests in the parcel consent in writing to the acquisition by the buyer.

§ 151.8 Tribal consent for nonmember acquisitions.

An individual Indian or tribe may acquire land in trust status on a reservation other than its own only when the governing body of the tribe having jurisdiction over such reservation consents in writing to the acquisition; provided, that such consent shall not be required if the individual Indian or the tribe already owns an undivided trust or restricted interest in the parcel of land to be acquired.

§ 151.9 Requests for approval of acquisitions.

An individual Indian or tribe desiring to acquire land in trust status shall file a written request for approval of such acquisition with the Secretary. The request need not be in any special form but shall set out the identity of the parties, a description of the land to be acquired, and other information which would show that the acquisition comes within the terms of this part.

§ 151.10 On-reservation acquisitions.

Upon receipt of a written request to have lands taken in trust, the Secretary will notify the state and local governments having regulatory jurisdiction over the land to be acquired, unless the acquisition is mandated by legislation. The notice will inform the state or local government that each will be given 30 days in which to provide written comments as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments. If the state or local government responds within a 30-day period, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply and/or request that the Secretary issue a decision. The Secretary will consider the following criteria in evaluating requests for the acquisition of land in trust status when the land is located within or contiguous to an Indian reservation, and the acquisition is not mandated:

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(a) The existence of statutory authority for the acquisition and any limitations contained in such authority;

(b) The need of the individual Indian or the tribe for additional land;

(c) The purposes for which the land will be used;

(d) If the land is to be acquired for an individual Indian, the amount of trust or restricted land already owned by or for that individual and the degree to which he needs assistance in handling his affairs;

(e) If the land to be acquired is in unrestricted fee status, the impact on the State and its political subdivisions resulting from the removal of the land from the tax rolls;

(f) Jurisdictional problems and potential conflicts of land use which may arise; and

(g) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

(h) The extent to which the applicant has provided information that allows the Secretary to comply with 516 DM 6, appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations. (For copies, write to the Department of the Interior, Bureau of Indian Affairs, Branch of Environmental Services, 1849 C Street NW., Room 4525 MIB, Washington, DC 20240.)

[45 FR 62036, Sept. 18, 1980, as amended at 60 FR 32879, June 23, 1995]

§ 151.11 Off-reservation acquisitions.

The Secretary shall consider the following requirements in evaluating tribal requests for the acquisition of lands in trust status, when the land is located outside of and noncontiguous to the tribe's reservation, and the acquisition is not mandated:

(a) The criteria listed in § 151.10 (a) through (c) and (e) through (h);

(b) The location of the land relative to state boundaries, and its distance from the boundaries of the tribe's reservation, shall be considered as follows: as the distance between the tribe's reservation and the land to be acquired in-

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creases, the Secretary shall give greater scrutiny to the tribe's justification of anticipated benefits from the acquisition. The Secretary shall give greater weight to the concerns raised pursuant to paragraph (d) of this section.

(c) Where land is being acquired for business purposes, the tribe shall provide a plan which specifies the anticipated economic benefits associated with the proposed use.

(d) Contact with state and local governments pursuant to § 151.10 (e) and (f) shall be completed as follows: Upon receipt of a tribe's written request to have lands taken in trust, the Secretary shall notify the state and local governments having regulatory jurisdiction over the land to be acquired. The notice shall inform the state and local government that each will be given 30 days in which to provide written comment as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments.

[60 FR 32879, June 23, 1995, as amended at 60 FR 48894, Sept. 21, 1995]

§ 151.12 Action on requests.

(a) The Secretary shall review each request and may request any additional information or justification deemed necessary to reach a decision.

(b) The Secretary's decision to approve or deny a request shall be in writing and state the reasons for the decision.

(c) A decision made by the Secretary, or the Assistant Secretary—Indian Affairs pursuant to delegated authority, is a final agency action under 5 U.S.C. 704 upon issuance.

(1) If the Secretary or Assistant Secretary denies the request, the Assistant Secretary shall promptly provide the applicant with the decision.

(2) If the Secretary or Assistant Secretary approves the request, the Assistant Secretary shall:

(i) Promptly provide the applicant with the decision;

(ii) Promptly publish in the FEDERAL REGISTER a notice of the decision to acquire land in trust under this part; and

(iii) Immediately acquire the land in trust under § 151.14 on or after the date

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such decision is issued and upon fulfillment of the requirements of § 151.13 and any other Departmental requirements.

(d) A decision made by a Bureau of Indian Affairs official pursuant to delegated authority is not a final agency action of the Department under 5 U.S.C. 704 until administrative remedies are exhausted under part 2 of this chapter or until the time for filing a notice of appeal has expired and no administrative appeal has been filed.

(1) If the official denies the request, the official shall promptly provide the applicant with the decision and notification of any right to file an administrative appeal under part 2 of this chapter.

(2) If the official approves the request, the official shall:

(i) Promptly provide the applicant with the decision;

(ii) Promptly provide written notice of the decision and the right, if any, to file an administrative appeal of such decision pursuant to part 2 of this chapter, by mail or personal delivery to:

(A) Interested parties who have made themselves known, in writing, to the official prior to the decision being made; and

(B) The State and local governments having regulatory jurisdiction over the land to be acquired;

(iii) Promptly publish a notice in a newspaper of general circulation serving the affected area of the decision and the right, if any, of interested parties who did not make themselves known, in writing, to the official to file an administrative appeal of the decision under part 2 of this chapter; and

(iv) Immediately acquire the land in trust under § 151.14 upon expiration of the time for filing a notice of appeal or upon exhaustion of administrative remedies under part 2 of this title, and upon the fulfillment of the requirements of § 151.13 and any other Departmental requirements.

(3) The administrative appeal period under part 2 of this chapter begins on:

(i) The date of receipt of written notice by the applicant or interested parties entitled to notice under paragraphs (d)(1) and (d)(2)(ii) of this section;

(ii) The date of first publication of the notice for unknown interested parties under paragraph (d)(2)(iii) of this section.

(4) Any party who wishes to seek judicial review of an official's decision must first exhaust administrative remedies under 25 CFR part 2.

[78 FR 67937, Nov. 13, 2013]

§ 151.13 Title examination.

If the Secretary determines that he will approve a request for the acquisition of land from unrestricted fee status to trust status, he shall acquire, or require the applicant to furnish, title evidence meeting the *Standards For The Preparation of Title Evidence In Land Acquisitions by the United States*, issued by the U.S. Department of Justice. After having the title evidence examined, the Secretary shall notify the applicant of any liens, encumbrances, or infirmities which may exist. The Secretary may require the elimination of any such liens, encumbrances, or infirmities prior to taking final approval action on the acquisition and he shall require elimination prior to such approval if the liens, encumbrances, or infirmities make title to the land unmarketable.

[45 FR 62036, Sept. 18, 1980. Redesignated at 60 FR 32879, June 23, 1995]

EFFECTIVE DATE NOTE: At 81 FR 10479, Mar. 1, 2016, § 151.13 was revised, effective Apr. 15, 2016. For the convenience of the user, the revised text is set forth as follows:

§ 151.13 Title review.

(a) If the Secretary determines that she will approve a request for the acquisition of land from unrestricted fee status to trust status, she shall require the applicant to furnish title evidence as follows:

(1) Written evidence of the applicant's title or that title will be transferred to the United States on behalf of the applicant to complete the acquisition in trust; and

(2) Written evidence of how title was acquired by the applicant or current owner; and

(3) Either:

(i) A current title insurance commitment; or

(ii) The policy of title insurance issued at the time of the applicant's or current owner's acquisition of the land and an abstract of title dating from the time the land was acquired by the applicant or current owner.

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(b) After reviewing submitted title evidence, the Secretary shall notify the applicant of any liens, encumbrances, or infirmities that the Secretary identified and may seek additional information from the applicant needed to address such issues. The Secretary may require the elimination of any such liens, encumbrances, or infirmities prior to taking final approval action on the acquisition, and she shall require elimination prior to such approval if she determines that the liens, encumbrances or infirmities make title to the land unmarketable.

§ 151.14 Formalization of acceptance.

Formal acceptance of land in trust status shall be accomplished by the issuance or approval of an instrument of conveyance by the Secretary as is appropriate in the circumstances.

[45 FR 62036, Sept. 18, 1980. Redesignated at 60 FR 32879, June 23, 1995]

§ 151.15 Information collection.

(a) The information collection requirements contained in §§ 151.9; 151.10; 151.11(c), and 151.13 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1076-0100. This information is being collected to acquire land into trust on behalf of the Indian tribes and individuals, and will be used to assist the Secretary in making a determination. Response to this request is required to obtain a benefit.

(b) Public reporting for this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the information collection. Direct comments regarding the burden estimate or any other aspect of this information collection to the Bureau of Indian Affairs, Information Collection Clearance Officer, Room 337-SIB, 18th and C Streets, NW., Washington, DC 20240; and the Office of Information and Regulatory Affairs [Project 1076-0100], Office of Management and Budget, Washington, DC 20502.

[60 FR 32879, June 23, 1995; 64 FR 13895, Mar. 23, 1999]

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PART 152—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, REMOVAL OF RESTRICTIONS, AND SALE OF CERTAIN INDIAN LANDS

Sec.

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ISSUING PATENTS IN FEE, CERTIFICATES OF COMPETENCY OR ORDERS REMOVING RESTRICTIONS

152.3 Information regarding status of applications for removal of Federal supervision over Indian lands.

152.4 Application for patent in fee.

152.5 Issuance of patent in fee.

152.6 Issuance of patents in fee to non-Indians and Indians with whom a special relationship does not exist.

152.7 Application for certificate of competency.

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152.13 Removal of restrictions, Five Civilized Tribes, after application under section 2(a) of the Act of August 11, 1955.

152.14 Removal of restrictions, Five Civilized Tribes, without application.

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SALES, EXCHANGES AND CONVEYANCES OF TRUST OR RESTRICTED LANDS

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152.18 Sale with the consent of natural guardian or person designated by the Secretary.

152.19 Sale by fiduciaries.

152.20 Sale by Secretary of certain land in multiple ownership.

152.21 Sale or exchange of tribal land.

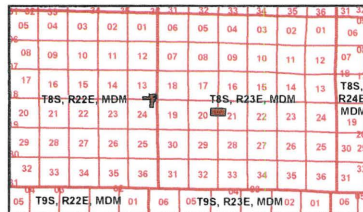
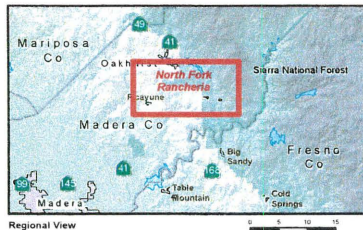
152.22 Secretarial approval necessary to convey individual-owned trust or restricted lands or land owned by a tribe.

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U.S. DEPARTMENT OF INTERIOR
Bureau of Indian Affairs
 Pacific Region Office
 Land Title and Records
North Fork Rancheria
 Madera County, California
LAND STATUS
 As of May, 2020



LEGEND

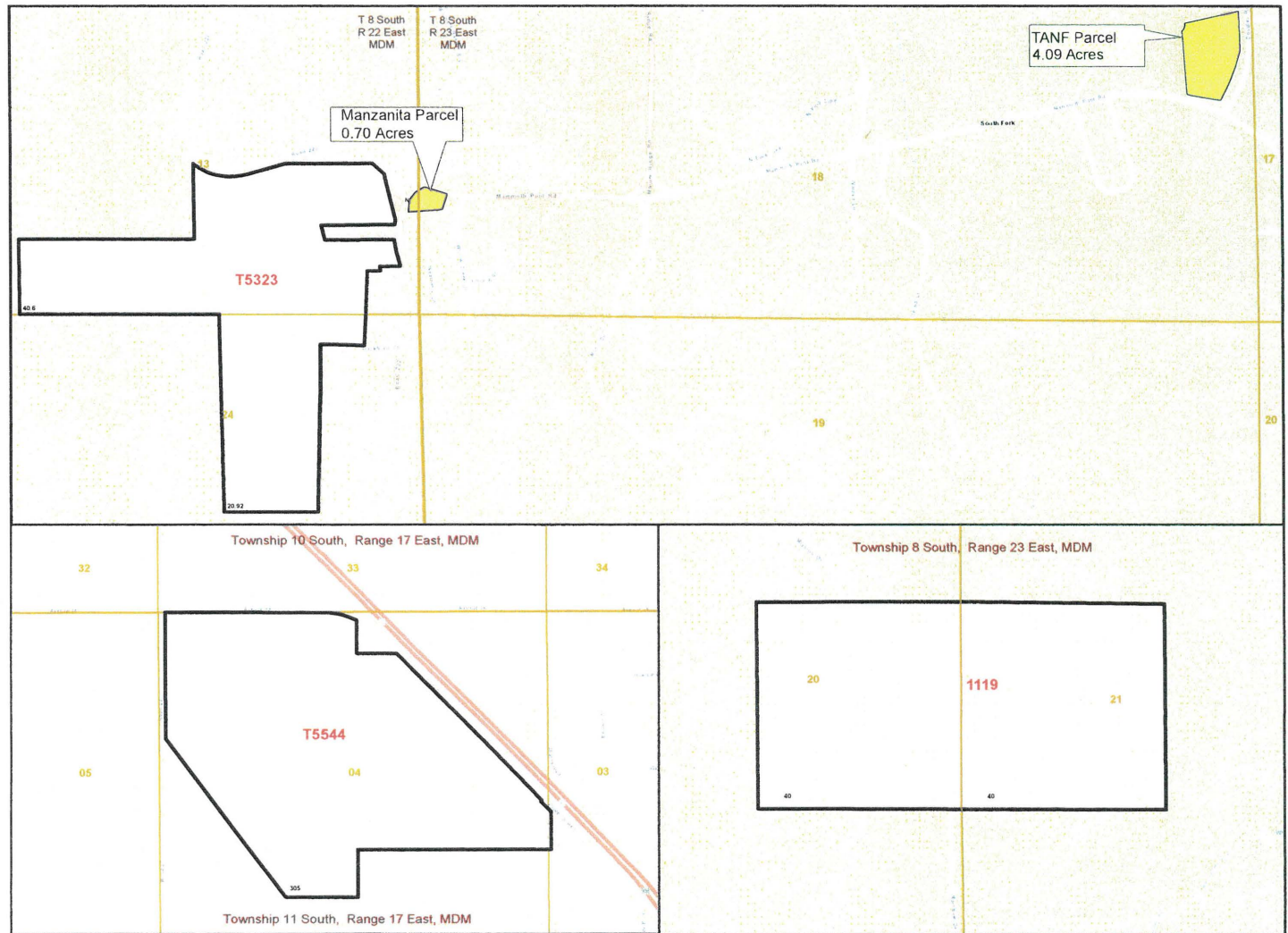
Tract Status

- Tribal Tract
- Allotted Tract
- Fee Land
- T5070 Allotment or Tract Number
- 507 Acreage of Tract (by section)

Land Survey Status

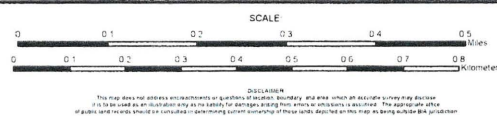
- Public Land Survey Section
- BLM Lot and Lot Number
- Acreage of BLM Lot
- BLM Surveyed Area

Ownership status shown is subject to revision after audit of records.



California Indian Trust Land

U.S. Bureau of Indian Affairs
 Pacific Region Office - Division of Real Estate Services
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 Projection: California State Plane Zone III
 Datum: North American Datum 1983 Spheroid: GRS 1980



Pacific Region

North Fork (532)

Ver. 1.2

Created by John Mosley
 Regional GIS Coordinator
 BIA Pacific Regional Office

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SCHEDULE B

SECTION TWO

EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the coverage of the policy or policies are set forth in Exhibit A attached. Copies of the policy forms should be read. They are available from the office which issued this Commitment.

1. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
2. Any and all offers of dedications, conditions, restrictions, easements, notes and/or provisions shown or disclosed by the filed or recorded map referred to in the legal description.
3. Covenants, conditions, restrictions and easements in the document recorded July 27, 1948 in Book 366, Page 241 of Official Records, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Section 12955 of the California Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.
4. An easement for public utilities and incidental purposes, recorded June 26, 1986 in Book 1903, Page 306 of Official Records.
In Favor of: The Ponderosa Telephone Co., and to its successors and assigns
Affects: As described therein

The location of the easement cannot be determined from record information.

Terms and provisions contained in the above document.

5. An easement for pipeline and incidental purposes, recorded February 27, 1995 as Instrument No. 95-4470 of Official Records.
In Favor of: The County of Madera
Affects: The land

Terms and provisions contained in the above document.

6. Rights of the public in and to that portion of the land lying within any Road, Street, Alley or Highway.
7. Water rights, claims or title to water, whether or not shown by the public records.

First American Title

8. Rights of parties in possession.
9. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
10. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
11. Easements, claims of easement or encumbrances which are not shown by the public records.
12. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
13. (A) Unpatented mining claims; (B) Reservations or exceptions in patents or in Acts authorizing the issuance thereof; (C) Water rights, claims or title to water; whether or not the matters excepted under (A), (B) or (C) are shown by the public records.
14. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
15. Any claim that the United States lacks proper authority to acquire or hold title to the land, or arising from or related to an alleged defect in the process of approving or authorizing the acquisition of title by the United States of America in trust for North Fork Rancheria of Mono Indians of California, a federally recognized tribe.
16. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is (a) a fraudulent conveyance or fraudulent transfer or (b) a preferential transfer. (Not necessary if US Policy form Rev. 12-3-12 is used)
17. Paragraphs 1 and 2 of the Exclusions from Coverage are expressly extended to include those laws, ordinances or regulations of an Indian tribe or nation.
18. Public records as defined in this Policy do not include records of an Indian tribe, band, pueblo, nation, community, village, Rancheria or similar entity or association of Indians or any other repository of Indian Land Records, including, but not limited to the Bureau of Indian Affairs Land Titles and Records Office.
19. Tribal records for any tax, law or regulation are not "public records" within the meaning of this policy, and this policy provides no coverage respecting any loss occasioned by any such tribal tax law or regulation.

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A. General and special taxes and assessments for the fiscal year 2019-2020, a lien not yet due or payable.

1. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
2. An easement for right of way for a public road and incidental purposes, recorded October 2, 1888 in Book 87 of Deeds, Page 32.

In Favor of: County of Fresno, Cal.
Affects: As described therein

The location of the easement cannot be determined from record information.

3. An easement for the right to enter upon said S. Fork of the San Joaquin River and Sand Creek, at any point above the junction of said two streams, and to divert out of and carry away from the said S. Fork of the N. Fork of the said San Joaquin River, or any of its tributaries, including Sand Creek all of waters therein at any time flowing, not exceeding at any time 100 cu. feet of water measured and flowing per second and incidental purposes, recorded April 5, 1906 in Book 29 of Deeds, Page 287.

In Favor of: San Joaquin Light and Power Company, a corporation
Affects: As described therein

The location of the easement cannot be determined from record information.

4. An easement for the construction, maintenance and full, free quiet use and enjoyment of one line of polls bearing telephone and telegraph wires and incidental purposes, recorded April 30, 1909 in Book 54 of Deeds, Page 172.

In Favor of: United States of America
Affects: As described therein

The location of the easement cannot be determined from record information.

5. Covenants, conditions, restrictions and easements in the document recorded February 17, 1942 as Instrument No. 8607 in Book 301, Page 263 of Official Records, but deleting any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, sexual orientation, familial status, disability, handicap, national origin, genetic information, gender, gender identity, gender expression, source of income (as defined in California Government Code § 12955(p)) or ancestry, to the extent such covenants, conditions or restrictions violation 42 U.S.C. § 3604(c) or California Government Code § 12955. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

6. An easement to construct, operate, use and maintain as a public road or highway and incidental purposes, recorded August 28, 1950 as Instrument No. 7362 in Book 495, Page 155 of Official Records.

In Favor of: County of Madera
Affects: As described therein

The location of the easement cannot be determined from record information.

7. An easement for the right to enter upon the land and to construct, reconstruct, operate, and maintain under the lands, and an underground telephone line or system and incidental purposes, recorded May 6, 1970 as Instrument No. 5446 in Book 1060, Page 372 of Official Records.

In Favor of: The Ponderosa Telephone Co., a corporation
Affects: As described therein

The location of the easement cannot be determined from record information.

8. An easement for the reconstruction, maintenance and full, free and quiet use and enjoyment of an existing road and incidental purposes, recorded January 9, 1978 as Instrument No. 608 in Book 1372, Page 316 of Official Records.

In Favor of: United States of America
Affects: As described therein

The location of the easement cannot be determined from record information.

Document re-recorded February 10, 1978 as Instrument No. 3563 in Book 1378, Page 588 of Official Records.

9. An easement for the right to enter upon and to operate vehicles and equipment and incidental purposes, recorded November 25, 1985 as Instrument No. 24775 of Official Records.

In Favor of: The Ponderosa Telephone Co.
Affects: As described therein

The location of the easement cannot be determined from record information.

A document entitled Quitclaim Deed recorded April 27, 2004 as Instrument No. 2004-17571 of Official Records.

10. A Ground Lease dated March 29, 1985, executed by South Fork Timber Industries, Inc. as lessor and North Fork Energy, Inc. as lessee, recorded March 19, 1987 as Instrument No. 4893 in Book 1959, Page 186 of Official Records.

Defects, liens, encumbrances or other matters affecting the leasehold estate, whether or not shown by the public records.

11. An easement for the right to place buried telephone facilities within the traveled portion of the roads and driveways, together with the right of access across and upon and for the purpose of maintenance, repair and replacement of such buried telephone facilities and incidental purposes, recorded September 24, 1987 as Instrument No. 18683 in Book 1999, Page 404 of Official Records.

In Favor of: The Ponderosa Telephone Co.

Affects: As described therein

The location of the easement cannot be determined from record information.

A document entitled Quitclaim Deed recorded April 27, 2004 as Instrument No. 2004-17571 of Official Records.

12. The terms and provisions contained in the document entitled "Memorandum of Understanding" recorded June 22, 2006 as Instrument No. 2006027505 of Official Records.

13. A Deed of Trust to secure an original indebtedness of \$900,000.00 recorded January 8, 2008 as Instrument No. 2008000524 of Official Records.

Dated: August 13, 2007

Trustor: North Fork Community Development Council, a California corporation

Trustee: Chicago Title Company, a California corporation

Beneficiary: County of Madera, a political subdivision of the State of California

Affects: The land and other property.

14. An easement for ingress and egress and public utility and incidental purposes, recorded October 8, 2009 as Instrument No. 2009034604 of Official Records.

In Favor of: North Fork Community Development Council

Affects: As described therein

15. An offer of dedication for ingress/egress and public utility purposes and incidental purposes, recorded March 29, 2010 as Instrument No. 10-8771 of Official Records.

To: County of Madera

16. Any easements and/or servitudes affecting easement parcel(s) 2 herein described.

17. Rights of the public in and to that portion of the land lying within any Road, Street, Alley or Highway.

18. Water rights, claims or title to water, whether or not shown by the public records.
19. Rights of parties in possession.