

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
PETITION FOR PARTITION OF INHERITED INDIAN LAND

Act of May 18, 1916 (39 Stat. 123-127)

COMMISSIONER OF INDIAN AFFAIRS:

The undersigned heirs of _____

deceased Indian allottees of the Pine Ridge Reservation, respectfully represent that said allottees died, respectively, (give dates) _____

_____, possessed of allotments on said Pine Ridge Reservation, as follows:

Allotment No. _____, _____, containing _____ acres, allotted under act of _____, trust patent issued _____;

Allotment No. _____, _____, containing _____ acres, allotted under act of _____, trust patent issued _____;

Allotment No. _____, _____, containing _____ acres, allotted under act of _____, trust patent issued _____

That your petitioners are the only heirs of said deceased allottees and entitled to said lands in common, subject to the trust declared in said trust patents; and that the interests of your petitioners in said lands are as follows, respectively:

_____ entitled to an undivided _____ interest;

_____ entitled to an undivided _____ interest;

_____ entitled to an undivided _____ interest;

_____ entitled to an undivided _____ interest;

_____ entitled to an undivided _____ interest;

_____ entitled to an undivided _____ interest;

_____ entitled to an undivided _____ interest;

(2)

Your petitioners have agreed and by this petition do agree that the land hereinbefore described may be divided between or among them as follows, respectively:

To _____, the _____
_____, containing _____ acres;

To _____, the _____
_____, containing _____ acres;

To _____, the _____
_____, containing _____ acres;

To _____, the _____
_____, containing _____ acres;

To _____, the _____
_____, containing _____ acres;

To _____, the _____
_____, containing _____ acres;

Your petitioners further represent that _____

_____ have applied for patents in fee for the land to be set apart to them, and their applications together with the reports of the Superintendent as to their competency are to be transmitted to the Commissioner of Indian Affairs with this petition; and your petitioners request that such fee patents be issued to said _____

_____ and that the lands set apart to the other petitioners continue subject to the trust declared in the trust patents issued to said deceased allottees as hereinbefore set forth.

Your petitioners therefore pray that said lands be partitioned, and confirmed to each of them, respectively, as hereinbefore set forth, in accordance with the provisions of the act of May 18, 1916 (39 Stat. 123-127); and to that end that a guardian or guardians *ad litem* may be appointed by the Superintendent of the _____ Pine Ridge _____ Agency to represent the minor heirs of said deceased allottees, and such other proceedings had in the premises as may be necessary; and for the purpose of such partition your petitioners and each of them hereby expressly relinquish all interest which they may have in all of said described lands, except such part thereof as may be set apart to them respectively, on the partition thereof, as hereinbefore set forth.

_____ | _____

Subscribed and sworn to before me, this _____ day of _____, 19_____

Notice and Waiver

Please be aware that the Indian trust land owner to whom this notice is directed may be a member of a class action lawsuit, Cobell v. Norton, No. 1:96CV01285 (D.D.C.) (Judge Robertson). Nothing in this notice or any letter, document, or other communication to which this notice may be attached will eliminate or adversely affect any rights that the Indian trust land owner who received this notice may have if he or she is a class member in the Cobell litigation. The Indian trust land owner who received this notice will not eliminate or adversely affect any rights that he or she may have as a class member by entering into any transaction or communication with any other person or organization, including the Department of the Interior or the Bureau of Indian Affairs, related to the sale, exchange, transfer, or conversion of Indian trust land.

As a potential class member, the Indian trust land owner who received this notice has the right to consult with the class counsel in the Cobell litigation prior to any proceeding with any further communication or transaction. For further information you may contact the lawyers for the class members: Dennis M. Gingold, Esq., or Keith M. Harper of Kilpatrick Stockton. Written correspondence to either lawyer (or both of them) can be directed to 607 14th Street, N.W., 9th Floor, Washington, DC 20005 or alternatively to the email address: beneficiaryline@kilpatrickstockton.com. In addition, you can call them directly using the following toll-free number: 1-866-383-6554. You may also access further information at the plaintiffs' website, www.indiantrust.com. The Indian trust land owner who received this notice may also choose to waive his or her right to consult with class counsel. If the Indian trust land owner who received this notice wishes to do so, he or she must sign and return this notice to the Department of the Interior office from which you received it within ten (10) days. Waiver of the right to consult with class counsel will not eliminate or adversely affect any rights that the Indian trust land owner who received this notice may have as a class member in the Cobell litigation.

I, the undersigned, hereby waive my right to consult with class counsel in the Cobell litigation before continuing with communications or transactions involving or resulting in the sale, exchange, transfer, or conversion of Indian trust land.

Print Name

Signature

Date

SIGNATURE CONSTITUTES WAIVER

Witness