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4

5 UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

6	PAUL GRONDAL, a Washington	)	Case No. 2:09-CV-00018-RMP
7	Resident; and THE MILL BAY	)	
8	MEMBERS ASSOCIATION, INC., a	)	
9	Washington Non-Profit Corporation,	)	
	<i>Plaintiffs,</i>	)	CONFEDERATED TRIBES OF
		)	THE COLVILLE RESERVATION'S
10	vs.	)	SUPPLEMENTAL BRIEF ON THE
		)	GOVERNMENT'S MOTION FOR
11	THE UNITED STATES OF	)	SUMMARY JUDGMENT RE
	AMERICA, <i>et al.</i> ,	)	EJECTMENT
12		)	
	<i>Defendants.</i>	)	
13		)	

14 The Confederated Tribes of the Colville Reservation submit this  
15 Supplemental Brief to identify new, relevant facts pursuant to this Court's orders,  
16 ECF Nos. 411 and 431. The Colville submit as Exhibit 1 the current Title Status  
17 Report for Moses Allotment 8 (MA-8), certified and dated January 28, 2020. *See*  
18 Ex. 1. The Title Status Report demonstrates that the United States continues to  
19 treat the land as trust land. It also shows that the Colville hold a 56 percent  
20 ownership interest in MA-8. *Id.* at 7. Because more than 20 persons and entities

1 hold fractionated interests in MA-8, the Colville as the majority interest holder  
2 exercises control over leasing of MA-8 under 25 CFR § 162.012(a).

3 The Colville respectfully requests that the fully briefed Motion for Summary  
4 Judgment re Ejectment should be granted.

5  
6 Dated this 17th day of April, 2020.

7 s/ Brian W. Chestnut  
8 BRIAN W. CHESTNUT, WSBA #23453  
9 Attorney for the Colville Tribes  
10 ZIONTZ CHESTNUT  
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CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which caused the following CM/ECF Participants to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

Joseph P. Derrig  
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I hereby certify that at the earliest opportunity, I will cause to have mailed by U.S. Postal Service first class postage prepaid the foregoing document to the following non-CM/ECF participants:

Francis Abraham  
11103 E. Empire Avenue  
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1	Deborah A. Backwell 24375 SE Keegan RD Eagle Creek, OR 97022	Arthur Dick PO Box 288 Nespelem, WA 99155-0288
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5	Mary Jo Garrison PO Box 1922 Seattle, WA 98111	Marlene Marcellay 1300 SE 11 <sup>th</sup> Ct Vancouver, WA 98683-5290
7	Enid T. Wippel PO Box 101 Nespelem, WA 99155	Kathleen M Dick PO Box 288 Nespelem, WA 99155-0288
9	Francis J Reyes PO Box 215 Elmer City, WA 99124-0215	Lynn K. Benson PO Box 746 Omak, WA 98841-0746
11	Annie Wapato 1800 Jones Rd Wapato, WA 98951-9413	Lydia A Arneecheer PO Box 475 Wapato, WA 98951-0475
13	Jeffrey M Condon PO Box 3561 Omak, WA 98841-3561	Randy Marcellay P.O. Box 3287 Omak, WA 98841-3287
15	Vivian Pierre PO Box 294 Elmer City, WA 99124-0294	Paul G Wapato Jr Catherine L (Gua) Garrison 3434 S 144th St Apt 124 Tukwila, WA 98168 -4061
17	Sonia W (Wapato) Vanwoerkom 810 19th St Lewiston, Id 83501-3172	Maureen M. Marcellay 501 SE 123 <sup>rd</sup> Ave., Apt U150 Vancouver, WA 98683-4008

19

20

21

1	Leonard M Wapato PO Box 442	Travis E Dick and Hannah Dick Guardian of Travis E Dick
2	White Swan, WA 98952-0442	PO Box 198 Nespelem, WA 99155
3	Mike Marcellay PO Box 594	Jacqueline L Wapato
4	Brewster, WA 98812-0594	PO Box 611 Lapwai, Id 83540-0611
5	Dwane Dick PO Box 463	Darlene Marcellay-Hyland
6	Nespelem, WA 99155-0463	16713 SE Fisher Drive Vancouver, WA 98683
7	Stephen T Wapato 246 N Franklin Ave	Enid T (Pierre) Marchand
8	Wenatchee, WA 98801-2156	PO Box 101 Nespelem, WA 99155-0101
9	James Abraham 2727 Virginia Avenue	Pamela Jean DeRusha
10	Everett, WA 98201-3743	US Attorney's Office – SPO 920 W. Riverside, Suite 300
11	Gabe Marcellay PO Box 76	PO Box 1494 Spokane, WA 99210-1494
12	Wellpinit, WA 99040-0076	

13 Dated this 17th day of April, 2020

14 ZIONTZ CHESTNUT

15 s/ Brian W. Chestnut  
16 Brian W. Chestnut, WSBA #23453  
17 *Attorney for Confederated Tribes of the*  
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**United States Department of the Interior  
Bureau of Indian Affairs  
Title Status Report**

Report Certification Time and Date: 01/28/2020 06:13:39 PM

Requestor: CCONDON1 Date/Time: 01/28/2020 18:14:13

<u>Land Area</u>	<u>Land Area Name</u>	<u>Tract Number</u>	<u>LTRO</u>	<u>Region</u>	<u>Agency</u>	<u>Resources</u>
151	COLVILLE PUBLIC DOMAIN	MA 8	PORTLAND, OR	NORTHWEST REGIONAL OFFICE	COLVILLE AGENCY	Surface

Original Allottee: (NEKQUELEKIN) WAPATO JOHN

See Appendix A for Land Legal Descriptions

**Title Status**

Tract 151 MA 8 is held by the United States of America in trust for the land owner(s) with trust interests and/or by the land owner(s) with restricted interests and/or fee simple interests, as listed in Appendix "B" attached to and incorporated in this Title Status Report.

The title to Tract 151 MA 8 is current, complete, correct, and without defect. Ownership is in unity and interests are owned in the following title status: trust, fee.

The tract ownership is encumbered by the title documents which have been approved by a properly delegated Federal official and are required to be recorded by law, regulation, or Bureau policy as listed on Appendix "C" attached to and incorporated in this Title Status Report.

See Appendix D for all other documents that are required to be recorded by law, regulation or Bureau policy.

No Tract Notes or Coded Remarks for this tract.

This report does not cover encroachments nor any other rights that might be disclosed by a physical inspection of the premises, nor questions of location or boundary that an accurate survey may disclose. This Report also does not cover encumbrances, including but not limited to irrigation charges, unpaid claims, not filed or recorded in this Land Titles and Records Office. This report does not state the current ownership of the interests owned in fee simple but states the ownership at the time the interest ceased to be held in trust or restricted ownership status.

This Title Status Report is a true and correct report of the status of title to the real estate described herein according to the official land records recorded and maintained in this office.

*Chrystal Condon*

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ITRO Manager

**Appendix "A"**

<u>Land Area</u>	<u>Land Area Name</u>	<u>Tract Number</u>	<u>LTRO</u>	<u>Region</u>	<u>Agency</u>	<u>Resources</u>
151	COLVILLE PUBLIC DOMAIN	MA 8	PORTLAND, OR	NORTHWEST REGIONAL OFFICE	COLVILLE AGENCY	Surface

**Land Legal Descriptions**

<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>State</u>	<u>County</u>	<u>Meridian</u>	<u>Legal Description</u>	<u>Acres</u>
1	027.00N	021.00E	WASHINGTON	CHELAN	Willamette		20.660
36	028.00N	021.00E	WASHINGTON	CHELAN	Willamette	LOT 09=NE SE LOT 10=SE SE W SE	36.750 36.850 80.000

151-MA 8: THE UNLOTTED PORTION OF FRACTIONAL SECTION 1, TOWNSHIP 27 NORTH, RANGE 21 EAST, LYING EAST OF THE NORTH AND SOUTH ONE-QUARTER LINE; AND THE WEST-HALF SOUTHEAST-QUARTER, LOT 9 (NORTHEAST-QUARTER SOUTHEAST-QUARTER) AND LOT 10 (SOUTHEAST-QUARTER SOUTHEAST-QUARTER) OF SECTION 36, TOWNSHIP 28 NORTH, RANGE 21 EAST, WILLAMETTE MERIDIAN, CHELAN COUNTY, WASHINGTON, EXCEPT A .75-ACRE PARCEL ALONG THE EAST BOUNDARY OF FRACTIONAL SECTION 1, AND EXCEPT A .14-ACRE PARCEL WITHIN FRACTIONAL SECTION 1 BOUNDED AS FOLLOWS: ON THE NORTH BY THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF TRACT R OF PLAT OF LOW LAND DIVISION NO. 2, AS RECORDED IN VOLUME 3 AT PAGE 11, PLATS OF CHELAN COUNTY, WASHINGTON, ON THE EAST BY A LINE PARALLEL TO AND 15 FEET DISTANT FROM, WHEN MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF SAID TRACT R EXTENDED INTO LAKE CHELAN, ON THE SOUTH BY LAKE CHELAN AND ON THE WEST BY THE EAST LINE OF SAID TRACT R, CONTAINING AN AGGREGATE 174.26 ACRES, MORE OR LESS, AFTER THE ABOVE EXCEPTIONS.  
METES AND BOUNDS: .

TOTAL TRACT ACRES: 174.260

Appendix "B"

<u>Land Area</u> 151	<u>Land Area Name</u> COLVILLE PUBLIC DOMAIN	<u>Tract Number</u> MA 8	<u>LTRO</u> PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFICE	<u>Agency</u> COLVILLE AGENCY	<u>Resources</u> Surface
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Effective Ownership as of 02/13/2019

----- OWNER -----				----- DOCUMENT -----		NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
COLVILLE (FCT)	Non Ind	Fee	All	Fee Pate	TRST/FEE	EDWARDS JOHN DECEASED 08/10/1983	13 1080	7800 648000	.0120370370
COLVILLE (FCT)	Non Ind	Fee	All	Fee Pate	TRST/FEE	EDWARDS VICTOR DECEASED 06/21/1970	13 2160	3900 648000	.0060185185
COLVILLE (FCT)	Non Ind	Fee	All	Fee Pate	TRST/FEE	EDWARDS ANNIE DECEASED 03/10/1996	13 2160	3900 648000	.0060185185
COLVILLE (FCT)	Non Ind	Fee	All	Fee Pate	TRST/FEE	NEHUMPCHIN ESTATE MOSE DECEASED 05/02/1982	13 2160	3900 648000	.0060185185
COLVILLE (FCT)	Non Ind	Fee	All	Prob Ord	INTE	LEVICK SR ESTATE BILLY JACK	13 1200	7020 648000	.0108333333
COLVILLE PUBLIC DOMAIN	Non Ind	Fee	All	Fee Pate	TRST/FEE	STOREY J C	1 225	2880 648000	.0044444445
CONFEDERATED TRIBES (COLVILLE)	Tribe	Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 1440		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 1080		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 1440		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 1440		



Appendix "B"

<u>Land Area</u> 151	<u>Land Area Name</u> COLVILLE PUBLIC DOMAIN	<u>Tract Number</u> MA 8	<u>LTRO</u> PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFICE	<u>Agency</u> COLVILLE AGENCY	<u>Resources</u> Surface
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Effective Ownership as of 02/13/2019

----- OWNER -----				---- DOCUMENT ----		NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 1440		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 3240		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	23 900		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 2400		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 3600		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	23 900		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 2160		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 3240		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 2400		

Appendix "B"

<u>Land Area</u> 151	<u>Land Area Name</u> COLVILLE PUBLIC DOMAIN	<u>Tract Number</u> MA 8	<u>LTR0</u> PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFICE	<u>Agency</u> COLVILLE AGENCY	<u>Resources</u> Surface
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Effective Ownership as of 02/13/2019

OWNER			DOCUMENT		NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE	
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 1440		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 3240		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 1200		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 3600		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 1080		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 10800		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 21600		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 21600		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 10800		

Appendix "B"

<u>Land Area</u> 151	<u>Land Area Name</u> COLVILLE PUBLIC DOMAIN	<u>Tract Number</u> MA 8	<u>LTRO</u> PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFICE	<u>Agency</u> COLVILLE AGENCY	<u>Resources</u> Surface
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Effective Ownership as of 02/13/2019

OWNER		DOCUMENT				NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 10800		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 10800		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 10800		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 1800		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 480		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 7200		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 360		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 4500		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 4500		

Appendix "B"

<u>Land Area</u> 151	<u>Land Area Name</u> COLVILLE PUBLIC DOMAIN	<u>Tract Number</u> MA 8	<u>LTRO</u> PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFICE	<u>Agency</u> COLVILLE AGENCY	<u>Resources</u> Surface
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Effective Ownership as of 02/13/2019

----- OWNER -----				----- DOCUMENT -----		NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 4500		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 360		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 4500		
		Trust	All	Deed-TS	TRS DEED	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 4320		
		Trust	All	Deed-TS	SPEC AUT	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 2400		
		Trust	All	Deed-TS	SPEC AUT	CONF TRIBES OF THE C	13 4500		
		Trust	All	Deed-TS	SPEC AUT	CONF TRIBES OF THE C	13 1080		
		Trust	All	Deed-TS	ILCA2000	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	13 2880		
		Trust	Title	Prob Ord	TESTATE	CONFEDERATED TRIBES OF THE COLVILLE RESERVATION	2057 8640	363090 648000	.5603240742
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	WAPATO PAUL GRANT JR	1 135		
		Trust	All	Deed-TS	TRS DEED	WAPATO JR PAUL GRANT	13 7200		

Appendix "B"

<u>Land Area</u> 151	<u>Land Area Name</u> COLVILLE PUBLIC DOMAIN	<u>Tract Number</u> MA 8	<u>LTRO</u> PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFICE	<u>Agency</u> COLVILLE AGENCY	<u>Resources</u> Surface
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Effective Ownership as of 02/13/2019

----- OWNER -----				----- DOCUMENT -----		NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
		Trust	All	Deed-TS	TRS DEED	WAPATO JR	13		
						PAUL GRANT	7200		
		Trust	All	Deed-TS	TRS DEED	WAPATO JR	1		
						PAUL GRANT	150		
		Trust	All	Prob Ord	INTE	WAPATO	1		
						PAUL GRANT JR	150		
		Trust	All	Prob Ord	INTE	WAPATO	1		
						PAUL GRANT JR	675		
		Trust	All	Prob Ord	INTE	WAPATO	1	27540	
						PAUL GRANT JR	60	648000	.0425000001
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	Joint Tenancy All	Prob Ord	TESTATE	CLEVELAND	13	1950	
						WESLEY J	4320	648000	.0030092592
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	GUA	13		
						MARY JO	2400		
		Trust	All	Prob Ord	INTE	GARRISON	13	4680	
						MARY JO	7200	648000	.0072222222
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	GUA	13		
						KITTY LOU	2400		
		Trust	All	Prob Ord	INTE	GARRISON	13	4680	
						CATHERINE L	7200	648000	.0072222222
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	TESTATE	REYES	13	23400	
						FRANCIS J	360	648000	.0361111111
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Deed-TS	TRS DEED	MARCELLAY	13		
						RANDY	5400		
		Trust	All	Prob Ord	INTE	MARCELLAY	13	1950	
						RANDY	21600	648000	.0030092593
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	WIPPEL	13	5850	
						ENID	1440	648000	.0090277778

Appendix "B"

<u>Land Area</u> 151	<u>Land Area Name</u> COLVILLE PUBLIC DOMAIN	<u>Tract Number</u> MA 8	<u>LTRO</u> PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFICE	<u>Agency</u> COLVILLE AGENCY	<u>Resources</u> Surface
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Effective Ownership as of 02/13/2019

----- OWNER -----				---- DOCUMENT ----		NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	VAN WOEKOM	13	7800	
						SONIA WAPATO	1080	648000	.0120370371
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	WAPATO	13	7800	
						LEONARD JR	1080	648000	.0120370370
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	TESTATE	CONDON	221		
						JEFF	3600		
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	TESTATE	CONDON	91	88920	
						JEFFREY MARK	1200	648000	.1372222222
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	MARCELLAY	13		
						JAMES ABRAHAM	5400		
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	ABRAHAM	13	1950	
						JAMES MARCELLAY	21600	648000	.0030092592
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	TESTATE	SAM	13	9360	
						MARLOWE	900	648000	.0144444444
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	MARCELLAY	13		
						MARLENE	5400		
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	MARCELLAY	13	1950	
						MARLENE	21600	648000	.0030092592
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	MARCELLAY	13		
						MIKE	5400		
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	MARCELLAY	13	1950	
						MIKE	21600	648000	.0030092593
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Deed-TS	TRS DEED	MARCELLAY	13		
						MAUREEN	5400		
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	MARCELLAY	13	1950	
						MAUREEN	21600	648000	.0030092592
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Deed-TS	TRS DEED	MARCELLAY	13		
						LYNN K	5400		

Appendix "B"

<u>Land Area</u> 151	<u>Land Area Name</u> COLVILLE PUBLIC DOMAIN	<u>Tract Number</u> MA 8	<u>LTRO</u> PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFICE	<u>Agency</u> COLVILLE AGENCY	<u>Resources</u> Surface
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Effective Ownership as of 02/13/2019

----- OWNER -----				---- DOCUMENT ----		NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
		Trust	All	Prob Ord	INTE	MARCELLAY	13	1950	
						LYNN KATHERINE	21600	648000	.0030092593
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	PIERRE	13	2925	
						VIVIAN FRANCES	2880	648000	.0045138889
						DECEASED			
						06/04/2018			
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	BURNAM	13	8775	
						RICHARD JOHN	960	648000	.0135416667
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	Joint Tenancy All	Prob Ord	TESTATE	DICK	13	1950	
						DWANE PAUL	4320	648000	.0030092592
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Deed-TS	TRS DEED	MARCELLAY	13		
						DARLENE	5400		
		Trust	All	Prob Ord	INTE	HYLAND	13	1950	
						DARLENE MARCELLAY	21600	648000	.0030092593
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Deed-TS	TRS DEED	MARCELLAY	13		
						GABRIEL	5400		
		Trust	All	Prob Ord	INTE	MARACELLAY	13	1950	
						GABRIEL	21600	648000	.0030092592
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	Joint Tenancy All	Prob Ord	TESTATE	DICK	13	1950	
						HANNAH	4320	648000	.0030092592
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	All	Prob Ord	INTE	WAPATO	29	20880	
						STEPHEN TIMOTHY	900	648000	.0322222222
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	Joint Tenancy All	Prob Ord	TESTATE	DICK	13	1950	
						ARTHUR M	4320	648000	.0030092593
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	Joint Tenancy All	Prob Ord	TESTATE	GOTTFRIEDSON	13	1950	
						KATHLEEN MARY	4320	648000	.0030092593
CONFEDERATED TRIBES (COLVILLE)	Indian	Trust	Joint Tenancy All	Prob Ord	TESTATE	DICK	13	1950	
						TRAVIS	4320	648000	.0030092593

**Appendix "B"**

<u>Land Area</u> 151	<u>Land Area Name</u> COLVILLE PUBLIC DOMAIN	<u>Tract Number</u> MA 8	<u>LTRO</u> PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFICE	<u>Agency</u> COLVILLE AGENCY	<u>Resources</u> Surface
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Effective Ownership as of 02/13/2019

----- OWNER -----				----- DOCUMENT -----		NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
YAKIMA	Indian	Trust	All	Prob Ord	INTE	WAPATO	13	7800	
						ANNIE	1080	648000	.0120370370
						DECEASED			
						11/08/2019			
NEZ PERCE - ID	Indian	Trust	All	Prob Ord	TESTATE	WHITE PLUME	13	7800	
						JACQUELINE WAPATO	1080	648000	.0120370371

\* "All" means the equitable beneficial interest and the legal title interest merged together.

IN TRUST:	618600	
	648000	.9546296297
IN FEE:	29400	
	648000	.0453703703
TOTAL:	648000	
	648000	1.0000000000

\* SPECIAL INTEREST HOLDERS \*

COLVILLE (FCT)	Non Ind	Trust	Beneficial Probate Order	TESTATE	THE WAPATO HERITAGE LLC	2057 8640	154275 648000	.2380787037
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**Appendix "C"**

<u>Land Area</u>	<u>Land Area Name</u>	<u>Tract Number</u>	<u>LTRO</u>	<u>Region</u>	<u>Agency</u>	<u>Resources</u>
151	COLVILLE PUBLIC DOMAIN	MA 8	PORTLAND, OR	NORTHWEST REGIONAL OFFICE	COLVILLE AGENCY	Surface

Ownership of Tract 151 MA 8 is encumbered by the following:

<u>Contract Type/Contractor Name</u>	<u>Contract</u>	<u>Contractor ID</u>	<u>Begin Date</u>	<u>Expiration Date</u>	<u>Acres</u>	<u>Recorded Date</u>	<u>Recorded Image#</u>
BUSINESS CTFC	5140061464	101C250103	02/01/2014	01/31/2064	174.260	02/14/2014	5140061464

<u>Type of Encumbrance</u>	<u>Encumbrance Holder</u>	<u>Expiration</u>	<u>Document</u>	<u>Description and Explanation</u>
JOINT TENANCY	DICK DWANE	PERPETUAL	P000101489	INTEREST IS HELD IN JOINT TENANCY WITH RIGHTS OF SURVIVORSHIP.
JOINT TENANCY	CLEVELAND WESLEY J	PERPETUAL	P000101489	INTEREST IS HELD IN JOINT TENANCY WITH RIGHTS OF SURVIVORSHIP.
JOINT TENANCY	DICK KATHLEEN M	PERPETUAL	P000101489	INTEREST IS HELD IN JOINT TENANCY WITH RIGHTS OF SURVIVORSHIP.
JOINT TENANCY	DICK ARTHUR	PERPETUAL	P000101489	INTEREST IS HELD IN JOINT TENANCY WITH RIGHTS OF SURVIVORSHIP.
JOINT TENANCY	DICK TRAVIS E	PERPETUAL	P000101489	INTEREST IS HELD IN JOINT TENANCY WITH RIGHTS OF SURVIVORSHIP.
JOINT TENANCY	DICK HANNAH RAE	PERPETUAL	P000101489	INTEREST IS HELD IN JOINT TENANCY WITH RIGHTS OF SURVIVORSHIP.
LIFE ESTATE	THE WAPATO HERITAGE LLC	PERPETUAL	SA86N04	THE INTEREST IDENTIFIED BY "T" IN THE INTEREST COLUMN IS SUBJECT TO A LIFE ESTATE FOR THE LIFE OF THE SURVIVOR OF THE FOLLOWING GRANDCHILDREN OF WILLIAM WAPATO EVANS: DANIEL JONES, WILLIAM WAPATO JONES, JOHN WAYNE JONES JR., KELLEN JONES, AND GUESS JONES
LIFE ESTATE	JONES JOHN WAYNE	PERPETUAL	SA86N04	THE INTEREST IDENTIFIED BY "T" IN THE INTEREST COLUMN IS SUBJECT TO A LIFE ESTATE.
LIFE ESTATE	JONES WILLIAM WAPATO	PERPETUAL	SA86N04	THE INTEREST IDENTIFIED BY "T" IN THE INTEREST COLUMN IS SUBJECT TO A LIFE ESTATE.
LIFE ESTATE	JONES DANIEL	PERPETUAL	SA86N04	THE INTEREST IDENTIFIED BY "T" IN THE INTEREST COLUMN IS SUBJECT TO A LIFE ESTATE.
LIFE ESTATE	JONES KELLEN	PERPETUAL	SA86N04	THE INTEREST IDENTIFIED BY "T" IN THE INTEREST COLUMN IS SUBJECT TO A LIFE ESTATE.
LIFE ESTATE	JONES GUESS	PERPETUAL	SA86N04	THE INTEREST IDENTIFIED BY "T" IN THE INTEREST COLUMN IS SUBJECT TO A LIFE ESTATE.

## Appendix "C"

<u>Land Area</u>	<u>Land Area Name</u>	<u>Tract Number</u>	<u>LTRO</u>	<u>Region</u>	<u>Agency</u>	<u>Resources</u>
151	COLVILLE PUBLIC DOMAIN	MA 8	PORTLAND, OR	NORTHWEST REGIONAL OFFICE	COLVILLE AGENCY	Surface
<u>Type of Encumbrance</u>	<u>Encumbrance Holder</u>	<u>Expiration</u>	<u>Document</u>	<u>Description and Explanation</u>		
RIGHTS OF WAY	CHELAN ELECTRIC COMPANY	PERPETUAL	153	R/W FOR PERPETUAL FLOWAGE APPD 2/28/28, PURSUANT TO THE ACTS OF 3/8/06 (34 STAT. 55-56) & 5/20/24 (43 STAT. 133).		
RIGHTS OF WAY	CHELAN ELECTRIC COMPANY	PERPETUAL	154	R/W FOR PERPETUAL FLOWAGE APPD 2/28/28, PURSUANT TO THE ACTS OF 3/8/06 (34 STAT. 55-56) & 5/20/24 (43 STAT. 133).		
RIGHTS OF WAY	CHELAN ELECTRIC COMPANY	PERPETUAL	155	R/W FOR PERPETUAL FLOWAGE APPD 2/28/28, PURSUANT TO THE ACTS OF 3/8/06 (34 STAT. 55-56) & 5/20/24 (43 STAT. 133).		
RIGHTS OF WAY	STATE OF WASHINGTON	PERPETUAL	297	R/W FOR HIGHWAY, 60 FEET IN WIDTH, APPROVED AUGUST 3, 1938, PURSUANT TO THE ACT OF MARCH 3, 1901 (31 STAT.1084).		
RIGHTS OF WAY	LAKE CHELAN IRRIG. DIST.	PERPETUAL	298	R/W FOR WATER PIPELINE 20 FEET IN WIDTH, ACROSS THE NW CORNER OF THIS TRACT, APPROVED JANUARY 24, 1941, PURSUANT TO THE ACT OF MARCH 3, 1891 (26 STAT.1095), AS AMENDED BY THE ACT OF MAY 11, 1898 (30 STAT. 404).		
RIGHTS OF WAY	BUREAU OF RECLAMATION	PERPETUAL	2194	R/W FOR BURIED DRAINAGE LINE 50 FEET IN WIDTH, APPROVED 4/29/1975, PURSUANT TO THE ACT OF 2/5/1948 (62 STAT. 17).		
RIGHTS OF WAY	P.U.D NO.1 CHELAN CO.,WA	PERPETUAL	2533	R/W FOR ROAD WITHIN SECTION 36, APPROVED 8/14/1986, PURSUANT TO THE ACT OF 2/5/48 (62 STAT. 17).		
RIGHTS OF WAY	STATE OF WASHINGTON	PERPETUAL	2535	TERMINATION OF STOCKPILE ONLY - SEE DOC. #297.		
TITLE DEFECT NOTICE	-----	PERPETUAL	2571	TITLE DEFECTIVE NOTICE - NO APPROVAL DATE IS SHOWN WITHIN DOCUMENT. A CORRECTION DOCUMENT IS NECESSARY.		
MISCELLANEOUS	WILLIAM EVANS JR	PERPETUAL	2571	MODIFICATION DATED 7/30/90, FOR LEASE DOC. NO. 101-2571, ALTERS DEVELOPMENT PLAN.		
ASSIGNMENT	MAR-LU LTD.	PERPETUAL	2572	ASSIGNMENT OF LEASE DOCUMENT NO. 2571, EXCEPT THE NORTHERLY 100 FEET OF THE EASTERLY 200 FEET OF TRACT IN SEC. 36, T28N, R21E, APPROVED 6-11-84.		
MINERALS RESERVE	LEVICK JR BILLY J	PERPETUAL	2908	RESERVATION OF 100% OF ALL MINERALS, INCLUDING OIL AND GAS, BUT EXCLUDING SAND AND GRAVEL, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE SAME.		

## Appendix "C"

<u>Land Area</u>	<u>Land Area Name</u>	<u>Tract Number</u>	<u>LTRO</u>	<u>Region</u>	<u>Agency</u>	<u>Resources</u>
151	COLVILLE PUBLIC DOMAIN	MA 8	PORTLAND, OR	NORTHWEST REGIONAL OFFICE	COLVILLE AGENCY	Surface
<u>Type of Encumbrance</u>	<u>Encumbrance Holder</u>	<u>Expiration</u>	<u>Document</u>	<u>Description and Explanation</u>		
MINERALS RESERVE	BIGBULL TERESA B	PERPETUAL	2909	RESERVATION OF 100% OF ALL MINERALS, INCLUDING OIL AND GAS, BUT EXCLUDING SAND AND GRAVEL, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE SAME.		
MINERALS RESERVE	WAPATO SR JAMES W	PERPETUAL	2910	RESERVATION OF 100% OF ALL MINERALS, INCLUDING OIL AND GAS, BUT EXCLUDING SAND AND GRAVEL, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE SAME.		
RIGHTS OF WAY	CHELAN CTY PUBLIC WORK	PERPETUAL	2963	R/W FOR CHELAN COUNTY PUBLIC WORK DEPARTMENT APPROVED 10/22/03, FOR WAPATO LAKE ROAD, IN SECTION 36, TOWNSHIP 28 NORTH, RANGE 21 EAST, PURSUANT TO 25 CFR 169.16.		
TITLE DEFECT NOTICE	WAPATO PETER		1562451	A JUDGES ORDER IS NEEDED TO CORRECT ACREAGE, PROBATE HAS 221.45 ACRES, SHOULD BE 174.40 ACRES.		
ENCUMBRANCES (OTHER)	CONF TRIBES OF THE C	12/11/2022	4271	FOR A PERIOD OF FIVE (5) YEARS, THE SECRETARY SHALL NOT APPROVE AN APPLICATION TO TERMINATE TRUST STATUS OR REMOVE THE RESTRICTIONS OF SUCH INTEREST.		

**Appendix "D"**

<u>Land Area</u>	<u>Land Area Name</u>	<u>Tract Number</u>	<u>LTRO</u>	<u>Region</u>	<u>Agency</u>	<u>Resources</u>
151	COLVILLE PUBLIC DOMAIN	MA 8	PORTLAND, OR	NORTHWEST REGIONAL OFFICE	COLVILLE AGENCY	Surface

No Contracts to list for Appendix D

<u>Type of Encumbrance</u>	<u>Encumbrance Holder</u>	<u>Expiration</u>	<u>Document</u>	<u>Description and Explanation</u>
RIGHTS OF WAY	P.U.D NO.1 CHELAN CO.,WA	PERPETUAL	2534	R/W FOR POWERLINE 5 FEET IN WIDTH, APPROVED 8/14/1986, PURSUANT TO THE ACT OF 2/5/48 (62 STAT. 17).