

Bureau of Indian Affairs
Sacramento Area Office
2800 Cottage Way
Sacramento, Calif. 95825

FEB 21 1980

Ms. Bernadine Connor, Chairperson
Robinson Rancheria
5109 Rabeneck Way
Fair Oaks, California 95628

Dear Ms. Connor:

Several questions have been posed regarding the land status of several individuals at the Robinson Rancheria.

First of all, paragraph 8 of the judgment entered in Duncan v. Andrus re-established the exterior boundaries of the Robinson Rancheria. Paragraph 9 of said judgment declared that the Indian landowners within the Robinson Rancheria had the option to convey their lands to the United States to be held in trust for the individual Indian or Indian entity designated by the grantor (grantor meaning the Robinson Rancheria Distributee).

The individual Indians were given until July 1, 1978, in which to convey their lands back into trust. There was no deadline set for the restoration of the community lands (lands held by the Robinson Pomo Association). As of this date, no community lands have been restored to trust, and at this point, we feel there may be no community lands in existence to restore to trust. All community lands that were deeded to the Robinson Pomo Association (Parcel 8, cemetery; Parcel 14, well site; Parcel 15, church site; Parcel 16, unoccupied land; Parcel 21, well site; and the woodlot) are no longer entirely in the ownership of the Robinson Pomo Association. On Parcel 32, also a well site, no title report was requested nor did this office receive a reconveyance deed. Therefore, the present status of Parcel 32 is unknown.

This office has also received several inquiries from individuals as to the status of their individual lands or the community lands as several remember signing deeds presented to them by James King, formerly of California Indian Legal Services. Enclosed is a status report dated September 10, 1979, which indicated who signed deeds of reconveyance. The status since that time has not changed. The individuals parcels now held in trust are as follows:

Parcel 19 - Ivan Anderson
Parcel 20 - Severine Mitchell (1/3 interest only)

1

Parcel 22 - Severine Mitchell
 Parcel 42 - Alfretta Mix

Title to the above parcels is now in the United States in trust for each of the above named. In essence, as a result of the judgment, those individuals who chose to convey their parcels back to the U.S. have caused the creation of individual parcels having almost the same status as allotments. The term "allotment" means a parcel of land granted to an individual Indian by the United States and held in trust for that individual by the U.S. government. The above parcels are not subject to control by the present interim government. These parcels are private property as are the other individual fee parcels within the boundaries of the Robinson Rancheria.

If a majority of the Robinson members choose to adopt a formal band use plan after approval of a formal constitution and bylaws and establishment of a formal tribal government, the parcels held in trust and in fee could possibly be affected.

Unlike the fee parcels, the owners of the parcels held in trust may not enter into any type of lease or other agreement that involves the use of, or encumbers, their land without such agreement being approved by the Bureau of Indian Affairs. Neither can the BIA enter into any such lease or other agreement affecting their land without the consent of the individual owner. In other words, we cannot force the individuals to enter into agreements which they themselves do not want to be a party to. There are, however, certain acts of Congress and governing regulations which permit the federal government to invoke its special powers to achieve a result which is adverse to a given party, however, none of the special circumstances required exist in the present dispute concerning the well drilled on Severine Mitchell's property.

Please feel free to share this information with the other members of the interim council and the tribe.

Sincerely yours,

(Sgd) Eddie V. Edwards

[For William L. Finale
 Area Director

Enclosure

cc: Severine Mitchell w/cpy of encl., P.O. Box 492, Upper Lake, CA 95485
 Ivan Anderson w/cpy of encl., P.O. Box 371, Upper Lake, CA 95485
 Alfretta Mix, w/cpy of encl., 1304 Hemlock St., Chico, CA 95926
~~Supt., CCA, Attn: Realty & Tribal Ops. w/cpy of encl.~~
 N. Sahmaunt w/no enclosure

Robinson Rancheria
Status Report-September 10, 1979

Parcel No.	Grant Deed Executed By	Date of Execution	Accepted By Area Director
3	Alice Peters	8-14-78	No
8	Robinson Assn. (cemetery)		
	Ivan Anderson	2-18-78	No
	Alvin Anderson	2-18-78	No
	Mabel Duncan	2-18-78	No
	Dorie Timmons	2-18-78	No
	Wilbur Augustine	2-18-78	No
	Barbara White	2-18-78	No
	Herbert Anderson	2-18-78	No
	Severine Mitchell	2-18-78	No
	Pearl Wilson	2-18-78	No
14	Robinson Assn. (well-site)		
	Ivan Anderson (1/42 interest)	2-18-78	No
16	Robinson Assn. (unoccupied land)		
	Wilbur Augustine	2-18-78	No
19	Ivan Anderson	2-18-78	Yes, 7-27-78
20	Severene Mitchell (1/3 interest)	2-18-78	Yes, 7-27-78
22	Severene Mitchell	2-18-78	Yes, 7-27-78
42	Alfretta Mix	8-7-78	Yes, Undated
E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15, T. 16 N., R. 10 W.	Robinson Assn. (wood lot)		
	Ivan Anderson	2-18-78	No
	Ivan Anderson (1/6 int.)	2-18-78	No
	Wilbur Augustine (1/6 int.)	2-18-78	No
	Barbara White (1/6 int.)	2-18-78	No
	Pearl Wilson (1/6 int.)	2-18-78	No
	Pearl Wilson	2-18-78	No
	Severine Mitchell (1/6 int.)	2-18-78	No
	Alvin Anderson	2-18-78	No
	Alvin Anderson (1/6 int.)	2-18-78	No

per 43 F.R. 22789 (May 26, 1978), and in accordance with Decree in Duncan, et al., v. Andus, et al., distributees had until July 1, 1978 to exercise option to convey his/her interest to U.S. to be held in trust

(Notice to be posted on Rancheria and individual notices to those named-see attached)