

**TRIBAL COUNCIL  
RESOLUTION 2016-19**

**Requesting the Secretary of the Interior to Enter into Memorandum of Agreement  
with Tribe Approving Acquisition of Ridgecrest Parcel by Mutual Agreement  
Pursuant to Section 5(d)(2) of the Timbisha Shoshone Homeland Act**

- WHEREAS,** The Timbisha Shoshone Tribe is a federally recognized Indian Tribe (the “Tribe”), whose recognition was acknowledged through the 25 C.F.R. 83 process effective January 3, 1983;
- WHEREAS,** The Tribe is organized under a constitution which was ratified by a vote of the Tribe in an election held on March 29, 2014, and approved by the Secretary of the Interior on May 12, 2014 (the “Constitution”);
- WHEREAS:** The United States Congress passed the Timbisha Shoshone Homeland Act, 16 U.S.C. §104aa (the “Act”) in 2000, which authorizes the Secretary of the Interior to acquire for the Tribe from a willing seller a property known as Lida Ranch, or another parcel mutually agreed upon by the Secretary and the Tribe, pursuant to Section 5(d)(2); and
- WHEREAS:** The Tribal Council finds that it is unrealistic to expect that the United States Congress will approve \$25 million to purchase the 2,340 acre Lida Ranch to be held in trust for the Tribe, and that the acquisition of Lida Ranch is not in the best interests of the Tribe compared to available alternatives;
- WHEREAS,** The Tribal Council finds that it is in the best interests of the Tribe for the mutually agreed upon parcel under Section 5(d)(2) of the Act to be APNs: 033-070-01; 033-070-02; 033-070-03; 033-070-28; 033-070-29; 33-070-30; 033-070-31; 033-070-32; 033-070-33; 033-070-34; 033-070-35; and 033-070-36, approximately 26.48 acres in the City of Ridgecrest, California (the “Ridgecrest parcel”) due to the opportunity to provide economic development through the operation of a gaming facility pursuant to the Indian Gaming Regulatory Act, 25 U.S.C. §2710 et. seq.;
- WHEREAS,** The Tribe has entered into a site-specific Municipal Services Agreement with the City of Ridgecrest for a gaming facility to be located on the Ridgecrest parcel, and the Tribe’s developer, Global Investment Enterprises Ridgecrest, LLC, has entered into a Purchase and Sale Agreement with the Successor Agency to the Ridgecrest Redevelopment Agency which includes an option to purchase the Ridgecrest parcel;

**WHEREAS,** The Ridgecrest parcel is within the Tribe's ancestral territory, is suitable for acquisition through the 25 C.F.R. Part 151 fee to trust process, and its acquisition for the Tribe is consistent with the Act; and

**WHEREAS,** The Act was passed sixteen years ago and the Tribe believes that it is imperative for the long-term health of the Tribe for the full implementation of the Act to be realized; and

**WHEREAS,** The Act specifically provides at Section 7(c) that the mutually agreed upon parcel shall be considered part of the Tribe's initial reservation and therefore eligible for gaming pursuant to IGRA, Section 20(b)(1)(B)(ii),

**NOW, THEREFORE, BE IT RESOLVED,** the Tribal Council hereby requests the Secretary of the Interior to enter into a Memorandum of Agreement with the Tribe mutually agreeing to the acquisition of the Ridgecrest parcel pursuant to Section 5(d)(2) of the Timbisha Shoshone Homeland Act.

#### CERTIFICATION

We the undersigned duly elected officials of the Timbisha Shoshone Tribal Council do hereby certify under penalty of perjury that on this the 21<sup>st</sup> day of September, 2016, the foregoing resolution was adopted at a duly called meeting of the Tribal Council at which a quorum was present by a vote of:

4 FOR, 0 AGAINST, and 0 ABSTAINING.

  
George Gholson, Chairman

  
Eleanor Jackson, Secretary/Treasurer