Mr. S. W. Gentle
Right of Way Engineer
Department of Highways
Pierre, South Dakota

Dear Mr. Gentle:

Reference is made to application for public highway, project Y 028(3), Ziebach County, relocation and reconstruction of State Highway 73 and application for right of way across Indian owned lands.

There is enclosed herewith copy of Tribal Resolution No. R-57-61 which grants permission for right of way across tribal land. Mr. Keveoke of your office has assured us that all of the consents have been signed by the individual land owners of the allotted tracts.

In accordance with Part 161.5, your office is hereby granted permission to proceed with construction work on the right of way before full compliance has been made with the requirements of the other parts of CFR 161.

The appraisal report and copy of the map of definite location have been forwarded to the Area Director, Aberdeen, South Dakota, for review and as soon as they have approved the documents, formal approval will be granted for the right of way.

Sincerely yours,

[Signature]

[Name]
Acting Superintendent
RESOLUTION NO. 1961

WHEREAS, the State Highway Commission of South Dakota, has applied for a Right of Way for relocation and reconstruction of State Highway 17 and to take over existing traffic; and

WHEREAS, the construction of this road will be of great benefit to the Cheyenne River Reservation; now,

Therefore, be it resolved by the Cheyenne River Sioux Tribal Council, in pursuance of the Resolution No. 1961, approved January 11, 1961, extending the time of application for a Right of Way for relocation and reconstruction of State Highway 17, in accordance with the provisions of the Indian Reorganization Act of 1934, 25 U.S.C. 476, as amended, that the following resolutions are hereby adopted and made a part of the above mentioned Resolution:

1. That a permanent fence be placed on each side of the road at a distance of 100 feet from the edge of the road, made of four sections of 100 feet each, with double wire posts and other parts, and gates will be installed on all approaches to be used by the residents.

2. That the fence be built as the road construction progresses through the range unit to prevent straying of livestock off such unit.

3. That a permanent cattle underpass be constructed where the road will cut across a range unit, particularly at the road construction intersects with the distribution of livestock on the range unit.

4. That accommodations be provided for the community of bridge where there is a crossing of the highway located to be able to get on to the road which will pass through the community.

Approved by the Executive Committee of the Cheyenne River Sioux Tribal Council, this 10th day of May, 1961, at Eagle Butte, South Dakota,

[Signature]
Chairman, Executive Committee of the Cheyenne River Sioux Tribe

[Signature]
Secretary, Executive Committee of the Cheyenne River Sioux Tribe
STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION
PLANS FOR PROPOSED
PROJECT NO. P 0034(64)115
S.D. HIGHWAY 34
HAAKON & ZIEBACH COUNTIES
Cold Milling Asphalt Concrete, Asphalt Concrete
Resurfacing, Landslide Repair, Approach Guardrail
& 3 Cable Guardrail
PCN 2637

BEGIN PROJECT
STATION 159+96.0
MRM 115.67 + 0.000

EXCEPTION:
STR. NO. 28-035-151
STA. 580+77.9 TO
STA. 592+82.0
CONT. COMP. GIRDER BRIDGE
1204 FEET = 0.228 MILE
MRM 123.64

STORM WATER PERMIT
Major Stream: Cheyenne River
Area Disturbed: 4.5 Acres

GROSS LENGTH 56,628.2 Ft  10.725 MILES
LENGTH OF EXCEPTIONS 1204.0 Ft  0.228 MILES
NET LENGTH 55,424.2 Ft  10.497 MILES
GRANT OF EASEMENT FOR RIGHT-OF-WAY
KNOW ALL MEN BY THESE PRESENTS

That the United States of America, acting by and through the Superintendent, Cheyenne River Agency, Bureau of Indian Affairs, Department of the Interior, Eagle Butte, South Dakota, hereinafter referred to as "GRANTOR", under authority contained in Order No. 2508 of the Secretary of the Interior (14 F.R. 258) and BIAI Supplement 7 and (34 F.R.637), and pursuant 169. Title 25 Code of Federal Regulations, in consideration of Two Thousand Five Hundred Fifteen Dollars and No Cents ($2,515.00) the receipt of which is acknowledged, does hereby grant to the South Dakota Department of Transportation, 700 East Broadway Avenue, Pierre, SD 57501 its successors and assigns hereinafter referred to as "GRANTEE", an easement for right-of-way for the following purposes specifically:

TO REPLACE AND INSTALL CULVERTS
CHEYENNE RIVER SIOUX TRIBE RESOLUTION NO. 258-06-CR

Said easement as shown on the tract map attached hereto may be more particularly described as:

<table>
<thead>
<tr>
<th>Tract Number</th>
<th>Landowner</th>
<th>Description</th>
<th>R/W Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>See Attached Typed List</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This easement is subject to any prior valid existing right or adverse claim and is without limitation as to tenure, so long as easement shall be actually used for the purpose above specified: PROVIDED, that this right-of-way may be terminated in whole or in part by the Grantor for any of the following causes upon 30 days written notice, and failure of the Grantee within said notice period to correct the basis of termination (25 CFR 169.20):

A. Failure to comply with any term of condition of the grant or the applicable regulations.

B. A nonuse of the right-of-way for a consecutive two-year period for the purpose for which it was granted.

C. An abandonment of the right-of-way.

D. Failure to submit an affidavit of completion.

Any future damages or disturbances to the land described above, to fulfill the intent of this grant of easement for Right-of-Way, may result in a future payment to the owners of the tracts of land affected by this Grant of easement for Right-of-Way.

Nothing in this easement diminishes, divests, alters, or otherwise affects any inherent, treaty, statutory, or other rights of the Cheyenne River Sioux Tribe over the land described herein, nor over the activities conducted upon such land. The Cheyenne River Sioux Tribe expressly retains all rights and authority over the land described herein, including, but not limited to, legislative, regulatory, adjudicatory, and taxing powers.

The condition of this easement shall extend to and be binding upon and shall inure to the benefit of the successors and assigns of the Grantee.

IN WITNESS WHEREOF, Grantor has executed this grant of easement this 20th day of September 2006.

UNITED STATES OF AMERICA

BY

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
ACKNOWLEDGEMENT

STATE OF South Dakota

)SS

COUNTY OF Dewey

BEFORE ME, a Notary Public, in and for said County Sate on this 20th day of September, 2006, personally appeared Russell J. McClure, whose name is subscribed to the foregoing Grant of Easement for Right-of-Way as Superintendent, Cheyenne River Agency, Bureau of Indian Affairs, and he personally acknowledged to me that he Executed the said Grant of Easement for Right-of-Way as he free and voluntary act an deed for the uses as purposes set forth therein.

Notary Public

My commission expires: May 25, 2011
<table>
<thead>
<tr>
<th>Tract Number</th>
<th>Landowner</th>
<th>Description</th>
<th>R/W Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>T-8224</td>
<td>Cheyenne River Sioux Tribe</td>
<td>Parcel 1  SW¼SE¼, Sec. 15, T. 7 N., R. 18 E., B.H.M (4483 sq. ft.)</td>
<td>0.10</td>
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<tr>
<td>T-5399</td>
<td>Cheyenne River Sioux Tribe</td>
<td>Parcel 2  NE¼, Sec. 22, T. 7 N., R. 18 E., B.H.M (1482 sq. ft.)</td>
<td>0.03</td>
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<tr>
<td></td>
<td></td>
<td>NE¼, Sec. 22 T. 7 N., R. 18 E., B.H.M. (3002 sq. ft.)</td>
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<tr>
<td>T-7110</td>
<td>Cheyenne River Sioux Tribe</td>
<td>Parcel 3  NW¼SE¼, Sec. 22, T. 7 N., R 18 E., B.H.M. (1233 sq. ft.)</td>
<td>0.03</td>
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<tr>
<td></td>
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<td>NW¼SE¼, Sec. 22, T. 7 N., R 18 E., (3109 sq. ft.)</td>
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<tr>
<td>TX-207</td>
<td>Cheyenne River Sioux Tribe</td>
<td>Parcel 4  S½SE¼, Sec. 22, T. 7 N., R.18 E., B.H.M. (1900 sq. ft.)</td>
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<td>S½SE¼, Sec. 22, T. 7 N., R.18 E., B.H.M. (2021 sq. ft.)</td>
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<td>S½SE¼, Sec. 22, T. 7 N., R.18 E., B.H.M. (1182 sq. ft.)</td>
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<tr>
<td>T-1254</td>
<td>Cheyenne River Sioux Tribe</td>
<td>Parcel 5  SW¼NE¼, Sec. 27, T. 7 N., R.18 E., B.H.M. (1758 sq. ft.)</td>
<td>0.04</td>
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</tbody>
</table>

STATE OF SOUTH DAKOTA
COUNTY OF ZIEBACH

OFFICE OF REGISTER OF DEEDS

I hereby certify that the within instrument was filed in this office on the 18th day of April, 2021, at 10:00 o'clock A.M. and duly recorded in Book 18, on page 6017-008.

[Signature]
Register of Deeds
4-24-21