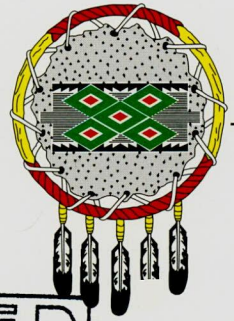


UNITED TRIBES TECHNICAL COLLEGE
3315 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504 • 701-255-3285 • FAX 701-530-0605 • 1-888-643-8882



September 12, 2013

North Dakota Public Service Commission
State Capitol Building
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480



Re: Killdeer Battlefield State Historical Site
Resolution of United Tribes of North Dakota
passed on September 6, 2013 during the Seventeenth
Annual InterTribal Summit
Request of Basin Electric for siting of transmission line
ND PSC Case #: PU-11-696

To the Commissioners:

This is a formal transmission letter of the attached Resolution opposing any disturbance of the Killdeer Battlefield State Historic Site as enacted by our Board of Directors of United Tribes of North Dakota at our recent Summit meeting held in Bismarck, North Dakota from September 4-6, 2013. The Board of Directors was requested to act on the Resolution by citizens of the Standing Rock Sioux Tribe, and unanimously voted in favor of the Resolution. United Tribes asks that this letter and the Resolution attached be placed into the record regarding the siting request of Basin Electric in PSC Case #PU-11-696, and further ask that this Resolution be taken into account regarding any decision you might make about the siting request.

We are also submitting this Resolution to Basin Electric Power Cooperative at their headquarters here in Bismarck.

Should there be any questions about this matter, please feel free to contact my office at the telephone number listed above.

Sincerely yours,

David M. Gipp
President, United Tribes Technical College

cc: Board of Directors, UTND
Basin Electric Power Cooperative

23 **PU-11-696** Filed: 9/12/2013 Pages: 4
Resolution regarding Killdeer Mountains battlefield site

United Tribes Technical College

David Gipp, President

**UNITED TRIBES OF NORTH DAKOTA
RESOLUTION**

INTERTRIBAL SUMMIT XVII RESOLUTION NO. 9-13-10

Resolution Entitled: Support for preservation of the Killdeer Mountains Civil War Battlefield at which an undetermined number of Lakota men, women and children were killed on July 28, 1864

WHEREAS, United Tribes of North Dakota ("United Tribes") is an association of the five federally recognized Tribes located in North Dakota, each of which has a government-to-government relationship with the United States established by Treaty, including the Three Affiliated Tribes, the Sisseton Wahpeton Oyaté, the Standing Rock Sioux Tribe, the Spirit Lake Tribe and the Turtle Mountain Band of Chippewa, with a Board of Directors composed of the Chairman and one council member from each member Tribe; and

WHEREAS, United Tribes exists to assist in furthering the common goals of the North Dakota Indian Tribes and Nations; and

WHEREAS, On September 4-6, 2013, the Tribal Chairmen and the Tribal Council representatives from the five Tribal Nations that are members of United Tribes of North Dakota, along with other Tribal leaders from the upper Great Plains, have been meeting at the Seventeenth Annual InterTribal Summit, the theme of which has been "United Tribal Nations: Renewing the Promise of Tomorrow", discussing issues of great importance to the Indian Tribal Nations of North Dakota and their members; and

WHEREAS, the history of the Native Nations is filled with places of overwhelming sacred and cultural significance, with many places being identified only by a few persons, including places of overwhelming grief and tragedy; and

WHEREAS, one such place that was sacred before the tragedy that befell the several thousand Teton Native Americans encamped there in the summer of 1864 is within what is now known as the Killdeer Mountains near the Badlands of western North Dakota; and

WHEREAS, on July 28, 1864, a peaceful encampment of Teton Native Americans (known as part of the Sioux Nation) was present at a site sacred to them in the Killdeer Mountains, a site also sacred to the Mandan, Hidatsa and Arikara Nation (the Three Affiliated Tribes); and

WHEREAS, the encampment was routed by the U.S. military, and an undetermined number

of Native American men, women and children were killed, accompanied by the destruction of between 1,600 and 1,800 lodges they occupied, by a force commanded by U.S Army General Sully as a part of a continuing effort by the U.S. military to stamp out all resistance by Native Americans to U.S. domination of Indian country in Minnesota, Dakota Territory and further west; an effort which would now be called a war of genocide; and

WHEREAS, the Tetons that managed to escape the horrors of the so-called "Battle" in the Killdeer Mountains in Dakota Territory were unable to ever give their relatives the appropriate burial ceremonies, with many bodies being buried in a long line along the hills where they were killed; and

WHEREAS, at this site, a company that sells electricity to persons in the region wishes to place a part of a transmission line and possibly other facilities that could potentially disturb the remains of those killed at the site, as well as disturb the battlefield in general; and

WHEREAS, the battlefield site is owned by private landowners and the state and federal government have relatively little authority to protect the site; and

WHEREAS, a hearing has recently been held (in early September, 2013) before the North Dakota Public Service Commission regarding whether the electric power company will be permitted to place its facilities at the battlefield site, including part of a 200 mile transmission line being built to serve the oil fields to the north and west of the site, and has already indicated that at least one piece of equipment scheduled to be on that site will be placed elsewhere; and

WHEREAS, the Public Service Commission will be making its decision about placement of the transmission line proposed by the electric company in a few months.

NOW THEREFORE BE IT RESOLVED that United Tribes of North Dakota hereby opposes further development that would disturb the Killdeer Mountains Battlefield site or that would disturb the remains of the many Teton Native Americans killed at the site; and

BE IT FURTHER RESOLVED that United Tribes of North Dakota hereby urges the President of United Tribes to take such steps as are necessary to deliver this message of opposition to further development at the Killdeer Mountain Battlefield Site as quickly as possible to the North Dakota Public Service Commission and to any other entities or persons with authority over this matter; and

BE IT FINALLY RESOLVED that this resolution shall be the policy of United Tribes of North Dakota until it is withdrawn or modified by subsequent resolution.

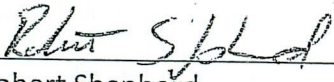
CERTIFICATION

As Chairman of the Board of Directors of United Tribes of North Dakota, I hereby certify that the foregoing resolution was duly passed at a meeting of the United Tribes of North Dakota Board of Directors at which a quorum was present, held on the 6th day of September, 2013, in Bismarck, North Dakota, with a vote of 7 in favor, 0 opposed, 0 abstaining, and 1 not present.



Tex G. Hall
Chairman, Mandan, Hidatsa and Arikara Nation
Chairman, Board of Directors
United Tribes of North Dakota

ATTEST:



Robert Shepherd
Chairman, Sisseton Wahpeton Oyaté
Secretary, Board of Directors
United Tribes of North Dakota