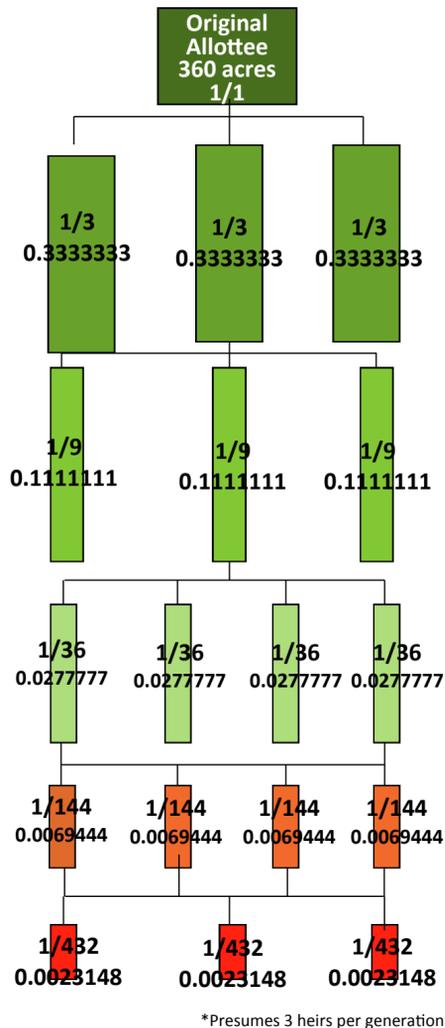


# FRACTIONATION, THEN AND NOW

## 6 Generations of Undivided Heirships



## HISTORY OF FRACTIONATION

In 1887, the General Allotment Act or “Dawes Act” gave tribal land or allotments to individuals living on the reservation.

As original allottees passed on, their children and spouses inherited undivided interests in the allotments.

The land was not physically divided or partitioned as it was inherited by family members.

Many allotments now have hundreds and even thousands of individual owners. It is difficult to obtain the required approvals to lease. The BIA has consent requirements under AIPRA depending on how many owners there are (see below). As a result, many Interests can be used only for range purposes or not at all.

### BIA CONSENT REQUIREMENTS

5 OR LESS OWNERS = 90 % CONSENT • 11-19 OWNERS = 60 % CONSENT  
6-10 OWNERS = 80% CONSENT • 20 OR MORE OWNERS = 50%

## Where-Abouts Unknown

The Office of Special Trustee is seeking current addresses for Individual Indian Money (IIM) account holders. All Whereabouts Unknown (WAU) accounts have either interests in lands and/or funds to be disbursed to rightful owners.

If you know of anyone on the WAU lists please let them know they can update their contact information by calling: **1-888-678-6836** and you can also learn more at: [www.doi.gov/ost/wau/index.cfm](http://www.doi.gov/ost/wau/index.cfm)

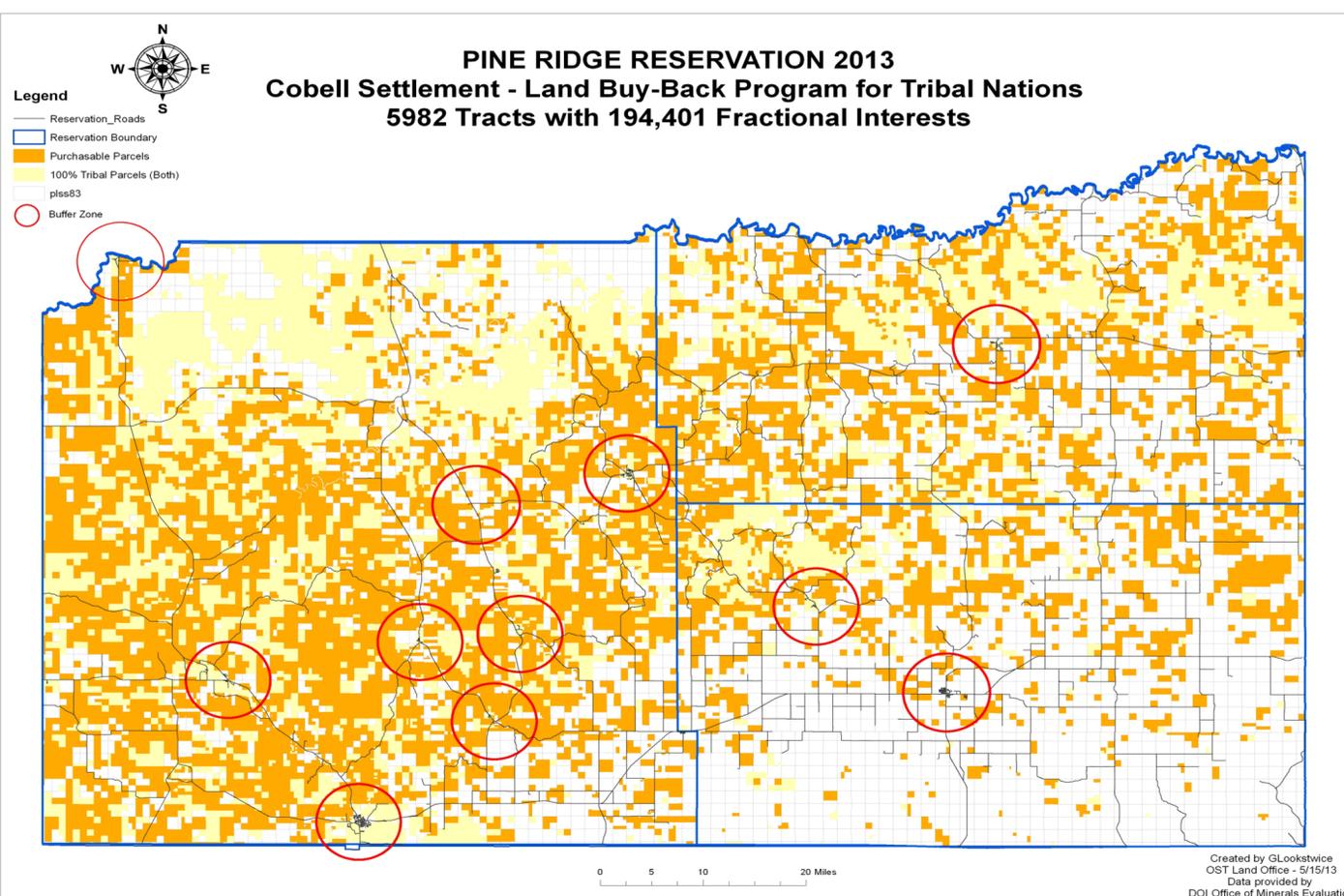
In the Pine Ridge area you can get more information at the local Office of Special Trustee located in the BIA building or calling them at:

**605-867-5326**

Today, the question becomes, where do our next generations live?

The OST Land Office tries very hard to find home sites that are accessible to water, electricity, roads. Unless we can find more suitable sites on tribal land, where are they going to live? Where will they raise their own families?

Purchasing fractionated interests helps us to solve the problem.



FOR MORE INFORMATION ON THE COBELL SETTLEMENT LAND BUYBACK PROGRAM FOR TRIBAL NATIONS YOU CAN CALL THE TRUST BENEFICIARY CALL CENTER 1-888-678-6836 or the OST Land Buy Back Office at: 605-867-2610

## ESTATE PLANNING...

Is a very important tool to help stop fractionation. Writing a Will is only one tool though. You can also consolidate your interests and put in for a Land Exchange. Partitionment and Gift Deeds are another way to protect your interests.

For more information on Estate Planning and writing a Will you can call the OST Wills and Probate Office at: 1-605-867-5074. Staff:

**Russell Zephier - 407-0163**  
**Diane Zephier - 407-0376**