UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

COMANCHE NATION, OKLAHOMA,	)	
Plaintiff	)	
-vs-	)	Case No. CIV-05-328-F
UNITED STATES OF AMERICA, et al.,	)	
Defendants.	)	

AGREEMENT OF COMPROMISE AND SETTLEMENT RECITALS

On April 2, 1999, the United States Department of the Interior transferred trust title ("the trust transfer") for the benefit of the Fort Sill Apache Tribe of Oklahoma (or "Fort Sill Apache Tribe") of a .53 acre parcel ("subject parcel") within an original Comanche Allotment located in lands of the former Kiowa, Comanche and Apache Reservation ("KCA Reservation"), and did so without the written consent of the Comanche Tribe, the predecessor in interest to Plaintiff Comanche Nation of Oklahoma (or "Comanche Nation"). The Fort Sill Apache Tribe operates the Fort Sill Apache Casino on the subject parcel, where it conducts gaming and other commercial activity.

In March 2005, the Comanche Nation filed the instant lawsuit ("the lawsuit") against Defendants United States of America and officials of the United States Department of the Interior named in their representative capacities (collectively "the United States"), seeking relief including a declaration voiding the trust transfer on the ground that prior consent from the Comanche Nation was necessary, and entry of an injunction preventing publication in the Federal Register of a "Class III Compact" between the Fort Sill Apache Tribe and State of

Oklahoma ("publication in the Federal Register") pending a determination on the merits. The Fort Sill Apache Tribe sought and was granted leave to intervene as Party-Defendant, and, together with the United States Department of the Interior, asked the Court to deny the Comanche Nation any and all relief.

On May 27, 2005, the Court granted a preliminary injunction preventing publication in the Federal Register pending a determination on the merits of the controversy, and at the same time referred the matter for a settlement conference before the Honorable Lee H. West. On June 22, 2005, the parties entered a Memorandum of Understanding confirming in principle the terms of settlement between and among the Comanche Nation, the Fort Sill Apache Tribe, and the United States, which was conditioned upon certain action on the part of the United States Department of the Interior.

Now therefore, subject to approval by the Court, this Agreement of Compromise and Settlement ("Agreement") is made this 9th day of January 2007, by, and between, and among the Comanche Nation of Oklahoma, the Fort Sill Apache Tribe of Oklahoma, and the United States.

AGREEMENT

1. The Comanche Nation agrees to the dissolution of the preliminary injunction, entered on or about May 27, 2005, enjoining the United States Department of the Interior from publication in the Federal Register, and to dismissal of the lawsuit pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. The Comanche Nation and Fort Sill Apache Tribe also agree to have an appropriate Agreement of Dismissal filed in Case No. 05-6241 (10th Cir.) pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure immediately upon the Court's approval of this Agreement.

2. From the effective date of this Agreement, the Comanche Nation agrees to not exercise any civil or criminal jurisdiction to prohibit, tax, or otherwise regulate the activities of the Fort Sill Apache Tribe on the subject parcel.

3. The Fort Sill Apache Tribe agrees to immediately withdraw and otherwise abandon any and all applications currently pending with the United States Department of the Interior for trust transfers of real property related to any original Comanche Allotment (in whole or in part and without regard to the tribal membership of the current owner), wherever located, including but not limited to, real property located within Comanche Allotments 2329 and 2331.

4. The United States agrees that henceforth the United States Department of Interior (including any successor agency and any agency hereafter delegated or to whom is transferred any of the functions and responsibilities currently exercised by the Department with regard to Indian trust property) will not process or approve any trust transfers of real property located within an original Comanche Allotment, including but not limited to any pending applications for such transfer, without prior written notice to and prior written consent from the governing body of the Comanche Nation or any successor entity. However, such consent shall not be required for the transfer of original Comanche Allotments among individuals and remaining in trust, provided that tribal jurisdiction over the parcel shall remain with the Comanche Nation. The Fort Sill Apache Tribe or any successor entity agrees to adhere in all respects to the foregoing notice and consent requirements regarding any and all transfers of original Comanche Allotment. An "original Comanche Allotment" is defined as any parcel of land held in trust within the KCA Reservation that was originally allotted to a member of the Comanche Nation or any predecessor tribal entity, notwithstanding the tribal affiliation of the current allottee(s) or owner(s) of that parcel, provided that, for purposes of this paragraph, "original Comanche

Allotment" does not include (a) those parcels of land specified in Attachment A hereto, which were transferred to individual Chiricahua and Warm Springs Apache upon their release from imprisonment in or about 1913 and 1914; and (b) those parcels of land specified in Attachment B hereto, which are trust transfers made with the written consent of the Comanche Nation to the Fort Sill Apache Tribe or any predecessor tribal entity before the date of this Agreement.

5. The United States Department of the Interior (including any successor agency and any agency hereafter delegated or to whom is transferred any of the functions and responsibilities currently exercised by the Department with regard to Indian trust property) agrees that any and all trust acquisitions of real property held in fee and located within the boundaries of the KCA Reservation shall be conditioned upon and subject to (1) written notice to the governing body of the Comanche Nation or any successor entity allowing not less than thirty (30) days to furnish written comment as to the acquisition's potential impact; and (2) written notice to the governing body of the Comanche Nation or any successor entity of any decision by the Secretary of Interior to take any such real property into trust not less than thirty (30) days before the Secretary is to acquire title. The Fort Sill Apache Tribe or any successor entity agrees to adhere in all respects to the foregoing notice and comment requirements regarding any and all trust acquisitions of real property held in fee.

6. The United States Department of the Interior and Fort Sill Apache Tribe agree to unconditionally execute the release of the $200,000 injunction bond posted by the Comanche Nation in this matter and forever waive any and all claims against the Comanche Nation for damages arising from, or otherwise related to, this dispute or as a result of any injunctions issued by this Court.

7. The United States Department of the Interior understands and agrees that the Comanche Nation and Fort Sill Apache Tribe assent and agree to terms set forth in the preceding paragraphs of this Agreement and hereafter in express reliance upon acknowledgment and agreement by the United States Department of the Interior that the following representations are true and correct:

a) On October 21, 1867, the Kiowa Tribe and Comanche Nation entered into the First Treaty of Medicine Lodge Creek ("First Treaty") with the United States establishing the original boundaries of the reservation for these two tribes. 15 Stat. 581.

b) Subsequently, on October 21, 1867, the Kiowa Tribe, Comanche Nation and Apache Tribe (also known as the "Kiowa-Apache Tribe" a distinct tribe from the Fort Sill Apache Tribe) entered into the Second Treaty of Medicine Lodge Creek ("Second Treaty") with the United States, in which the Kiowa Tribe and Comanche Nation consented to share their reservation (established by the First Treaty) with the Apache Tribe. 15 Stat. 589.

c) By Executive Order in October of 1871, the United States unilaterally established the Fort Sill Military Reserve, setting aside 23,040 acres of the KCA Reservation for that purpose resulting in the creation of a separate federal military enclave under the exclusive jurisdiction of the United States Army, surrounded by the KCA Reservation.

d) On October 6, 1892, the United States negotiated an agreement with the Kiowa Tribe, Comanche Nation, and Apache Tribe ("KCA Tribes") for the allotment of the lands of the KCA Reservation to members of the KCA Tribes ("Jerome Agreement") which Congress ratified on June 6, 1900 (31 Stat. L. 677, Chap. 813). Pursuant to the Jerome Agreement, the United States acquired a substantial portion of the KCA Reservation and allotted individual tracts of land in severalty to individual members of each of the three tribes. These tracts were held in

trust by the United States for the beneficial use of the Indian owner.

e) Beginning in 1894, members of the Chiricahua Band and Warm Springs Band of Apaches were placed as prisoners of war of the United States on the Fort Sill Military Reserve, and in 1897, the United States acquired an additional two parcels of land from the KCA Reservation "for exclusive use for military purposes and for the permanent location thereon of the Apache Prisoners of War." 41 Ind. Cl. Comm. 37.

f) Beginning in 1913, the United States removed the Chiricahua and Warm Springs Bands of Apache prisoners of war from the Fort Sill Military Reserve; one hundred sixty-three (163) of said prisoners relocated to New Mexico. Seventy-six (76) prisoners of war remained in Oklahoma and were individually settled on various parcels of previously allotted lands within the KCA Reservation.

g) The Fort Sill Apache Tribe is a successor-in-interest to the Chiricahua and Warm Springs Apache Tribes whose aboriginal territory, as defined by the Indian Claims Commission and as affirmed by the United States Court of Claims, includes those parts of Arizona and New Mexico where the United States currently holds land in trust for the benefit of the Fort Sill Apache Tribe. See Fort Sill Apache Tribe v. United States, 19 Ind. Cl. Comm. 212 (1968); Fort Sill Apache Tribe v. United States, 477 F.2d 1360, 201 Ct.Cl. 630 (1973), cert. denied, 416 U.S. 993 (1974).

h) The United States once maintained a government-to-government relationship with the Chiricahua and Warm Springs Apache Tribes, as evidenced by treaties, negotiations with tribal leaders, provision of services to the tribes and tribal members, and other government-to-government relationships clearly identified in numerous legal actions maintained before the Indian Claims Commission, United States Court of Claims, United States District Courts, and

the United States Department of Interior Board of Indian Appeals. See, e.g., Fort Sill Apache Tribe v. United States, supra, 19 Ind.Cl.Comm. at 212.

i) The United States does not acknowledge and/or recognize the Chiricahua and/or Warm Springs Apache Tribes as "Federally Recognized Tribes", or as entities "acknowledged to have the immunities and privileges available to other federally acknowledged Indian tribes by virtue of their government-to-government relationship with the United States as well as the responsibilities, powers, limitations and obligations of such tribes." 70 Fed. Reg. 71194 at 1 (Nov. 25, 2005).

j) On or about August 16, 1976, the Commissioner of Indian Affairs formally approved the Constitution of the Fort Sill Apache Tribe, and thereafter the United States acknowledged the Fort Sill Apache Tribe to be a Federally Recognized Tribe, and has maintained a government-to-government relationship with the Fort Sill Apache Tribe since that date. See 70 Fed. Reg. 71194.

k) The Fort Sill Apache Tribe has no reservation within the State of Oklahoma as defined by the Secretary of Interior pursuant to 25 U.S.C. § 467.

l) The Fort Sill Apache Tribe has land in New Mexico held in federal trust status within the former aboriginal and/or Indian Title lands of the Chiricahua and/or Warm Springs Apache Tribes as defined by the Indian Claims Commission and United States Court of Claims. The United States agrees to accept and timely process an Fort Sill Apache Tribe application for a reservation proclamation on land currently held in trust for the Fort Sill Apache Tribe which is located in Luna County, New Mexico.

8. The United States Department of Interior shall immediately withdraw the two (2) Associate Solicitor's Opinions regarding the subject transaction dated March 29, 1996 and

November 20, 1997, respectively, and disclaim any further departmental reliance thereon; provided, however, that the parties herein agree not to dispute the "Indian lands" status of the subject parcel as that term is currently defined in the Indian Gaming Regulatory Act for purpose of gaming thereon.

9. The parties hereby release and forever discharge each other and any successor entity or entities, from any and all claims, known or unknown, present or future, arising in law or equity, related to or deriving from the trust transfer of the subject parcel.

10. This Agreement sets forth the entire agreement and understanding between the parties on the subject matter hereof and merges all prior discussions and negotiations between and among them. Any modification or other change in the terms of this Agreement shall be effective only if in writing, executed by each party hereto, and approved by the Court.

11. The parties agree that this Agreement shall be incorporated by reference in any Order dismissing the action pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, and that the Court thereafter shall have continuing jurisdiction to enforce the terms of this Agreement under the authority of Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375, 381-82 (1994).

12. The parties agree to bear their own costs and attorney fees for this litigation.

13. The parties agree to propose the ORDER APPROVING AGREEMENT OF COMPROMISE AND SETTLEMENT ("ORDER") attached as an EXHIBIT hereto for the Court's consideration and approval, and agree further that this Agreement shall take effect upon the Court's approval and execution of the ORDER.

WITNESS OUR SIGNATURES HERETO:

Comanche Nation
By Wallace Coffey, Chairman

Fort Sill Apache Tribe
By Jeff Houser, Chairman

United States of America
By Judy Copeland AUSA

U.S. Department of the Interior - BIA
By William P. Ragsdale, Director

WITNESS OUR SIGNATURES HERETO:

Comanche Nation
By Wallace Coffey, Chairman

Fort Sill Apache Tribe
By Jeff Houser, Chairman

United States of America

By_____

U.S. Department of the Interior

By_____

Attachment A

ATTACHMENT A

Original Comanche Allotments Transferred to Individual Chiricahua and Warm Springs Apache Upon Release From Imprisonment

COMANCHE ALLOTMENT #	FSA ALLOTMENT #	ORIGINAL LEGAL DESCRIPTION	FSA LEGAL DESCRIPTION	COUNTY	FSA ACRES	TRUST STATUS
868	3	SE/4 of Section 29, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, Containing 160.00 acres more or less original allotment of **MAHECO, Comanche 868**	W/2 SE/4 of Section 29, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 80.00 acres more or less, allotted to **HELEN DOMEAH, Ft. Sill Apache 03**.	Caddo	80.00	803-03-A (15.00 acres) 803-03-B (15.00 acres) 803-03-C (15.00 acres) 804-03-D (20.00 acres) 803-03-E (15.00 acres)
1597	14	SW/4 of Section 29, Township 05 North, Range 10 West, Indian Meridian, Caddo County, Oklahoma, containing 160.00 acres, more or less, original allotment of **NELLIE NEVAQUAYA, Comanche 1597**	N/2 SW/4 of Section 29, Township 05 North, Range 10 West, Indian Meridian, Caddo County, Oklahoma, containing 80.00 acres, more or less, allotted to **CARLOS KEANIE, Ft. Sill Apache 14**	Caddo	80.00	803-M 14 (80.00 acres) 803-S 14 (80.00 acres)
138	20	S/2 NE/4 and N/2 SE/4 of Section 31, Township 05 North, Range 09 West, Indian Meridian, Comanche County, Oklahoma, containing 160.00 acres, more or less, original allotment of **WAHWECKEAH, Comanche 138**	N/2 SE/4 of Section 31, Township 05 North, Range 09 West, Indian Meridian, Caddo County, Oklahoma, containing 80.00 acres, more or less, allotted to **BEATRICE EYELASH, Ft. Sill Apache 20**	Caddo	80.00	803-M 20 (80.00 acres)
1600	23	SW/4 of Section 20, Township 05 North, Range 10 West, Indian Meridian, Caddo County, Oklahoma, containing 160.00 acres, more or less, original allotment of **MERMEP, Comanche 1600**	N/2 SW/4 of Section 20, Township 05 North, Range 10 West, Indian Meridian, Caddo County, Oklahoma, containing 80.00 acres, more or less, allotted to **QUINTON EYELASH, Ft. Sill Apache 23**	Caddo	80.00	803-M 23 (80.00 acres)

Case 5:05-cv-00328-F Document 81-2 Filed 03/08/2007 Page 12 of 18

100	25	Fractional NE/4 of Section 05, Township 01 North, Range 09 West, Indian Meridian, Comanche County, Oklahoma, containing 161.95 acres, more or less, original allotment of **TAKEYPOYAH, Comanche 100**	E/2 NE/4 of Section 05 Township 01 North, Range 09 West, Indian Meridian, Comanche County, Oklahoma, containing 80.55 acres, more or less, allotted to **BENEDICT JOZHE (Tzozhey), Ft. Sill Apache 25**	Comanche	80.55	803-25 (80.55 acres)
100	26	Fractional NE/4 of Section 05, Township 01 North, Range 09 West, Indian Meridian, Comanche County, Oklahoma, containing 161.95 acres, more or less, original allotment of **TAKEYPOYAH, Comanche 100**	W/2 NE/4 of Section 05, Township 01 North, Range 09 West, Indian Meridian, Comanche County, Oklahoma containing 80.45 acres more or less allotted to **MABEL JOZHE, Ft. Sill Apache 26**	Comanche	80.45	803-26 (80.45 acres)
2309	27	SW/4 of Section 14, Township 01 South, Range 09 West, Indian Meridian, Comanche County, Oklahoma, containing 160.00 acres, more or less, original allotment of **QUOYUAH, Comanche 2309**	N/2 SW/4 of Section 14, Township 01 South, Range 09 West, Indian Meridian, Comanche County, Oklahoma, containing 80.00 acres, more or less, allotted to **ELIZABETH NAAHDOYAH, Ft. Sill Apache 27**	Stephens	80.00	803-M 27 (80.00 acres)
2309	28	SW/4 of Section 14, Township 01 South, Range 09 West, Indian Meridian, Comanche County, Oklahoma, containing 160.00 acres, more or less, original allotment of **QUOYUAH, Comanche 2309**	S/2 SW/4 of Section 14, Township 01 South, Range 09 West, Indian Meridian, Comanche County, Oklahoma, containing 80.00 acres, more or less, allotted to **BENEDICT JOZHE, JUNIOR, Ft. Sill Apache, 28**	Stephens	80.00	803-M 28 (80.00 acres)
132	29	E/2 NE/4 and E/SE/4 of Section 14, Township 04 North, Range 10 West, Indian Meridian, Comanche County, Oklahoma, containing 160.00 acres, more or less, original allotment of **SHOSHONIE (Yellow Bucket) Comanche 132**	E/2 NE/4 of Section 14, Township 04 North, Range 10 West, Indian Meridian, Comanche County, Oklahoma, containing 80.00 acres, more or less, allotted to **JULIA ESTINE JOZHE, Ft. Sill Apache 29**	Comanche	80.00	803-29 (80.00 acres)

Attachment A

Case 5:05-cv-00328-F Document 81-2 Filed 03/08/2007 Page 13 of 18

132	30	E/2 NE/4 and E/2 SE/4 of Section 14, Township 04 North, Range 10 West, Indian Meridian, Comanche County, Oklahoma, containing 160.00 acres, more or less, original allotment of **SHOSHONIE (Yellow Bucket) Comanche 132**	E/2 SE/4 of Section 14, Township 04 North, Range 10 West, Indian Meridian, Comanche County, Oklahoma, containing 80.00 acres, more or less, allotted to **PEARL JOZHE, Ft. Sill Apache 30**	Comanche	80.00	803-30 (80.00 acres)
876	45	NE/4 of Section 31, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 160.00 acres, more or less, original allotment of **TAYOU, Comanche 876**	N/2 NE/4 Section 31, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 80.00 acres, more or less, allotted to **RICHARD IMACH (Enohn), Ft. Sill Apache 45**	Caddo	80.00	803-45 (80.00 acres)
876	46	NE/4 of Section 31, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 160.00 acres, more or less, original allotment of **TAYOU, Comanche 876**	S/2 NE/4 of Section 31, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 80.00 acres, more or less allotted to **AMY IMACH (Enohn), Ft. Sill Apache 46**	Caddo	80.00	803-46 (80.00 acres)
397	47	SW/4 Section 29, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 160.00 acres, more or less, original allotment of **ESAWOOTHTAKEQUA, Comanche 397**	S/2 S/2 SW/4 and S/2 S/2 N/2 S/2 SW/4 of Section 29 Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 50.00 acres, more or less, allotted to **MILDRED IMACH (Enohn), Ft. Sill Apache 47**	Caddo	50.00	803-47 (48.75 acres) 803-47-A (1.25 acres)
860	53	NE/4 of Section 14, Township 04 North, Range 11 West, Indian Meridian, Comanche County, Oklahoma, containing 160.00 acres, more or less, original allotment of **TERMY, Comanche 860**	W/2 NE/4 Section 14, Township 04 North, Range 11 West, Indian Meridian, Comanche County, Oklahoma, containing 80.00 acres, more or less, allotted to **JAMES NICHOLAS, Ft. Sill Apache 53**	Comanche	80.00	803-M 53 (40.00 acres)

Attachment A

Case 5:05-cv-00328-F Document 81-2 Filed 03/08/2007 Page 14 of 18

860	54	NE/4 of Section 14 Township 04 North, Range 11 West, Indian Meridian, Comanche County, Oklahoma, containing 160.00 acres, more or less, original allotment of **TERMY, Comanche 860**	E/2 NE/4 Section 14, Township 04 North, Range 11 West, Indian Meridian, Comanche County, Oklahoma, containing 80.00 acres, more or less, allotted to **BELLE NICHOLAS, Ft. Sill Apache 54**	Comanche	80.00	803-M 54-B (40.00 acres) 803-S 54-B (40.00 acres)
2577	55	NE/4 of Section 32, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 160.00 acres more or less original allotment of **ESMOND WAYTIPE, Comanche 2577**	E/2 NE/4 of Section 32, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 80.00 acres, more or less, allotted to **MINNIE NICHOLAS, Ft. Sill Apache 55**	Caddo	80.00	803-55 (78.75 acres) 803-55-A (1.25 acres)
525	60	Fractional SW/4 of Section 30, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 158.49 acres, more or less, original allotment of **QUITTAHWAN, Comanche 525**	E/2 SW/4 of Section 30, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 80.00 acres, more or less, allotted to **DAVID CHINNEY , Ft. Sill Apache 60**	Caddo	80.00	803-60 (80.00 acres)
854	63	SE/4 Section 23, Township 04 North, Range 10 West, Indian Meridian, Comanche County, Oklahoma, containing 160.00 acres more or less, original allotment of **CHAVONY, Comanche 854**	N/2 SE/4 Section 23, Township 04 North, Range 10 West, Indian Meridian, Comanche County, Oklahoma, containing 80.00, acres more or less, allotted to **BESSIE GOODAY, Ft. Sill Apache 63**	Comanche	80.00	803-63 (80.00 acres)
2050	65	SE/4 Section 02, Township 04 North, Range 10 West, Indian Meridian, Comanche County, Oklahoma, containing 160.00 acres, more or less, original allotment of **WAUKEAH, Comanche 2050**	E/2 SE/4 Section 02, Township 04 North, Range 10 West, Indian Meridian, Comanche County, Oklahoma, containing 80.00 acres, more or less, allotted to **HILDA EVA GOODAY, Ft. Sill Apache 65**	Comanche	80.00	803-M 65 (80.00 acres)

Attachment A

Case 5:05-cv-00328-F Document 81-2 Filed 03/08/2007 Page 15 of 18

870	66	SW/4 of Section 33, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 160.00 acres, more or less, original allotment of **TISSYKONY, Comanche 870**	N/2 SW/4 of Section 33, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 80.00 acres, more or less, allotted to **NATHLET LA, Ft. Sill Apache 66**	Caddo	80.00	803-M 66 (80.00 acres)
720	67	NE/4 of Section 09, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 160.00 acres, more or less, original allotment of **AERWUTHTAKEUM, Comanche 720.**	W/2 W/2 NE/4 and W/2 E/2 W/2 NE/4 of Section 09, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, **and** E/2 E/2 NW/4 of Section 09, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing a combined 100.00 acres, more or less, allotted to **ROBERT GOODAY, Ft. Sill Apache 67.**	Caddo	100.00	803-67 (100.00 acres)
2072	67	NW/4 of Section 09, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 160.00 acres, more or less, original allotment of **JAMES GUADALOUPE, Comanche 2072.**	E/2 E/2 W/2 E/2 NW/4 of Section 09, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 10.00 acres, more or less, allotted to **ROBERT GOODAY, Ft. Sill Apache 67.**	Caddo	10.00	803-67 (10.00 acres)

Case 5:05-cv-00328-F Document 81-2 Filed 03/08/2007 Page 16 of 18

Attachment A

Attachment B

ATTACHMENT B

Original Comanche Allotments Transferred To Fort Sill Apache Tribe With The Written Consent of Comanche Nation

1. **802T1603-AA Deed #030086988**

ALL interest in and to the NE/4 SW/4 SE/4 SE/4; NW/4 SE/4 SE/4; SW/4 NW/4 NE/4 SE/4 SE/4; W/2 E/2 NW/4 SE/4 SE/4 SE/4; W/2 E/2 SW/4 NE/4 SE/4 SE/4; W/2 NW/4 SE/4 SE/4 SE/4; W/2 SE/4 NW/4 NE/4 SE/4 SE/4 and W/2 SW/4 NE/4 SE/4 SE/4; of Section 21, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 17.187 acres, more or less, together with a right of way for ingress and egress purposes described as: Commencing at the SE/Corner of the SE/4 SE/4 of Section 21-05N-11WIM, thence North 847.5' to the point of beginning, thence West 412.5' thence North 33'; thence East 412.5'; thence South 33' to the point of beginning, part of the original allotment of **ASSAHCUT, Comanche 1603-AA.**

802T1603-AA Deed #030086988 approved 04-27-1988
Tribal Consent obtained 04-27-88 from the Comanche Tribe of Oklahoma.

2. **802 MT1603-Z Deed #020852987**

ALL interest in Minerals including but not limited to oil and gas, on or underlying the surface of the NW/4 SW/4 SE/4 SE/4 and S/2 S/2 SE/4 SE/4 of Section 21, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 12.50 acres, more or less, part of the original allotment of **ASSAHCUT, Comanche 1603-Z.**

802MT1603-Z Deed #020852987 approved 08-06-1987
Tribal Consent obtained 12-29-1986 from the Comanche Tribe of Oklahoma.

3. **802ST1603-V Deed #020012987**

ALL interest in Surface and Surface rights only in and to the E/2 SW/4 SE/4 SE/4 SE/4 and SE/4 SE/4 SE/4 SE/4 of Section 21, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 3.75 acres, more or less, part of the original allotment of **ASSAHCUT, Comanche 1603-V.**

802ST1603-V Deed #0020012987 approved 01-09-1987
Tribal Consent obtained 12-29-1986 from the Comanche Tribe of Oklahoma.

4. **802ST1603-Y Deed #020015987**

ALL interest in Surface and Surface rights only in and to the NW/4 SW/4 SE/4 SE/4; S/2 SW/4 SE/4 SE/4 and W/2 SW/4 SE/4 SE/4 SE/4 of Section 21, Township 05 North, Range 11 West, Indian Meridian, Caddo County, Oklahoma, containing 8.75 acres, more or less, part of the original allotment of **ASSAHCUT, Comanche 1603-Y.**

802ST1603-Y Deed #020015987 approved 01-15-1987
Tribal Consent obtained 12-29-1986 from the Comanche Tribe of Oklahoma.