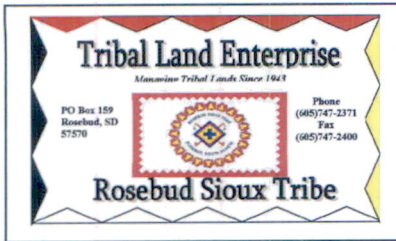


August 2024



**Tribal Land Enterprise**  
A Subordinate Organization of the  
Rosebud Sioux Tribe  
Incorporated Under Act of June 18, 1934, (48 Stat 984)  
2443 Legion Ave, P.O. Box 159  
Rosebud, S.D. 57570  
Telephone 605 747-2371  
Fax # 605 747-2400  
Website: [www.rsttle.com](http://www.rsttle.com)

### **BUSINESS SITE APPLICATION PROCESS**

First of all, this application is for a business site lease, *not* a business assignment. Also, the applicant needs to understand that the procedural requirements in RST Ordinance #88-05 will be followed by Tribal Land Enterprise (TLE). The ordinance is attached to the application and needs to be read carefully.

Secondly, it is the applicant's responsibility to contact the **Bureau of Indian Affairs (BIA) Engineer Technician** at (605) 856-2334 to obtain a legal land description and aerial photo. **This is the first step of the application process.** Return your legal land description, map and completed application back into TLE for further research. If that business site is available, the lease proposal process starts and the application is presented to the Tribal Land Enterprise Board of Directors (BOD) for approval.

**\*NOTES: The TLE Lease Office and the BIA Engineer Technician do not have to deal with any type of harassment from an applicant.**

\* TLE will write a letter to the Tribal Historic Preservation Office (THPO) to request that an Archaeological field inspection be completed for the proposed business site.

\* A Business Plan and RST Business License must accompany the application. Business plans must include an overall summary including size and type of buildings, the kind of business, number of employees, financing details, etc.

\* An Environmental Assessment is required by the BIA and can cost up to \$10,000 or more.

**PART #1:** This section of the application is for general information of the applicant such as the name, mailing address, telephone number, any interests in lands, and the legal land description of the business site location. The rental consideration, fencing and tribal ordinance agreements for business sites are also included in this section.

**ACREAGE LIMITATIONS:** Business Site Leases – 7 ½ acres at \$50.00 per acre.

**PART #2:** If the land is under a lease or in a range unit, the applicant must contact the lessee and inform them of the plans for a business site lease. The lessee must indicate the approval or disapproval and state the reason if they disapprove.

**PART #3:** This section needs to be completed by the Water & Sewer Department Director or a designated representative. The location will be checked to determine the impact on the environment and if the site has an adequate water supply.

**PART #4:** The Right of Ways Section needs to be signed by the Bureau of Indian Affairs Realty Officer. This includes the Right of Ways for electricity, roads, telephone, and water and sewer, which are the applicant's responsibility.

**PART #5:** The Motor Fuel Tax Director (Sand & Gravel) will review the business site location to determine if a road can or cannot be created for the site. After the analysis, the Director or designated representative will indicate the decision and provide a signature.

**PART #6:** Community approval is required by attending a community meeting. The Community Chairman and Secretary need to sign the application. ***A copy of the Community Minutes needs to be attached to the application when submitted.***

**PART #7:** This section is for TLE OFFICE USE ONLY.

**PART #8:** This last page is the Beneficiary Form. The applicant writes their information at the top of the page and the lists the beneficiary(s) immediately below. Copies of the Enrollment Abstract/Tribal ID must be provided for the applicant and their beneficiaries.

***If any PART of your application is not finished, your application will be considered incomplete and returned to you for completion.***

The TLE Office will notify you, in writing, of the decision made by the Tribal Land Enterprise Board of Directors.

TLE refers the approved application to the BIA Realty Department for processing of the lease contract. BIA will mail you a copy of the lease contract. Sign the contract and take it to TLE for the signatures of the BOD Chairman and the BIA Superintendent.

The business site acreage will be surveyed as soon as the BIA Engineer Technician receives a copy of the ***Approved lease contract***. You have six (6) months to make use of the land after the lease contract is completed. Non-use of the land may result in cancelation of the lease contract.

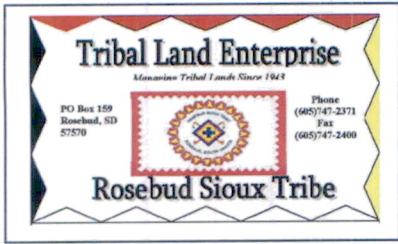
All leases will be required to be fenced with the standard three (3) barbed wire fence within one (1) year from the date of the lease contract completion. The maintenance of this fence will be the responsibility of the business site lessee.

**\*FURTHER NOTES:** ***No applicant will have authority or control over this business site lease until there is an approved contract in place.***

**\*NOTE:** The applicant needs to understand that the procedural requirements in RST Ordinance #88-05 will take some time which is beyond the control of TLE. In other words, don't expect to get this business site lease completed in a short period of time.

**\*IMPORTANT NOTE:** If an application goes through all or part of the procedural requirements and the applicant decides they want to change locations, the applicant will need to start all over again and go through the proper procedures.

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## APPLICATION FOR BUSINESS SITE LEASE

**\*\*PART 1\*\* PLEASE WRITE YOUR INFORMATION CLEARLY\*\***

\*APPLICANT NAME: \_\_\_\_\_

\*MAILING ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

\*HOME PHONE NUMBER: \_\_\_\_\_

CELL PHONE NUMBER: \_\_\_\_\_

Does Applicant presently own land/interests on the Rosebud Reservation? \_\_\_\_\_

**LEGAL LAND DESCRIPTION AND ACREAGE: GIS Map & Legal Land Description, signed by the BIA Engineering Technician, must be attached to the application.**

Tract#: \_\_\_\_\_ Description: \_\_\_\_\_

Section: \_\_\_\_\_ T \_\_\_\_\_ N, R \_\_\_\_\_ W, 6<sup>th</sup> P.M., \_\_\_\_\_ County, South Dakota

Rental Consideration is \$50.00 per acre with a maximum of 7.5 acres for a business site lease, for a total amount of \$375.00 payable yearly. Applicant desires the lease for \_\_\_\_\_ years, beginning on \_\_\_\_\_, with the option to renew for another 25 years.

Exact purpose of business site: \_\_\_\_\_

**\*NOTE:** Business Plan and RST Business License must accompany this application. Business plans must include an overall summary including the kind of business, size and type of buildings, number of employees, financing details, etc.

\_\_\_\_\_  
**(Initial Here) Fencing: Applicant expressly agrees to fence the location within one (1) year of approval. Failure to fence will be cause for cancelation.**

**Applicant agrees to abide by the procedural requirements outlined in Tribal Ordinance #88-05, related to business site leases. Applicant also understands that failure to adhere to these regulations will be cause for cancelation of the lease.**

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT'S SIGNATURE

**\*\*PART 2\*\***

**LESSEE/PERMITTEE USE ONLY (IF APPLICABLE)**

It is the responsibility of the applicant to obtain the signature of the lessee/permittee agreeing or disagreeing to this business site lease.

Lessee/Permittee's comment for the application of a business site lease on land currently leased or permitted to:

\_\_\_\_\_ ON \_\_\_\_\_  
(LAND DESCRIPTION/LEASE#)

Please check the appropriate box and comment freely.

\_\_\_\_\_ 1. I do not object to: \_\_\_\_\_  
Obtaining a business site lease. (APPLICANT)

\_\_\_\_\_ 2. I do object to: \_\_\_\_\_  
Obtaining a business site lease. (APPLICANT)

COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
LESSEE/PERMITTEE'S SIGNATURE

DATE: \_\_\_\_\_

**\*\*PART 3\*\***

**WATER & SEWER DEPARTMENT USE ONLY**

In reviewing the location of this potential business site, the Rosebud Sioux Tribe Water & Sewer Department hereby

\_\_\_\_\_ 1. Agrees that the location of this business site is adequate for water supply and does not have an adverse impact on the environment.

\_\_\_\_\_ 2. Disagrees to the location of this business site since the water supply would be inadequate and it would have an adverse impact on the environment.

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DIRECTOR, WATER & SEWER

**\*\*PART 4\*\***

**BUREAU OF INDIAN AFFAIRS - RIGHT OF WAYS**

It is the responsibility of the applicant to take care of their right of ways including electricity, roads, telephone, and water and sewer. The applicant will need to contact the companies and request services from them after the business site lease contract is established and the house is placed on the site. Utility companies will not run the line out to a business site that does not have a building to hook up to. If there is an existing road, it has been explained to the applicant that it is excluded from the site. Any further road right of ways are the applicant's obligation.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
REALTY OFFICER

**\*\*PART 5\*\***

**MOTOR FUEL TAX DEPARTMENT (SAND & GRAVEL)**

In reviewing the location of this potential business site, the Rosebud Sioux Tribe Motor Fuel Tax Department (Sand & Gravel) hereby

- \_\_\_\_ 1. Agrees that the location of this business site is adequate for a road to be made and does not have an adverse impact on the environment.
- \_\_\_\_ 2. Disagrees to the location of this business site since it's too far away from main roads and/or would have an adverse impact on the environment.

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DIRECTOR, MOTOR FUEL TAX

**\*\*PART 6\*\***

**COMMUNITY USE ONLY**

This application was discussed and reviewed at a \_\_\_\_\_ Community Meeting, held on \_\_\_\_\_ and was **(APPROVED)** / **(DISAPPROVED)** by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed and \_\_\_\_\_ not voting.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
COMMUNITY CHAIRPERSON

\_\_\_\_\_  
DATE

\_\_\_\_\_  
COMMUNITY SECRETARY

**\*\*PART 7\*\***      **TRIBAL LAND ENTERPRISE OFFICE USE ONLY**

**TRIBAL HISTORIC PRESERVATION OFFICE**

A letter of request will be sent to the Tribal Historic Preservation Office for an archaeological survey to be completed for this proposed business site.

In reviewing the location of this possible business site, the Rosebud Sioux Tribe Tribal Historic Preservation Office hereby

- \_\_\_\_\_ 1. Agrees that the location of this business site does not have cultural materials present on the site and would not have an adverse impact on the environment.
- \_\_\_\_\_ 2. Disagrees to the location of this business site since there are cultural materials present on the site and it would have an adverse impact on the environment.

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

**TRIBAL LAND ENTERPRISE BOARD OF DIRECTORS**

This application was reviewed by the Tribal Land Enterprise Board of Directors on \_\_\_\_\_ and was **(APPROVED)** / **(DISAPPROVED)** by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed and \_\_\_\_\_ not voting.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHAIRMAN, TRIBAL LAND ENTERPRISE