



# Lac du Flambeau Band of Lake Superior Chippewa Indians

## Tribal Operations/Enrollment

October 18, 2024

Via Email & US mail

Chairman Matthew Gaulke  
Town of Lac du Flambeau  
109 Old Abe Road  
P.O. Box 68  
Lac du Flambeau, WI 54538  
(715) 588-3358  
(715) 588-7923 fax

Re: Lac du Flambeau Roads – Notice to Quit

Chairman Gaulke,

Please take note, that you are hereby required to vacate and quit all maintenance and surrender possession of the Indian lands identified on Attachment A on or before November 18, 2024.

As you know, the Lac du Flambeau Band of Lake Superior Chippewa Indians (the "Tribe") requested that the Town of Lac du Flambeau (the "Town"), by way of letter dated February 20, 2017 (copy attached) produce documentation showing that the Town possesses a valid right-of-way over Indian lands, as that term is defined in Title 25, Chapter 8, of the United States Code, and its implementing regulations, Title 25, Part 169 of the Code of Federal Regulations.

Over the years, the Town has produced various documents related to the roads listed on Attachment A, yet none of these documents purport to evidence a valid legal interest the Town possesses in said Indian lands. In the past, the Town has attempted to rely upon the previous Acknowledgement of Public Authority Responsibility despite the fact that the Tribe has canceled that agreement.

If the Town fails to comply with this notice and remains in possession of, or continues to claim a right of maintenance over, the portions of road over Indian lands identified in Attachment A, the Tribe will consider this an unauthorized trespass and will exercise its rights under 25 CFR § 169.413.

## ATTACHMENT A

1. Headflyer Lake Lane – entire length of road running north from County Road D, traversing Parcel ID. 10-3110<sup>1</sup>, listed on Page 17 of the Town's Inventory.
2. North Indian Village Road – the lengths of road traversing the following parcels, listed on Page 18 of the Town's Inventory:
  - a. Parcel ID. 10-785; and
  - b. Parcel ID. 10-3044
3. Indian Village Road – the lengths of road traversing the following parcels, listed on Page 18 of the Town's Inventory:
  - a. Parcel ID. 10-2;
  - b. Parcel ID. 10-20;
  - c. Parcel ID. 10-88;
  - d. Parcel ID. 10-91;
  - e. Parcel ID. 10-91-02;
  - f. Parcel ID. 10-92;
  - g. Parcel ID. 10-1227; and
  - h. Parcel ID. 10-1226

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<sup>1</sup> As identified as "Parcel ID" on Vilas County Ascent Land Records Suite. See <https://ascent.vilascountywi.gov/LandRecords/PropertyListing/RealEstateTaxParcel#/Search>

Sincerely,



John Johnson Sr., President  
Lac du Flambeau Band of  
Lake Superior Chippewa Indians

Chippewa Indian  
Lac du Flambeau Band  
of Lake Superior  
Chippewa Indians  
Lac du Flambeau  
Reservation  
Lac du Flambeau  
Wisconsin

Chippewa Indian

Chippewa Indian  
Lac du Flambeau Band  
of Lake Superior  
Chippewa Indians

Chippewa Indian  
Lac du Flambeau Band  
of Lake Superior  
Chippewa Indians  
Lac du Flambeau  
Reservation  
Lac du Flambeau  
Wisconsin

Chippewa Indian  
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Chippewa Indian  
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Lac du Flambeau  
Reservation  
Lac du Flambeau  
Wisconsin



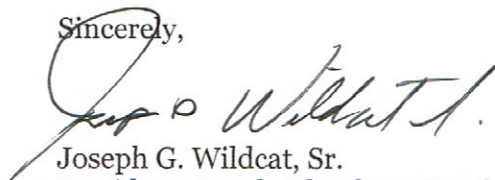
Rights-of-way over tribal trust lands have been authorized through federal enactments. Initially, there were several precursor federal statutes that authorized the Secretary to approve rights-of-ways, then in 1948 Congress enacted a general right-of-way statute that gave the Secretary the power to grant rights-of-ways on Tribal lands with the approval of the affected Tribe. 25 U.S.C. § 323–324. The Secretary has promulgated regulations regarding such grants of right-of-way under 25 C.F.R. § 169.1 *et seq.*

Please consider this letter as formal notice that the Tribe will begin taking affirmative steps to rescind all Tribal resolutions concerning maintenance agreements negotiated between the Tribe, federal government, and Town government. Specifically, the Tribe has identified the following roads on the reservation for re-assumption of maintenance and jurisdiction:

- |                               |                             |
|-------------------------------|-----------------------------|
| 1. Annie Sunn Lane            | 16. Mitten Lake Road        |
| 2. Artishon Lane              | 17. Moccasin Lane           |
| 3. Bid Crooked Lake Lane      | 18. Old Prairie Road        |
| 4. Big Crooked Lake Road      | 19. Old/Indian Village Road |
| 5. Big Thunder Lane           | 20. Pokegama Lake Trail     |
| 6. Cemetery Road              | 21. Pokegama Lake Spur      |
| 7. Chequamegon Trail          | 22. Raven Lake              |
| 8. East Boundary Road         | 23. Schilleman Road         |
| 9. East River Road            | 24. Sugar Bush Road         |
| 10. East Ross Allen Lake Road | 25. Thorofare Road          |
| 11. Florsheim Road            | 26. ToTo Tom                |
| 12. Head Flyer Lake Road      | 27. Thunderbird Lane        |
| 13. Little Trout Road         | 28. Wayman Lane             |
| 14. Ike Walton Road           | 29. Woodtick Lane           |
| 15. Longs Point Lane          |                             |

The Tribe has conducted research concerning the roads on the Reservation and the above list of roads illustrate those without sufficient instruments granting the Town rights-of-way or any other property rights. Without such instruments the Town lacks authority to claim any right-of-way or other legal ownership over such roads. Therefore, if the Town cannot produce evidence that such instruments establishing property rights in said roads exist by March 6, 2017, the Tribe will assume maintenance of such roads thereafter.

Sincerely,



Joseph G. Wildcat, Sr.  
President, Lac du Flambeau Band of  
Superior Chippewa Indians

cc: Tribal Council Members  
Atty. Andrew Adams III