

NEWS RELEASE- FOR IMMEDIATE RELEASE

UTE INDIAN TRIBE SUES UTAH STATE INSTITUTIONAL TRUST LAND ADMINISTRATION (SITLA) AND STATE OF UTAH OFFICERS BASED UPON DEFENDANTS' DISCRIMINATORY CONSPIRACY TO PREVENT SALE OF TABBY MOUNTAIN TO THE TRIBE AND TO COVER-UP THE DISCRIMINATION

Ft. Duchesne, UT May 5, 2023

The Ute Indian Tribe of the Uintah and Ouray Reservation filed a lawsuit in federal court today against the Utah School and Institutional Trust Administration (SITLA) and against Utah and SITLA officers. The complaint alleges that the Tribe was the highest true bidder for the Tabby Mountain lands, and that SITLA refused to sell the land to the Tribe based upon SITLA and other Defendants' racial, ethnic, national origin and religious animus toward the Ute Indian Tribe and Ute Indians. The complaint also alleges that SITLA and its Board members violated their fiduciary responsibilities to Utah's public schools and other beneficiaries of the SITLA trust.

The complaint cites documents the Tribe obtained through state open records laws which show that SITLA's Board of Trustees *unanimously* decided to sell the land if it received a bid of at least \$41,000,000. The Board's unanimous decision to sell was based upon its experts' analysis that the land was worth approximately 3.24 million dollars to SITLA, but that it could sell the land for \$41,000,000.

SITLA expected the State Department of Natural Resources (DNR) would submit the highest sealed bid. The Tribe submitted the highest sealed bid at \$46,976,000, compared to the DNR's bid of \$41,000,000. The complaint relies on state documents to allege that as soon as SITLA found out that the Ute Indian Tribe was the high bidder, SITLA worked with other Defendants to prevent the sale and worked to create a false public record to cover up their violation of state and federal laws.

After learning the Tribe was the high bidder, SITLA allowed DNR to submit a new bid of \$50,000,000, but Defendants knew DNR could not pay its bid. SITLA then publicly stated it was temporarily suspending the sale to review questions about marketing and appraisal. It did so even though it had been aware of, and had rejected, those concerns until it learned that the Tribe was the high bidder. The records also show that the only substantial actions SITLA took after suspending the sale were to: 1) seek to find other ways to sell the land to someone other than the Tribe; and 2) fire a senior SITLA officer who asserted that SITLA was violating its trust responsibility to Utah's schools and children. Based upon those records, the Tribe alleges that SITLA's claimed reason for "suspending" the sale was transparent pretext, to attempt to hide from the Tribe and the public the fact that SITLA was refusing to sell to the Tribe based upon obvious and unlawful discrimination against the Ute Indian Tribe.

About the Ute Indian Tribe - The Ute Indian Tribe resides on the Uintah and Ouray Reservation in northeastern Utah. Three bands of Utes comprise the Ute Indian Tribe: the Whiteriver Band, the Uncompahgre Band, and the Uintah Band. The Tribe has a membership of more than three thousand individuals, with over half living on the Uintah and Ouray Reservation. The Ute Indian Tribe operates its own tribal government and oversees significant oil and gas deposits on its 4.5-million-acre Reservation. The Tribal Business Committee is the governing council of the Tribe.

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