



January 6, 2009

Via U.S. Mail

A.D. Ellis, Principal Chief
Muscogee (Creek) Nation
P.O. Box 580
Hwy. 75, Loop 56
Okmulgee, OK 74447

Re: Authority to conduct gaming at Twin Hills

Dear Chief Ellis:

On January 22, 2007, you inquired about the status under IGRA of the Twin Hills site in Okmulgee County, Oklahoma whose legal description appears in the attached Warranty Deed. *See* Warranty Deed from Muscogee (Creek) Nation to United States of America in trust for the Muscogee (Creek) Nation (January 31, 1996).

Because the BIA has determined that the Twin Hills site is within the Nation's former reservation boundaries, the site constitutes Indian lands eligible for gaming under IGRA. 25 U.S.C. § 2719(a)(2)(A)(i).

This letter does not constitute final agency action subject to review in federal district court. If you have any questions, please feel free to call Staff Attorney Rebecca Chapman at (202) 632-7003.

Sincerely,

A handwritten signature in cursive script, reading "Penny J. Coleman".

Penny J. Coleman
Acting General Counsel

cc: Tim Harper, Region V Director
Drew Edmondson, Attorney General for the State of Oklahoma

Enclosure: Warranty Deed

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BOOK 1579-649

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BRANCH OF REALTY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

And Realty That the MUSCOGEE (CREEK) NATION, P. O. Box 580, Okmulgee, Oklahoma 74447, party of the first part, in consideration of the trust responsibilities to be performed by the United States does hereby grant, bargain, sell, and convey unto the UNITED STATES OF AMERICA IN TRUST FOR THE MUSCOGEE (CREEK) NATION, party of the second part, the following described real property and premises, situated in Okmulgee County, State of Oklahoma, to wit:

The Northeast Quarter of the Northeast Quarter of Section 31, Township 15 North, Range 14 East of the Indian Meridian, containing 40 acres, more or less, AS TO SURFACE ONLY, LESS AND EXCEPT ALL MINERALS,

together with all improvements thereon and appurtenances thereunto belonging and warrant title to the same, subject to any valid, existing lease or right-of-way thereon.

It being understood that the hereinabove described lands are purchased pursuant to the provisions of Section 5 of the Act of June 18, 1934 (48 Stat. 984) and said lands are non-taxable to the extent therein provided.

To have and to hold said described premises unto the said party of the second part, their successors and assigns, forever free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages, and other liens and encumbrances of whatsoever nature.

Signed and delivered this 26th day January, 1996.

R. Perry Beaver
R. PERRY BEAVER, PRINCIPAL CHIEF
OF THE MUSCOGEE (CREEK) NATION

ACKNOWLEDGMENT

STATE OF OKLAHOMA]

COUNTY OF OKMULGEE]

Before me, the undersigned, a Notary Public in and for said County and State on this 26th day of January, 1996, personally appeared R. PERRY BEAVER to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal, the day and year above set forth.

[Signature]
NOTARY PUBLIC

My Commission Expires: 2/28/96