



**RESOLUTION OF THE GOVERNING BODY OF THE
THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution Entitled: Request to Secretary of Interior to Acquire Certain Tribal Fee Lands into Trust Status on Behalf of the Three Affiliated Tribes

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribe generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Pursuant to Article VI, Section 5 (i) of the Constitution the Tribal Business Council has the authority to make assignments and leases of tribal lands and otherwise manage tribal lands, interests in tribal lands and property upon such lands in conformity with Article IX of the Constitution; and;

WHEREAS, The Three Affiliated Tribes owns certain fee lands in McKenzie County North Dakota which are adjacent to the Fort Berthold Indian Reservation and are described as:

DUNN COUNTY:

Township 140 North, Range 95 West, 5th P.M.

Section 4: Lots 1,2,3,4,5, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$

Section 5: Lots 1,2,3,4, S $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ (ALL)

Section 6: Lots 1,2,3,4,5,6,7,S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 7: Lots 2,3,4, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, LOT 1, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NE $\frac{1}{4}$

Section 8: N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9: Lot 4, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 17: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 18: Lots 1, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 19: NW $\frac{1}{4}$, Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$

Section 20: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 28: Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 29: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, less lands taken by the United States of America, and less a tract of land situated in the





SE $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly Described as follows: Beginning at a point on the South line of said Section 29; thence Westerly along the said South line, 658.3 Feet, thence Northeasterly to a point 455.00 Feet North and 400.00Feet West of the said Southeast corner, thence Easterly parallel with the said South line to the East line of said Lot 5; thence Southerly along the said East line to the point of beginning.

Section 30: Lot 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30: Lot 5, less a tract more particularly described as follows: Beginning at the Southeast corner of Lot 5, thence Westerly along the South line of said Lot 5, 732.95 Feet thence Northeasterly to a point 455.00 Feet North and 400.00 Feet West of the said Southeast corner, thence Easterly parallel with the said South line to the East line of said Lot 5; thence Southerly along the said East line to the point of beginning.

Section 31: Lot 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$, being parts of Lots 1,2 and 3, less a tract of land in Lot 3, more particularly described as follows: Beginning at a point 660.00 Feet South and 3,100.00 Feet West of the Northeast corner of said Section 32, thence West 200.00 Feet, thence North, to the North line of said Lot 3, thence Southeasterly to the point of beginning.

Section 33: Lot 1, N $\frac{1}{2}$ NW $\frac{1}{4}$

Township 148 North, Range 96 West, 5th P.M.

Section 1: Lots 1, 2, 3, S $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$

Section 2: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 12: NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 13: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 14: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 24: NW $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25: E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Lots 1, 2, W $\frac{1}{2}$ NW $\frac{1}{4}$,N $\frac{1}{2}$ SW $\frac{1}{4}$,SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 26: Lots 5, 6, 10,N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

MCKENZIE COUNTY:

Township 149 North, Range 95 West

Section 25: Lot 4

Section 26: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 33: S $\frac{1}{2}$

Section 34: S $\frac{1}{2}$, less all that portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 34, lying within a strip of land, said strip being 80 feet wide, lying 40 feet on each side of the following described center line: Beginning at a point on the east line of the said S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 34, 305.2 feet from the SE corner thereof, said point





being on the center line of the State Highway as surveyed and staked over and across the said S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, thence running S25°31'W 339.8 feet to the south line of the said s se Sec. 34, excepting all that portion lying within 33 feet of the section line.

Section 35: S $\frac{1}{2}$, less all that portion of the SW $\frac{1}{4}$ of said Section 35, lying within a strip of land, said strip being 80 feet wide, lying 40 feet on each side of the following described center line: Beginning at a point on the west line of the said SW $\frac{1}{4}$ Sec. 35, 305,2 feet from the SW corner thereof, said point being on the center line of the State Highway as surveyed and staked over and across the said SW $\frac{1}{4}$ Sec. 35, thence running N25°31' E 315 feet, excepting all that portion lying within 33 feet of a section line.

Section 35: NE $\frac{1}{4}$

WHEREAS, Said fee lands include some 8000 plus acres of land which were purchased in 1999 and are currently used for ranching and tourism and said lands are located adjacent to the Fort Berthold Indian Reservation ; and

WHEREAS, The Indian Reorganization Act, 25 USC § 465 authorizes the Secretary of Interior to acquire into trust any interest in lands... within or without existing Indian Reservations; and

WHEREAS, 25 CFR § 151.3 provides that land not held in trust or restricted status may be acquired for a Tribe when such acquisition is authorized by an act of Congress and approved by the Secretary of Interior; and

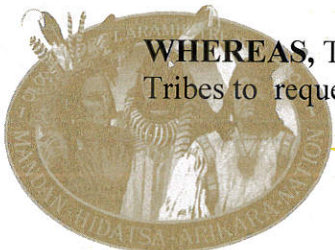
WHEREAS, 25 CFR 151.3 (a) (1) and (2) further provides that the land may be acquired for a tribe in trust status when the property is located within the exterior boundaries of the Tribe's Reservation or adjacent thereto and when the Tribe already owns an interest in the land; and

WHEREAS, 25 CFR § 151. 3 (a) (3) further provides that land may be acquired in trust when the Secretary determines that the acquisition of the land is necessary to facilitate tribal self-determination, economic development or Indian Housing; and

WHEREAS, 25 CFR § 151.9 provides that an Indian Tribe desiring to acquire land in trust status shall file a written request for approval of such acquisition with the Secretary which identifies the parties, a description of the land and other information which would show that the acquisition comes within the terms of Part 151.3; and

WHEREAS, The Tribal Business Council believes that the proposed that acquisition meets the requirements of 25 CFR part 151.3 in that the property proposed to be acquired is adjacent to the Fort Berthold Reservation and the Tribe owns an interest in it and the acquisition is necessary to further tribal self-determination; and

WHEREAS, The Tribal Business Council has determined that it is in the best interest of the Tribes to request that the property herein described be acquired by the Secretary into trust status





on behalf of the Three Affiliated Tribes; and

NOW THEREFORE BE IT RESOLVED, pursuant to 25 USC § 465 and 25 CFR Part 151 that the Tribal Business Council hereby request that the Secretary of Interior acquire the following described fee land into trust status on behalf of the Three Affiliated Tribes:

DUNN COUNTY:

Township 140 North, Range 95 West, 5th P.M.

Section 4: Lots 1,2,3,4,5, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$

Section 5: Lots 1,2,3,4, S $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ (ALL)

Section 6: Lots 1,2,3,4,5,6,7,S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 7: Lots 2,3,4, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, LOT 1, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NE $\frac{1}{4}$

Section 8: N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9: Lot 4, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 17: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 18: Lots 1, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 19: NW $\frac{1}{4}$, Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$

Section 20: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 28: Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 29: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, less lands taken by the United States of America, and less a tract of land situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly Described as follows: Beginning at a point on the South line of said Section 29; thence Westerly along the said South line, 658.3 Feet, thence Northeasterly to a point 455.00 Feet North and 400.00Feet West of the said Southeast corner, thence Easterly parallel with the said South line to the East line of said Lot 5; thence Southerly along the said East line to the point of beginning.

Section 30: Lot 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

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Section 33: Lot 1, N $\frac{1}{2}$ NW $\frac{1}{4}$





Township 148 North, Range 96 West, 5th P.M.

- Section 1: Lots 1, 2, 3, S¹/₄NE¹/₄, S¹/₂
- Section 2: SE¹/₄NE¹/₄, NE¹/₄SE¹/₄
- Section 12: NE¹/₄, NW¹/₄, SE¹/₄, E¹/₂NW¹/₄, SW¹/₄NW¹/₄, SW¹/₄, NW¹/₄NW¹/₄
- Section 13: SE¹/₄NE¹/₄, NE¹/₄SE¹/₄, NW¹/₄, N¹/₂NE¹/₄, S¹/₂SW¹/₄, NE¹/₄SW¹/₄, S¹/₂SE¹/₄, NW¹/₄SE¹/₄
- Section 14: SE¹/₄SE¹/₄
- Section 23: N¹/₂NE¹/₄, SE¹/₄NE¹/₄, S¹/₂SE¹/₄
- Section 24: NW¹/₄ E¹/₂SW¹/₄, NW¹/₄SW¹/₄, W¹/₂NE¹/₄, W¹/₂SE¹/₄, E¹/₂SE¹/₄, SW¹/₄SW¹/₄
- Section 25: E¹/₂ NW¹/₄, N¹/₂NE¹/₄, Lots 1, 2, W¹/₂NW¹/₄, N¹/₂SW¹/₄, SW¹/₄SW¹/₄, NW¹/₄SE¹/₄, E¹/₂SE¹/₄
- Section 26: Lots 5, 6, 10, N¹/₂NE¹/₄, SE¹/₄NE¹/₄

MCKENZIE COUNTY:

Township 149 North, Range 95 West

- Section 25: Lot 4
- Section 26: SE¹/₄SE¹/₄
- Section 33: S¹/₂
- Section 34: S¹/₂, less all that portion of the S¹/₂ SE¹/₄ of said Section 34, lying within a strip of land, said strip being 80 feet wide, lying 40 feet on each side of the following described center line: Beginning at a point on the east line of the said S¹/₂SE¹/₄ Sec. 34, 305.2 feet from the SE corner thereof, said point being on the center line of the State Highway as surveyed and staked over and across the said S¹/₂ SE¹/₄, Sec. 34, thence running S25°31'W 339.8 feet to the south line of the said s se Sec. 34, excepting all that portion lying within 33 feet of the section line.
- Section 35: S¹/₂, less all that portion of the SW¹/₄ of said Section 35, lying within a strip of land, said strip being 80 feet wide, lying 40 feet on each side of the following described center line: Beginning at a point on the west line of the said SW¹/₄ Sec. 35, 305.2 feet from the SW corner thereof, said point being on the center line of the State Highway as surveyed and staked over and across the said SW¹/₄ Sec. 35, thence running N25°31' E 315 feet, excepting all that portion lying within 33 feet of a section line.
- Section 35: NE¹/₄

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby further authorizes the transfer of title to the land described above to the United States Department of Interior to be held in trust for the benefit of the Three Affiliated Tribes, and requests that the Department of Interior perform its trust responsibility and expedite the process to place the land described above in trust status with the United States; and

BE IT FINALLY RESOLVED, that the Tribal Chairman is hereby authorized to take such further actions as are necessary to carry out the terms and intent of this resolution.






CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Regular TBC Meeting thereof duly called, noticed, convened and held on the 20th day of October, 2011, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.


Chairman Voting. Not Voting.

Dated this 20th day of October, 2011.

ATTEST:



Tribal Secretary V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes



Tribal Chairman Tex G. Hall
Tribal Business Council
Three Affiliated Tribes

