



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

*A Resolution entitled, "Consent to Certain Rights of Way across Tribal land for the
South Segment Waste Water Relocation Project"*

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

WHEREAS, Pursuant to Article III, Section 1 of the Constitution and By-Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Pursuant to Article VI, Section 5(1) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Council, its Agencies and Officials; and

WHEREAS, Article IX Sections 1 and 3 of the Constitution provides that the Tribal Business Council has the authority to manage and lease or otherwise deal with tribal lands and resources; and

WHEREAS, The applications for Rights of Way described herein have been reviewed and recommended for approval in accordance with the MHA Nation's approved procedure for authorizing ROWs on tribal land; and

WHEREAS, The Tribal Business Council finds it appropriate to authorize the ROWs described herein.

NOW THEREFORE BE IT RESOLVED, the Business Council hereby consents to the following ROW(s):

1. Indian Health Service, along with the Three Affiliated Tribes, will construct a new waste water disposal system in the **South Segment**. The easement will run a 8" force main to a new lagoon being built in the Twin Buttes Community, across certain tribal lands in:
 - a. Allotment Number **0426, Section 31, T. 147 N., R. 90 W.**, as more particularly described in Appendix A.1
 - b. Allotment Number **1101, Section 31, T. 147 N., R. 90 W.**, as more particularly described in Appendix A.2



- c. Allotment Number **T0457**, **Section 34**, **T. 147 N., R. 91 W.** as more particularly described in Appendix A.3
- d. Allotment Number **T0704A-D**, **Section 28**, **T. 147 N., R. 91 W.** as more particularly described in Appendix A.4
- e. Allotment Number **T0777A-C**, **Section 33**, **T. 147 N., R. 91 W.** as more particularly described in Appendix A.5
- f. Allotment Number **T0971A-D**, **Section 31**, **T. 147 N., R. 90 W.** as more particularly described in Appendix A.6
- g. Allotment Number **T1089**, **Section 26**, **T. 147 N., R. 91 W.** as more particularly described in Appendix A.7
- h. Allotment Number **T1109-A**, **Section 32**, **T. 147 N., R. 90 W.** as more particularly described in Appendix A.8
- i. Allotment Number **T1109-B**, **Section 32**, **T. 147 N., R. 90 W.** as more particularly described in Appendix A.9
- j. Allotment Number **T1593**, **Section 34**, **T. 147 N., R. 91 W.** as more particularly described in Appendix A.10

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



APPENDIX A.1

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the **South Segment**. The easement will run a 8” force main pipe line from the Twin Buttes Community, across Allotment Number **0426, NW1/4NE1/4, Section 31, T. 147 N., R. 90 W.**, Mercer County, 5th Principal Meridian of North Dakota

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
0426	NW1/4NE1/4 Section 31, T. 147 N., R. 90 W.	57.36%	

Three Affiliated Tribes, the undersigned owner of said land description above, consents and agrees to give permission to granting of a right-of-way as proposed by Tribe and Indian Health Service (**as shown on attached map**) and waive payment for the rights granted in return for the benefit of increasing the value of the land in future sales and leased contracts and other benefits that may be derived thereof.

The Three Affiliated Tribes is also requiring the I.H.S. Force Main to submit shape files to the TAT – Easement Office, as required by Tribal Resolution Number 11-047-VJB. This data shall be submitted no later than 30 days after completion of project.

As a condition of said consent, it shall be required that language be added to said right of way as follows: Nothing in this grant of right of way shall diminish or be construed to diminish the jurisdiction and sovereign authority of the Three Affiliated Tribes over the above described lands and the Tribe hereby retains its jurisdiction and sovereign authority over said lands.



Allotment 0426
NW1/4NE1/4, Section 31 T. 147 N. R. 90 W. - 57.36% Interest



APPENDIX A.2

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the **South Segment**. The easement will run a 8” force main pipe line from the Twin Buttes Community, across Allotment Number **1101, NE1/4NE1/4, Section 31, T. 147 N., R. 90 W.**, Mercer County, 5th Principal Meridian of North Dakota

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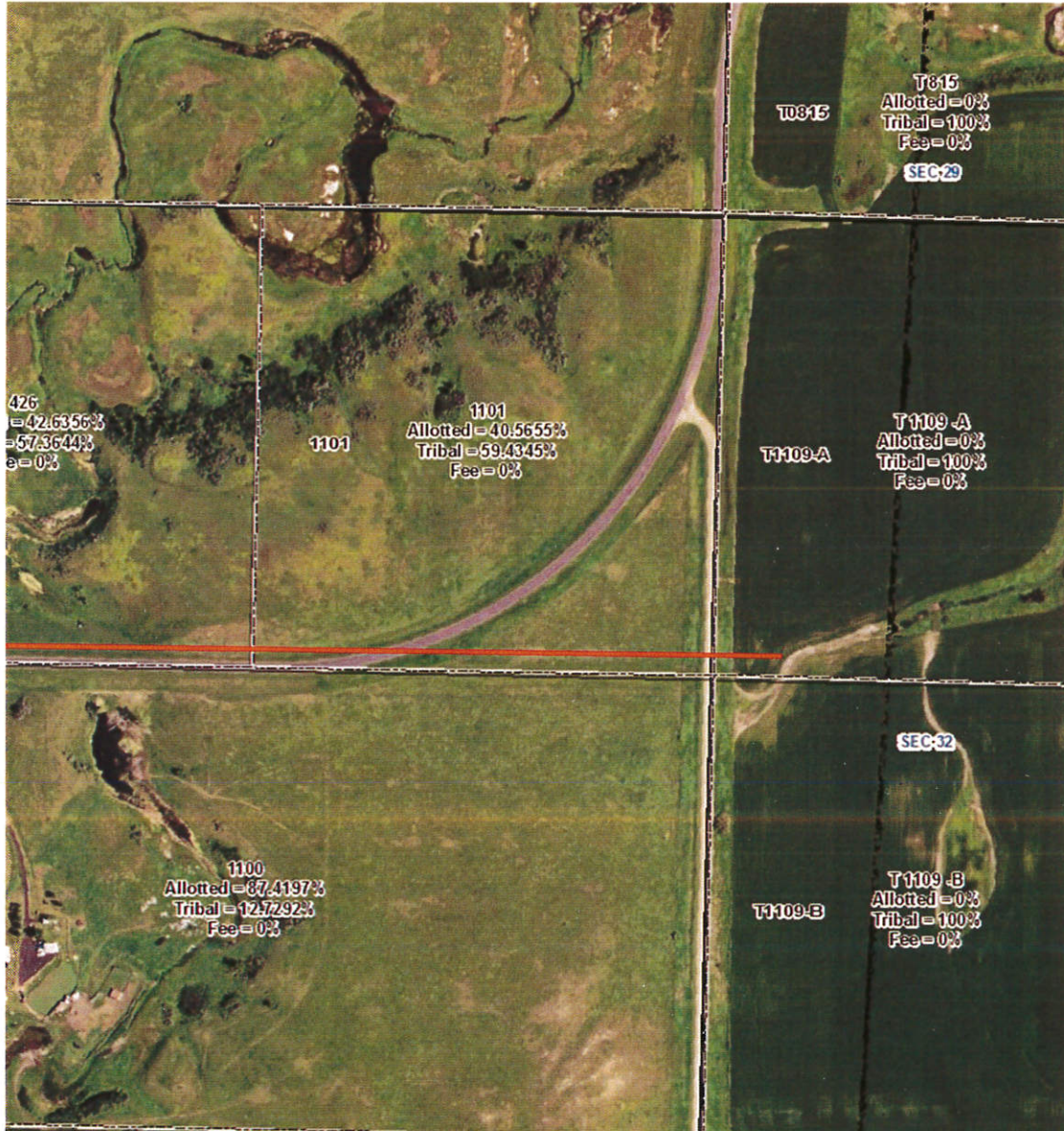
CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
1101	NE1/4NE1/4 Section 31, T. 147 N., R. 90 W.	59.43%	

Three Affiliated Tribes, the undersigned owner of said land description above, consents and agrees to give permission to granting of a right-of-way as proposed by Tribe and Indian Health Service (**as shown on attached map**) and waive payment for the rights granted in return for the benefit of increasing the value of the land in future sales and leased contracts and other benefits that may be derived thereof.

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Allotment 1101

NE1/4NE1/4, Section 31 T. 147 N. R. 90 W. 59.43% Interest



APPENDIX A.3

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the **South Segment**. The easement will run a 8” force main pipe line from the Twin Buttes Community, across Allotment Number **T0457, NE1/4NW1/4, Section 34, T. 147 N., R. 91 W.**, Dunn County, 5th Principal Meridian of North Dakota

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<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
T0457	NE1/4NW1/4 Section 34, T. 147 N., R. 91 W.	100.0%	

Three Affiliated Tribes, the undersigned owner of said land description above, consents and agrees to give permission to granting of a right-of-way as proposed by Tribe and Indian Health Service (**as shown on attached map**) and waive payment for the rights granted in return for the benefit of increasing the value of the land in future sales and leased contracts and other benefits that may be derived thereof.

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Allotment T0457

NE1/4NW1/4, Section 34, T. 147 N. R. 91 W. - 100.0% Interest



APPENDIX A.4

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the **South Segment**. The easement will run a 8” force main pipe line from the Twin Buttes Community, across Allotment Number **T0704A-D, E1/2SE1/4, Section 28, T. 147 N., R. 91 W.**, Dunn County, 5th Principal Meridian of North Dakota

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CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
T0704A-D	E1/2SE1/4 Section 28, T. 147 N., R. 91 W.	100.0%	

Three Affiliated Tribes, the undersigned owner of said land description above, consents and agrees to give permission to granting of a right-of-way as proposed by Tribe and Indian Health Service (**as shown on attached map**) and waive payment for the rights granted in return for the benefit of increasing the value of the land in future sales and leased contracts and other benefits that may be derived thereof.

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As a condition of said consent, it shall be required that language be added to said right of way as follows: Nothing in this grant of right of way shall diminish or be construed to diminish the jurisdiction and sovereign authority of the Three Affiliated Tribes over the above described lands and the Tribe hereby retains its jurisdiction and sovereign authority over said lands.



Allotment T0704A-D
E1/2SE1/4, Section 28 T. 147 N. R. 91 W. - 100.0% Interest



APPENDIX A.5

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the **South Segment**. The easement will run a 8” force main pipe line from the Twin Buttes Community, across Allotment Number **T0777A-C, N1/2NE1/4NE1/4, NE1/4NW1/4NE1/4, NE1/4SE1/4NE1/4NE1/4, Section 33, T. 147 N., R. 91 W.,** Dunn County, 5th Principal Meridian of North Dakota

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<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
T0777A-C	N1/2NE1/4NE1/4, NE1/4NW1/4NE1/4, NE1/4SE1/4NE1/4NE1/4 Section 33, T. 147 N., R. 91 W.	100.0%	

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Allotment T0777A-C
N1/2NE1/4NE1/4, NE1/4NW1/4NE1/4, NE1/4SE1/4NE1/4NE1/4,
Section 33, T. 147 N. R. 91 W. - 100.0% Interest



APPENDIX A.6

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the **South Segment**. The easement will run a 8" force main pipe line from the Twin Buttes Community, across Allotment Number **T0971A-D, E1/2NW1/4, Section 31, T. 147 N., R. 90 W.**, Mercer County, 5th Principal Meridian of North Dakota

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CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY

Allotment	Description	% of Share	Offered Value
T0971A-D	E1/2NW1/4 Section 31, T. 147 N., R. 90 W.	100.0%	

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Allotment T0971A-D
 E1/2NW1/4, Section 31, T. 147 N. R. 90 W. - 100.0% Interest



APPENDIX A.7

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the South Segment. The easement will run a 8” force main pipe line from the Twin Buttes Community, across Allotment Number **T1089, SE1/4SW1/4, Section 26, T. 147 N., R. 91 W.,** Dunn County, 5th Principal Meridian of North Dakota

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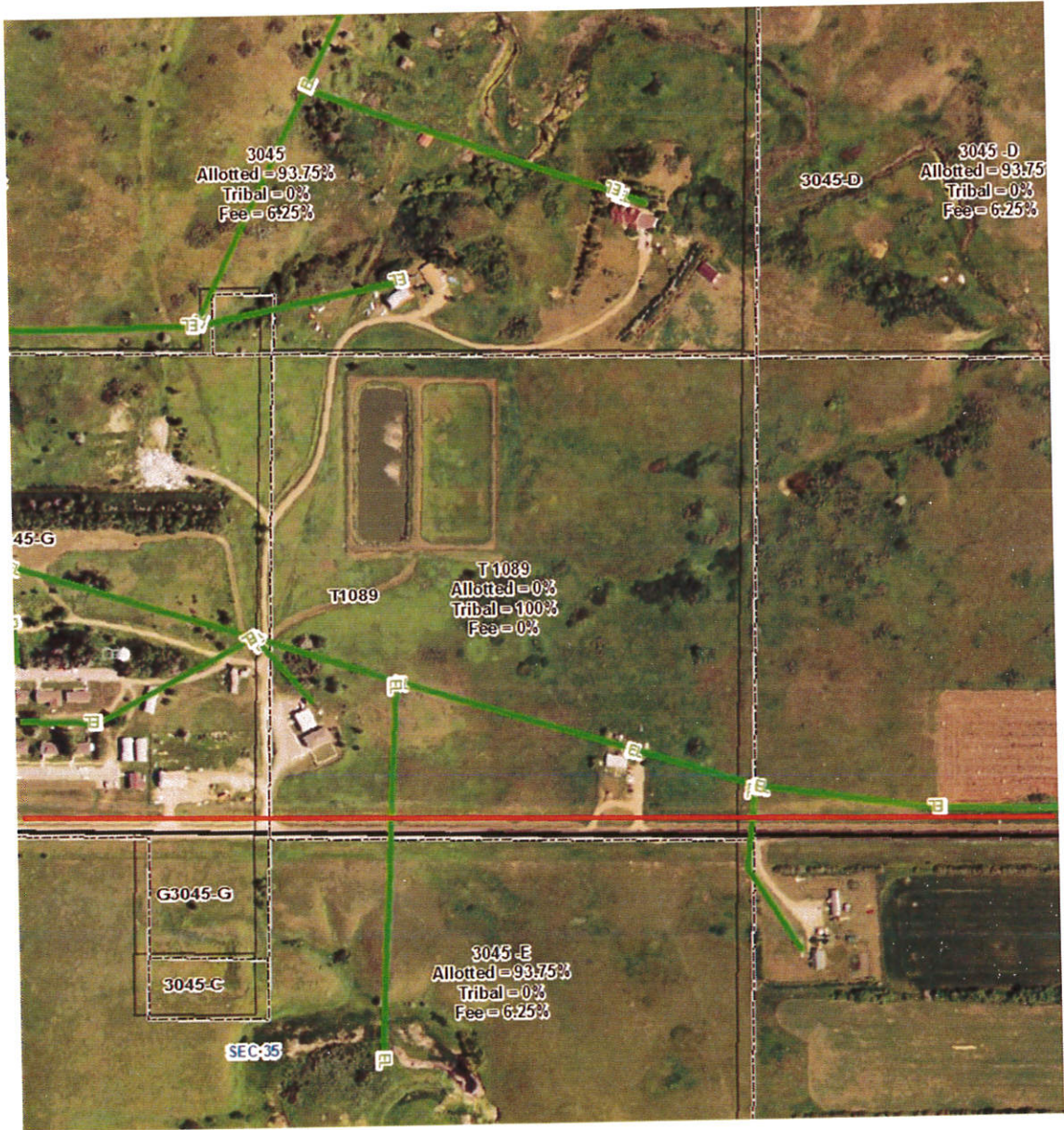
CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>
T1089	SE1/4SW1/4 Section 26, T. 147 N., R. 91 W.	100.0%

Three Affiliated Tribes, the undersigned owner of said land description above, consents and agrees to give permission to granting of a right-of-way as proposed by Tribe and Indian Health Service (**as shown on attached map**) and waive payment for the rights granted in return for the benefit of increasing the value of the land in future sales and leased contracts and other benefits that may be derived thereof.

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Allotment T1089
SE1/4SW1/4, Section 26 T. 147 N. R. 91 W. - 100.0% Interest



APPENDIX A.8

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the South Segment. The easement will run a 8” force main pipe line from the Twin Buttes Community, across Allotment Number T1109-A, NW1/4NW1/4, Section 32, T. 147 N., R. 90 W., Mercer County, 5th Principal Meridian of North Dakota

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<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>
T1109-A	NW1/4NW1/4 Section 32, T. 147 N., R. 90 W.	100.0%

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Allotment T1109-A

NW1/4NW1/4, Section 32 T. 147 N. R. 90 W. - 100.0% Interest



APPENDIX A.9

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the South Segment. The easement will run a 8” force main pipe line from the Twin Buttes Community, across Allotment Number **T1109-B**, SW1/4NW1/4, Section 32, T. 147 N., R. 90 W., Mercer County, 5th Principal Meridian of North Dakota

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<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>
T1109-B	SW1/4NW1/4 Section 32, T. 147 N., R. 90 W.	100.0%

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Allotment T1109-B
SW1/4NW1/4, Section 32 T. 147 N. R. 90 W. - 100.0% Interest



APPENDIX A.10

This Project will be piping waste water to a new lagoon system designed by the Indian Health Service in the **South Segment**. The easement will run a 8” force main pipe line from the Twin Buttes Community, across Allotment Number **T1593, NW1/4NW1/4, Section 34, T. 147 N., R. 91 W.**, Dunn County, 5th Principal Meridian of North Dakota

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<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>
T1593	NW1/4NW1/4 Section 34, T. 147 N., R. 91 W.	100.0%

Three Affiliated Tribes, the undersigned owner of said land description above, consents and agrees to give permission to granting of a right-of-way as proposed by Tribe and Indian Health Service (**as shown on attached map**) and waive payment for the rights granted in return for the benefit of increasing the value of the land in future sales and leased contracts and other benefits that may be derived thereof.

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Allotment T1593

NW1/4NW1/4, Section 34, T. 147 N. R. 91 W. - 100.0% Interest





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, were present at a Regular Meeting thereof duly called, noticed, convened and held on the 27th day of March 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] Voting. [] Not Voting.

Dated this 27th day of March, 2015.

ATTEST:


Tribal Secretary, Lewis Ken Hall
Tribal Business Council


Tribal Chairman, Mark N. Fox
Tribal Business Council