



**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's Fort Berthold Rural Water 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. Fort Berthold Rural Water, along with the Three Affiliated Tribes, will construct a new rural water supply system in the **South Segment**. The easement will run a variable size water main to a new rural water distribution system being built in the Twin Buttes Community, across certain tribal lands in:
  - a. Allotment Number **0960A-B**, **Section 11**, **T. 146 N.**, **R. 90 W.**, as more particularly described in Appendix A.1
  - b. Allotment Number **0963A**, **Sections 05 & 32** **T. 146 & 147 N.**, **R. 90 W.**, as more particularly described in Appendix A.2



**APPENDIX A.1**

This Project will be piping potable water, designed by the Fort Berthold Rural Water in the **South Segment**. The easement will run a rural water main pipe line from the Twin Buttes Community, across Allotment Number **0960A-B, SW1/4NW1/4, Section 11, T. 146 N., R. 90 W.**, Mercer County, 5<sup>th</sup> Principal Meridian of North Dakota

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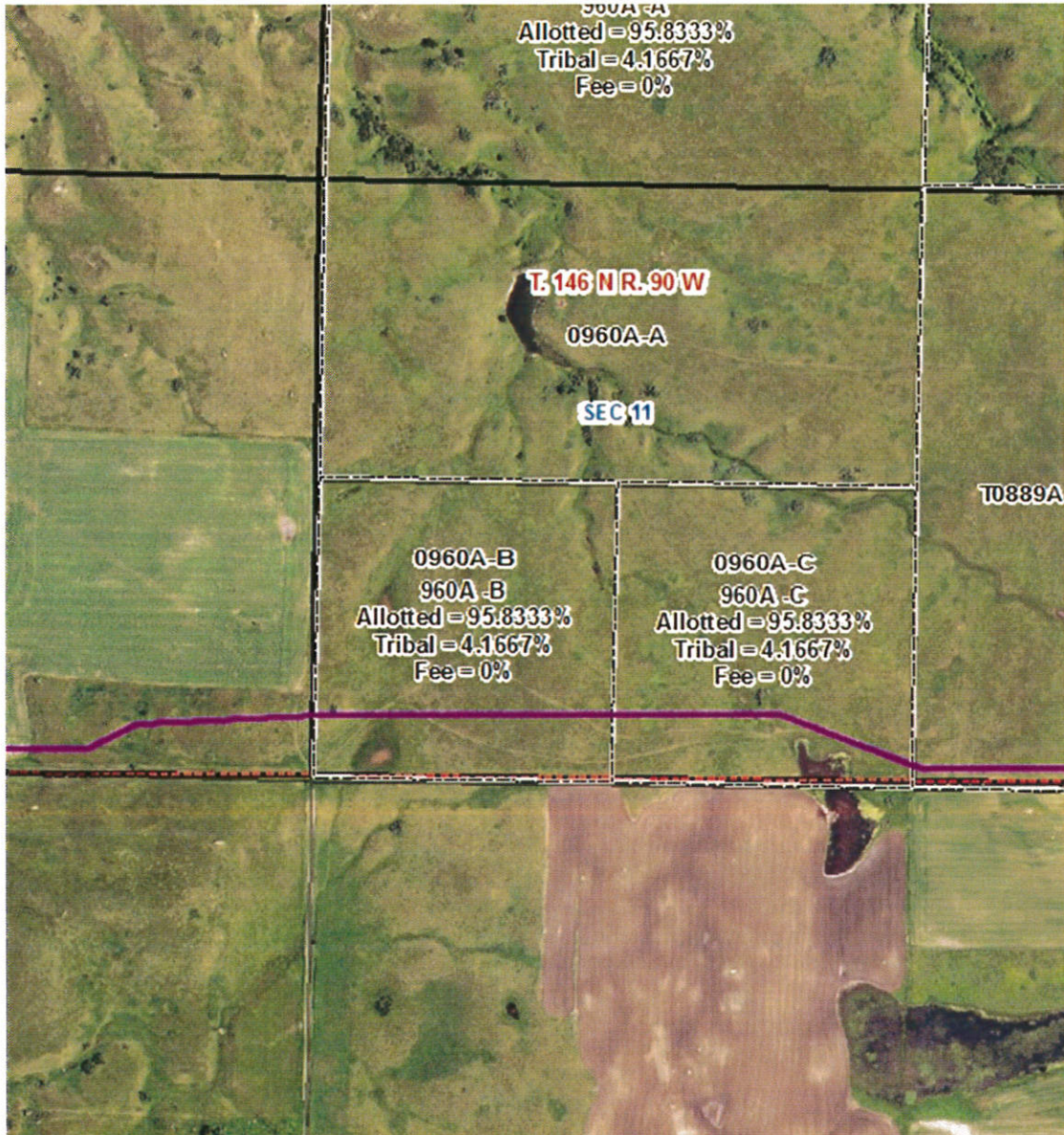
**CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY**

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
0960A-B	SW1/4NW1/4 Section 11, T. 146 N., R. 90 W.	4.17%	\$ 8.33

Three Affiliated Tribes do give permission to granting of a right-of-way, for the construction of the Fort Berthold Rural Water distribution project (**as shown on attached map**) and will except payment.

**The Three Affiliated Tribes is also requiring Indian Health Service 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 0960A-B  
SW1/4NW1/4, Section 11, T. 146 N. R. 90 W. - 04.17% Interest



**APPENDIX A.2**

This Project will be piping potable water, designed by the Fort Berthold Rural Water in the **South Segment**. The easement will run a rural water main pipe line from the Twin Buttes Community, across Allotment Number **0963A, Sec. 05 - Lots 3 & 4, S1/2NW1/4, Sec. 32 - SW1/4, Sections 05 & 32, T. 146 & 147 N., R. 90 W.**, Mercer County, 5<sup>th</sup> Principal Meridian of North Dakota

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**CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY**

<b>Allotment</b>	<b>Description</b>	<b>% of Share</b>	<b>Offered Value</b>
0963A	Sec. 05 - Lots 3 & 4, S1/2NW1/4, Sec. 32 - SW1/4 Sections 05 & 32, T. 146 & 147 N., R. 90 W.	12.22%	\$ 93.74

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Allotment 0963A

Sec. 5—Lots 3 & 4, S1/2NW1/4; Sec. 32 - SW1/4,  
Section 05 & 32, T. 146 & 147 N. R. 90 W. - 12.22% Interest



APPENDIX A.3

This Project will be piping potable water, designed by the Fort Berthold Rural Water in the **South Segment**. The easement will run a rural water main pipe line from the Twin Buttes Community, across Allotment Number **0973A, Lots 3 & 4, S1/2NW1/4, SW1/4, Section 04, T. 146 N., R. 90 W.**, Dunn County, 5<sup>th</sup> Principal Meridian of North Dakota

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<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
0973A	Lots 3 & 4, S1/2NW1/4, SW1/4 Section 04, T. 146 N., R. 90 W.	49.52%	\$ 225.83

Three Affiliated Tribes do give permission to granting of a right-of-way, for the construction of the Fort Berthold Rural Water distribution project (**as shown on attached map**) and will except payment.

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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 0973A  
Lots 3 & 4, S1/2NW1/4, SW1/4,  
Section 04, T. 146 N. R. 90 W. - 49.52% Interest



**APPENDIX A.4**

This Project will be piping potable water, designed by the Fort Berthold Rural Water in the **South Segment**. The easement will run a rural water main pipe line from the Twin Buttes Community, across Allotment Number **T0958A, Lots 1, 2, 3 & 4; S1/2N1/2, Section 01, T. 146 N., R. 90 W.**, Dunn County, 5<sup>th</sup> Principal Meridian of North Dakota

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**CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY**

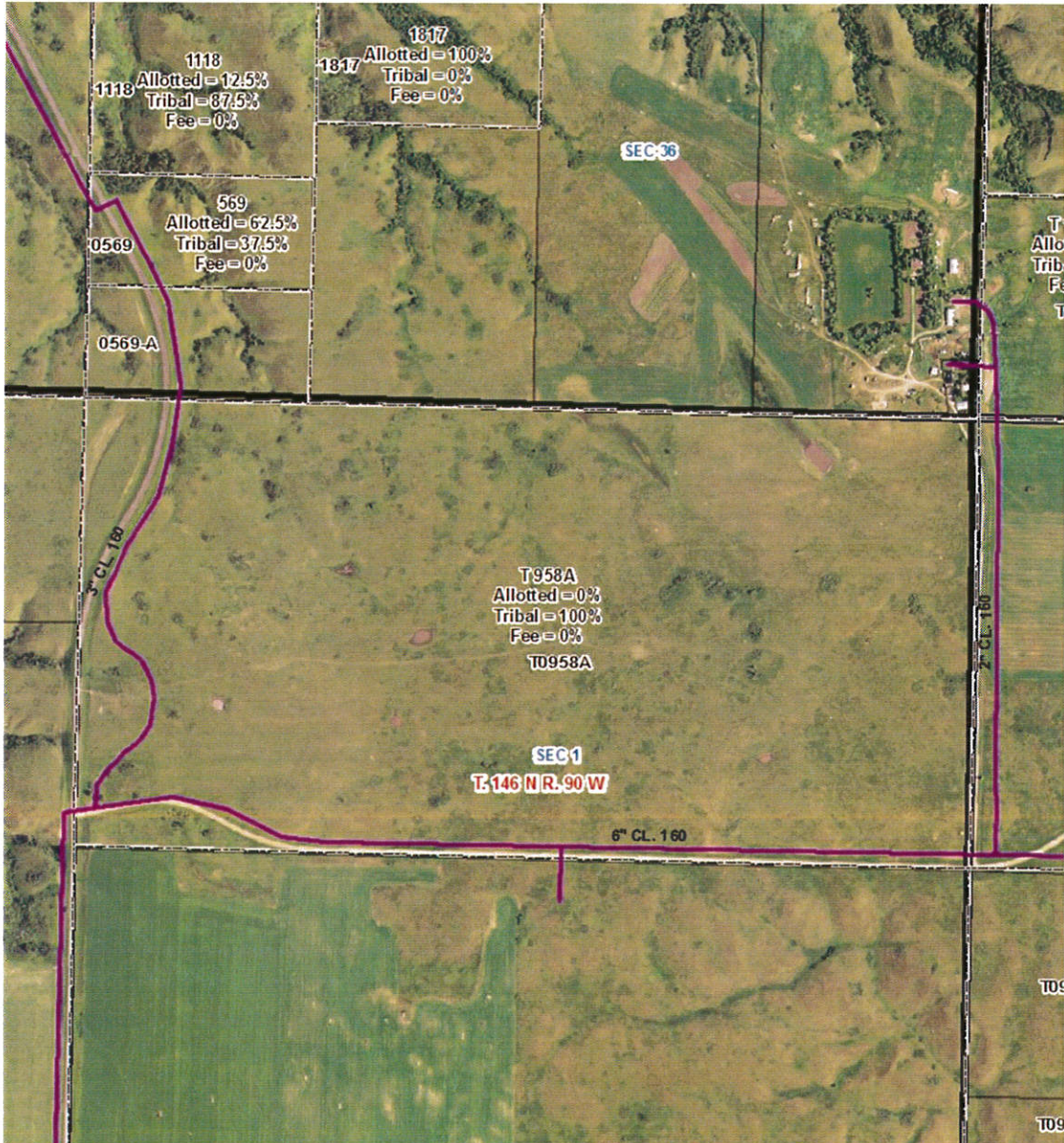
<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
T0958A	Lots 1, 2, 3 & 4; S1/2N1/2 Section 01, T. 146 N., R. 90 W.	100.0%	\$ 1209.00

Three Affiliated Tribes do give permission to granting of a right-of-way, for the construction of the Fort Berthold Rural Water distribution project (as shown on attached map) and will except payment.

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Allotment T0958A  
Lots 1, 2, 3 & 4, S1/2N1/2  
Section 01, T. 146 N. R. 90 W. - 100% Interest



APPENDIX A.5

This Project will be piping potable water, designed by the Fort Berthold Rural Water in the **South Segment**. The easement will run a rural water main pipe line from the Twin Buttes Community, across Allotment Number **T1066A-A, NW1/4, Section 10, T. 146 N., R. 90 W.**, Dunn County, 5<sup>th</sup> Principal Meridian of North Dakota

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<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
T1066A-A	NW1/4 Section 10, T. 146 N., R. 90 W.	10.42%	\$ 48.75

Three Affiliated Tribes do give permission to granting of a right-of-way, for the construction of the Fort Berthold Rural Water distribution project (as shown on attached map) and will except payment.

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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 1066A-A  
NW1/4, Section 10, T. 146 N. R. 90 W. - 10.42% Interest



**APPENDIX A.6**

This Project will be piping potable water, designed by the Fort Berthold Rural Water in the South Segment. The easement will run a rural water main pipe line from the Twin Buttes Community, across Allotment Number **T1120-A**, Lot 4, Section 31, T. 147 N., R. 89 W., Mercer County, 5<sup>th</sup> Principal Meridian of North Dakota

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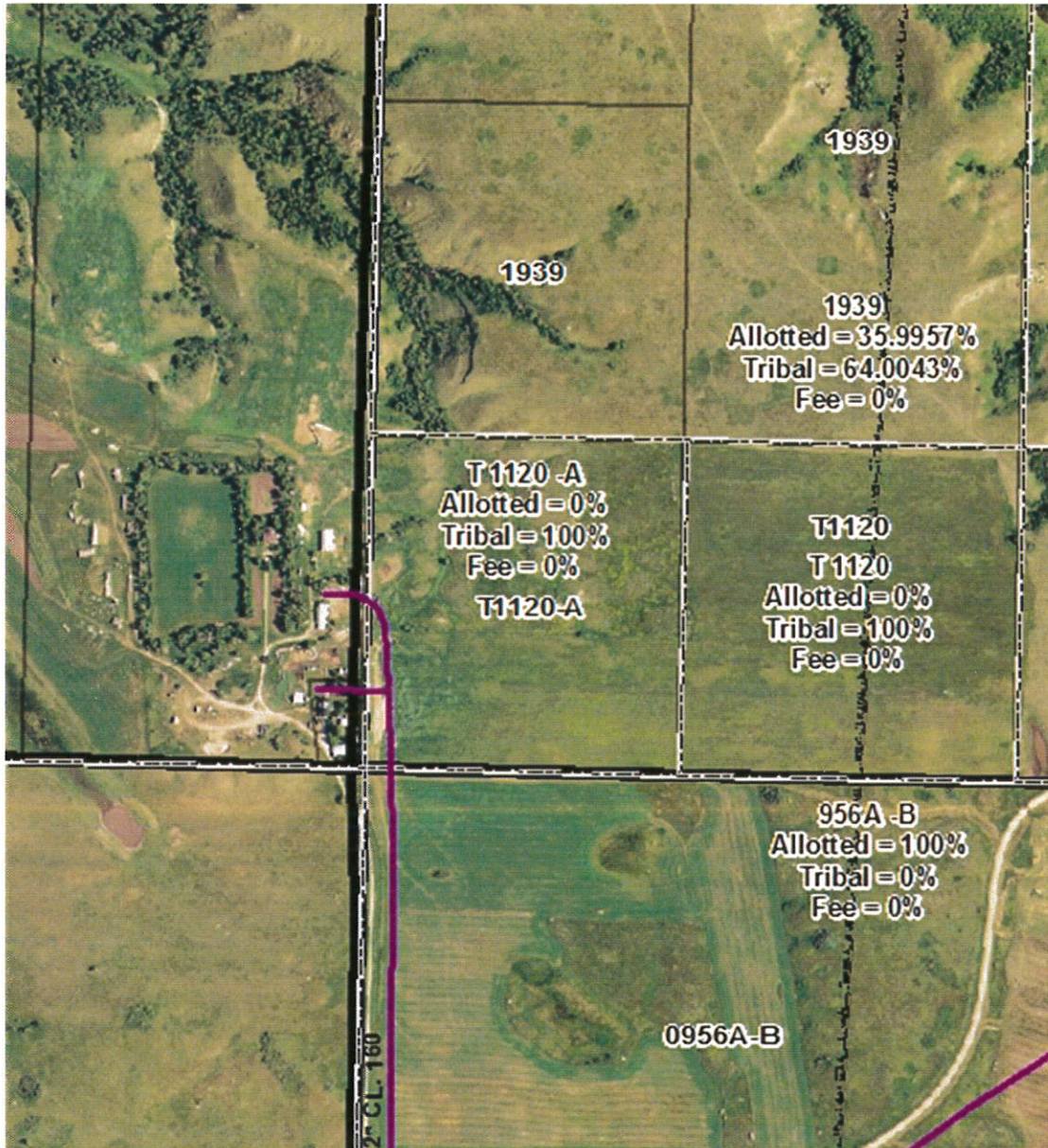
**CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY**

<b>Allotment</b>	<b>Description</b>	<b>% of Share</b>	<b>Offered Value</b>
T1120-A	Lot 4 Section 31, T. 147 N., R. 89 W.	100.0%	\$ 135.00

Three Affiliated Tribes do give permission to granting of a right-of-way, for the construction of the Fort Berthold Rural Water distribution project (as shown on attached map) and will except payment.

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Allotment T1120-A  
Lot 4, Section 31, T. 147 N. R. 89 W. - 100% Interest



**APPENDIX A.7**

This Project will be piping potable water, designed by the Fort Berthold Rural Water in the **South Segment**. The easement will run a rural water main pipe line from the Twin Buttes Community, across Allotment Number **T1124A**, W1/2SW1/4, Section 32, T. 147 N., R. 89 W., Mercer County, 5<sup>th</sup> Principal Meridian of North Dakota

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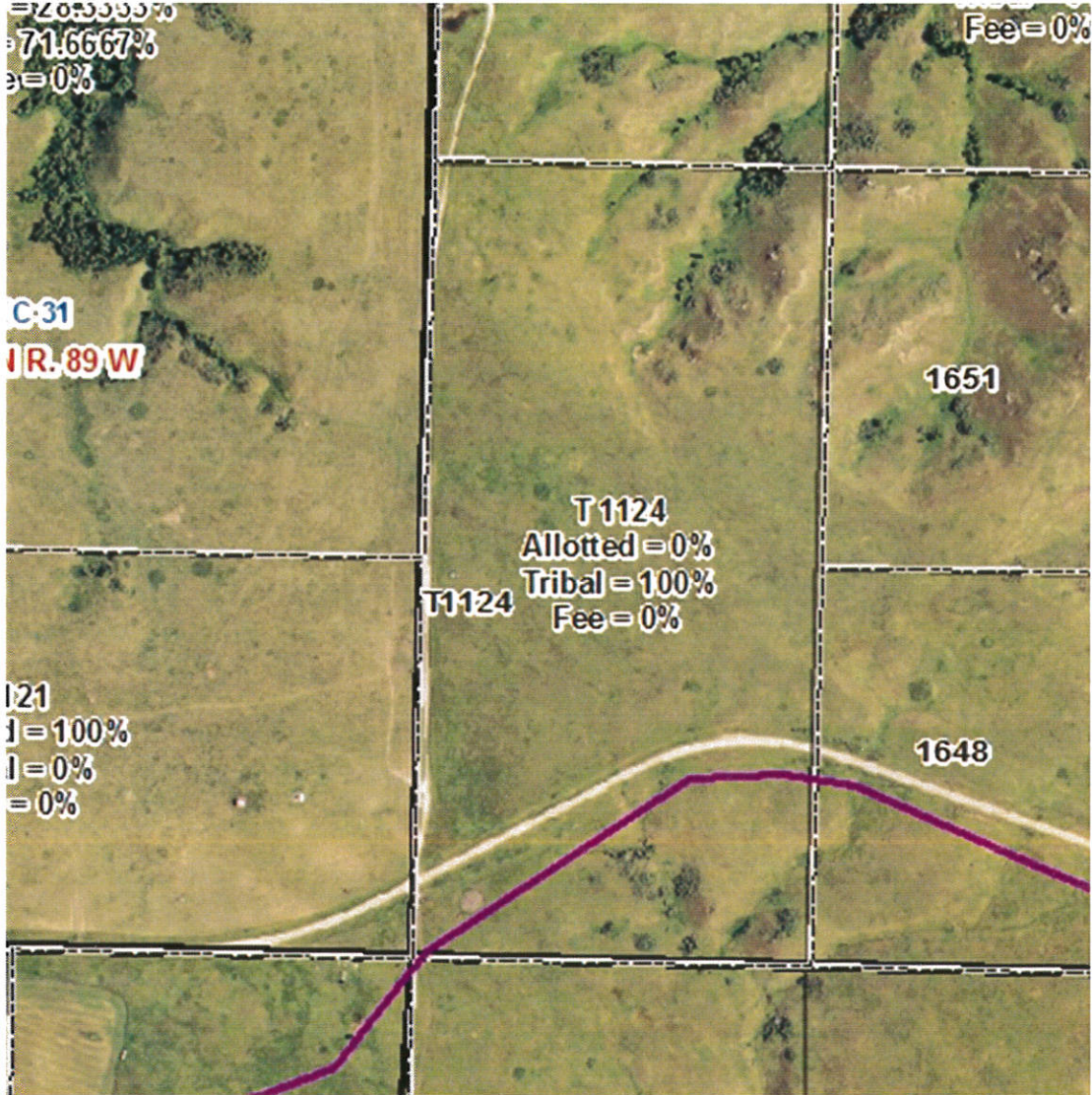
**CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY**

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
T1124A	W1/2SW1/4 Section 32, T. 147 N., R. 89 W.	100.0%	\$ 225.00

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Allotment T1124A  
W1/2SW1/4, Section 32, T. 147 N. R. 89 W. - 100% Interest



- c. Allotment Number **0973A, Section 04 T. 146 N., R. 90 W.** as more particularly described in Appendix A.3
- d. Allotment Number **T0958A, Section 01 T. 146 N., R. 90 W.** as more particularly described in Appendix A.4
- e. Allotment Number **T1066A-A, Section 10 T. 146 N., R. 90 W.,** as more particularly described in Appendix A.5
- f. Allotment Number **T1120-A, Section 31 T. 147 N., R. 89 W.,** as more particularly described in Appendix A.6
- g. Allotment Number **T1124A, Section 32, T. 147 N., R. 89 W.,** as more particularly described in Appendix A.7

**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.

**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 Meeting thereof duly called, noticed, convened and held on the 27<sup>th</sup> 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 27<sup>th</sup> day of March, 2015.

**ATTEST:**

  
Tribal Secretary, L. Kenneth Hall  
Tribal Business Council

  
Tribal Chairman, Mark N. Fox  
Tribal Business Council