



**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 Anita  
Howard-Deane – McKenzie Electric Service Line***

**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 Three Affiliated Tribes 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. The Anita Howard Deane service line and the Fort Berthold Rural Water will be constructing a Service Line in the Four Bears Segment. The easement will run a service line to a home site being built in the Four Bears Segment, across Tribal lands listed in Appendix A.1:
2. The Anita Howard Deane service line and McKenzie Electric Cooperative will be constructing a Service Line in the Four Bears Segment. The easement will run a Single Phase Power Line to a home site in the Four Bears Segment, across Tribal lands listed in Appendix A.1:



3. The Anita Howard Deane service line and Reservation Telephone Cooperative will be constructing a Service Line in the Four Bears Segment. The easement will run a Telephone Service Line to a home site in the Four Bears Segment, across Tribal lands listed in Appendix A.1:
4. The Anita Howard Deane service line and The Tribal Roads Program will be constructing an access road in the Four Bears Segment. The easement will run a road to a home site in the Four Bears Segment, across Tribal lands listed in Appendix A.1:

**BE IT FURTHER 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.

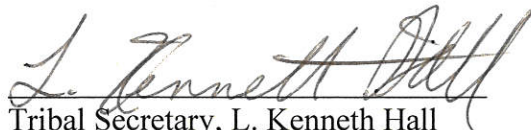
**CERTIFICATION**

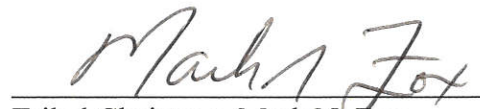
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 23rd day of July, 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 20<sup>th</sup> day of August, 2015.

**ATTEST:**

  
 Tribal Secretary, L. Kenneth Hall  
 Tribal Business Council

  
 Tribal Chairman, Mark N. Fox  
 Tribal Business Council



APPENDIX A

This Project will be providing electrical service, designed by the McKenzie Electric Cooperative in the West Segment for Richard Grinnell Home Site, across allotment listed below, McKenzie County, 5<sup>th</sup> Principal Meridian of North Dakota.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

STATEMENT OF LANDOWNERS TO ACCOMPANY APPLICATION  
FOR PERMISSION TO MAKE SURVEY

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>
T694A	N1/2 Section 11, T. 146 N., R. 94 W.	100%

The Three Affiliated Tribes hereby consent to granting of permission to survey only, as contemplated by the application submitted by Tribe and Fort Berthold Rural Water, for the Water Pipe Line in the **South Segment**. (It is understood that when the right-of-way location is definitely established, that the applicant will submit formal application for right-of-way in accordance with current laws and regulations.) This consent has been negotiated on the following terms and conditions:

**The Three Affiliated Tribes is also requiring Fort Berthold Rural Water 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.**





APPENDIX A

This Project will be providing electrical service, designed by the McKenzie Electric Cooperative in the West Segment for Richard Grinnell Home Site, across allotment listed below, McKenzie County, 5<sup>th</sup> Principal Meridian of North Dakota.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY

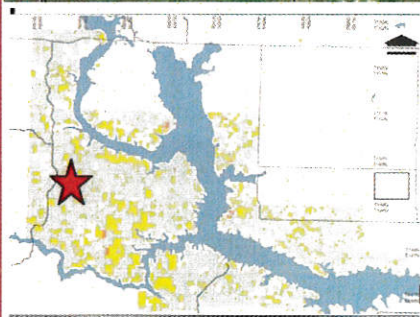
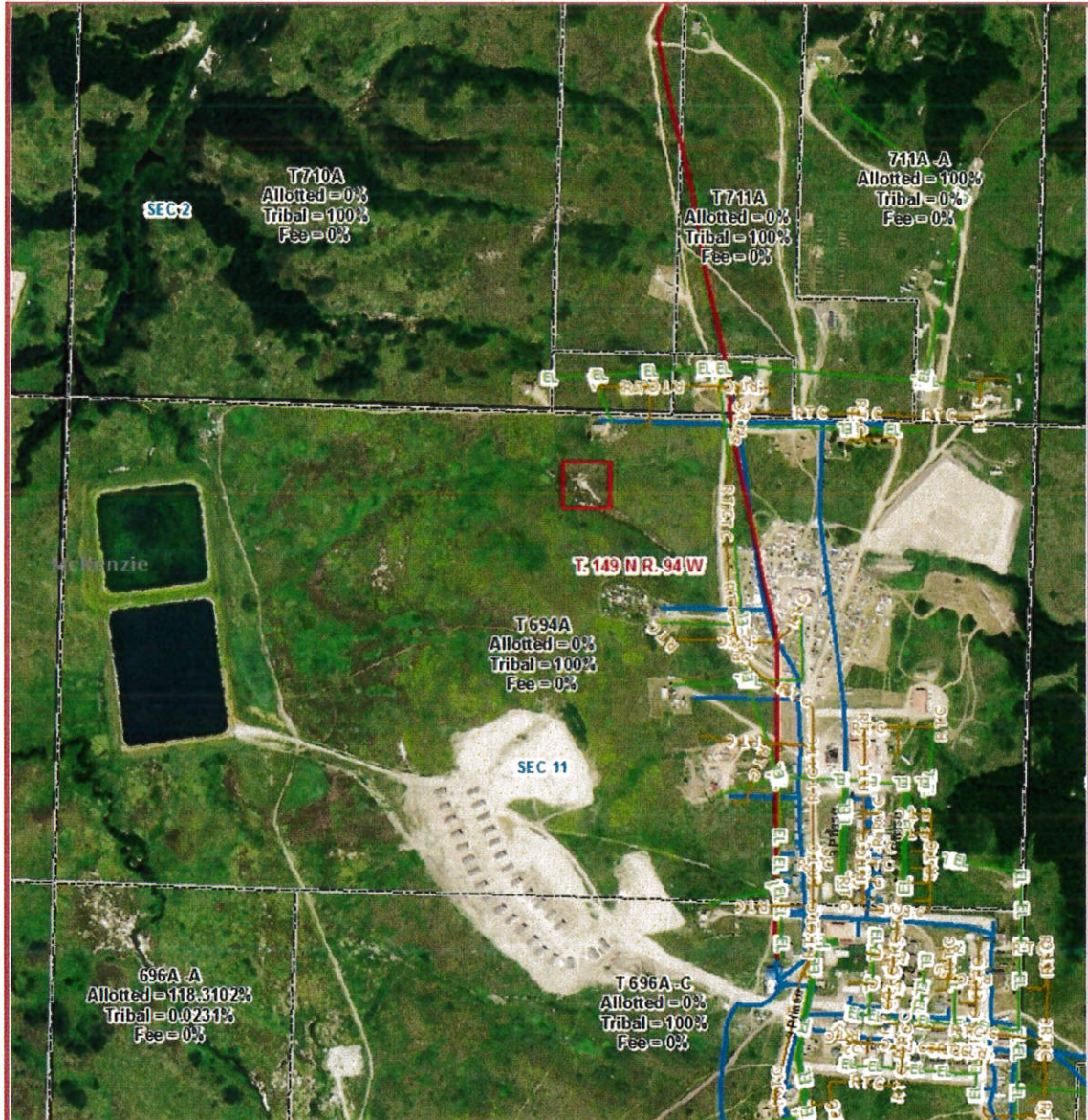
<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
T694A	N1/2 Section 11, T. 146 N., R. 94 W.	100%	

Three Affiliated Tribes do give permission to granting of a right-of-way, for the construction of the McKenzie Electric Cooperative overhead service line for Richard Grinnell Home Site. **(as shown on attached map)** and will waive 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.**





**Fort Berthold Reservation - Allotted Land Map**

Project Area : Richard Grinnell Home Site  
Allotment Number T694A  
Section 11, T. 149 N., R.94 W.



Proposed Pipeline  
Area of Interest

