



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

A Resolution entitled, “*Consent to Approval of a Right-of-Way across Tribal land for the Twin Buttes Elder Center New Line Project Submitted by McKenzie Electric.*”

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, Leases and Rights-of-Way (“ROWS”) across Tribal Trust land require the consent of the Tribal Business Council pursuant to federal and Tribal Law; and

WHEREAS, Applications for Rights of Way on Tribal Land are subject to the requirements of tribal law, including Resolution No. 14-071-VJB (MHA Nation Application for Rights of Way and Use of Right of Way), Resolution No. 14-089-VJB (MHA Nation Pipeline Right-of-Way Terms and Conditions), and Resolution No. 15-045-LK.H (Establishing a Procedure for the Approval of Leases, Rights of Way, Setback Variances and Permissions to Survey on Tribal Land); and

WHEREAS, The applications for ROW(s) 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, McKenzie Electric Co-Op Inc. (Company), 3817 23rd Ave. NE, Watford City, ND 58854, has requested a ROW across tribal land for an electrical utility service line to serve the Twin Buttes Elders Center, and

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



NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby consents to the following ROW(s), subject to the Company's existing Terms and Conditions, and waives payment:

Request for Easement: **McKenzie Electric Co-op Inc.** 3817 23rd Ave. NE, Watford City, ND, 58854.

Purpose of Easement: To inspect, survey, develop, install, expand, construct, replace, operate, maintain, repair, remove, and demolish electrical facilities (electrical line move for Twin Buttes Elder Center New Line).

Term: 30 Years – Pursuant to the MHA Nation Public Utility Right-of-Way Consent Terms and Conditions

1. Allotment Number T704A-D, in the E1/2SE1/4. Section 28, Township 147, Range 91, Dunn County, 5th Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A. I.

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.

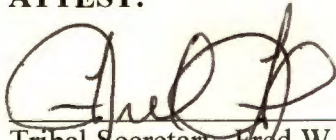
CERTIFICATION

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11th day of October, 2016, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

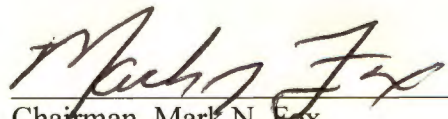
Chairman Voting. Not Voting.

Dated this 11th day of October, 2017.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council
Three Affiliated Tribes



Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes



APPENDIX A.1

< Attach: (1) Application Form, (2) Approval Form signed by Department Head and Chairman of NRC per Resolution 15-045-LKH, (3) signed ROW terms and Conditions per Resolution No. 14-089-VJB, (4) map, and (5) other necessary information >

APPENDIX A.2

< Attach same information listed in Appendix A.1 for Each separate Applicant >

REPEAT AS NEEDED FOR EACH APPLICANT, LISTING APPENDIX A.3, A.4,
ETC.ON SEPARATE PAGES WITH ATTAHMENTS

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
CONSENT OF OWNERS FOR GRANT OF RIGHT-OF-WAY

Landowner Name: Three Affiliated Tribes

Allotment No.: T 704 A-D

Landowner Undivided Interest: 1.0000000000

Purpose of Easement: To inspect, survey, develop, install, expand, construct, replace, operate, maintain, repair, remove and demolish electrical facilities.

Term: 50 years

Easement Legal Description:

Township 147N, Range 91W

Section 28: E/2SE/4

Dunn County, ND

The undersigned, owner of an undivided 1.0000000000 percent interest in the subject lot, acknowledges the proposed request for grant of easement for right-of-way submitted by:

McKenzie Electric
3817 23rd Ave. NE
Watford City, ND 58854

I agree to the following

_____ 1. I do give my consent to the BIA to grant an easement for right-of-way and I agree to the following terms, and compensation.

Terms (check one of the following):

_____ a. I give my consent to the right-of-way as proposed.

_____ b. I give my consent to the right-of-way; however, I negotiate for the following terms:

_____ Compensation (check one of the following):

_____ a. I give my consent to the compensation according to McKenzie Electric Cooperative Policy 102: Right-of-Way attached.

_____ b. I waive any compensation.

_____ 2. I do not give my consent to the granting of an easement for right-of-way.

*Pursuant to CFR 169.112 B1 and 169.103 F1, fair market value and bonding do not apply to electric cooperative right-of-way consents.

OWNER SIGNATURE

DATE

Witness One: _____

Witness Two: _____

Print Name: _____

Print Name: _____

Date: _____

Date: _____

MEC WO# 20170408

Page 1 of 1

Wor#20170408

Twin Buttes Elders Center

