



Resolution No. 18-078-FWF

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

A Resolution entitled, “*Approving Agricultural Leases on Tribal Lands*”

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, Leasing agricultural Tribal trust land require approval of the Tribal Business Council pursuant to federal and tribal law; and

WHEREAS, Applications for leasing 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-LKH (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 agricultural lease(s) described herein have been reviewed and recommended for approval in accordance with the Three Affiliated Tribes’ approved procedure for authorizing agricultural lease(s) on tribal land; and

WHEREAS, The following applicants have applied to lease Tribal Trust farmland described herein.

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby approves the leases on the following allotments, subject to the respective negotiated payment agreed upon and execution of the Terms and Conditions and payment of the one (1) year agricultural leases pursuant to Natural Resources Committee on 08-31-16:



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1. Matthew Mason, Tribal Tract T 442A described as N1/2SW1/4,S1/2S1/2NW1/4,W1/2SW1/4SW1/4, Section 14, Township 150 N., Range 92 W, Fifth Principal Meridian, North Dakota, containing 140.0 haycutting acres, rate of \$11.00 per acre, total of \$1,540.00 as described in Appendix A.1
2. Matthew Mason, Tribal Tract T384A-A described as SW1/4, Section 27, Township 150 N., Range 92 W., Fifth Principal Meridian, North Dakota, containing 160.0 pasture acres, rate of \$11.00 per acre, total of \$1,760.00 as described in Appendix A.2
3. Matthew Mason, Tribal TractT1448 described as E1/2NE1/4, Section 22, Township 150 N., Range 92 W, Fifth Principal Meridian, North Dakota, containing 80.0 haycutting acres, rate of \$11.00 per acre, total of \$880.00 as described in Appendix A.3
4. Matthew Mason, Tribal Tract T442A-A described as S1/2NW1/4, W1/2NW1/4NW1/4, Section 23, Township 150 N., Range 92 W., Fifth Principal Meridian, North Dakota, containing 100.00 haycutting acres, rate of \$11.00 per acre, total of \$1,100.00 as described in Appendix A.4
5. Matthew Gilbertson, T317A-A/A-C/A-E described as within NE1/4, Section 33, Township 149 N., Range 90 W, Fifth Principal Meridian, North Dakota, containing 52.0 Crop acres, rate of \$60.00 per acre, total of \$3,120.00 as described in Appendix A.5
6. Matthew Gilbertson, Tribal Tract T2277/T3044 described as within SE1/4, Section 33, Township 150 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 56.0 Crop acres, rate of \$60.00 per acre, total of \$3,360.00 as described in Appendix A.6
7. Garrett Gilbertson, T1336-A Tribal Tract T1336-A described as SE1/4NE1/4, Section 30, Township 148, Range 89 W., Fifth Principal Meridian, North Dakota, containing 34.40 Crop acres, rate of \$60.00 per acre, total of \$2,064.00 as described in Appendix A.7
8. Nancy Vitko, Tribal Tract T323A described as N1/2NW1/4, SW1/4NW1/4, Section 26, Township 150 N., Range 90 W., Fifth Principal Meridian, North Dakota, containing 118.70 Crop acres, rate of \$52.00 per acre, total of \$6,172.40 as described in Appendix A.8

9. Weston Schettler, Tribal Tracts T3139/T1289/T1288-B/T3103 described as within E1/2NE1/4 Section 8, NW1/4NW1/4, NW1/4SW1/4, SW1/4NW1/4, Section 9, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing, 197.90 Crop acres, rate of \$55.00 per acre, total of \$10,884.50 as described in Appendix A.9
10. Brenda Huesers/Ashley Huesers, Allotted Tract 183A described as within SW1/4, Section 13, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, containing 69.60 Crop acres, rate of \$63 per acre, Tribal Interest 65%, Tribes Share total of \$2850.12 as described in Appendix A.10
11. Chad Pennington, Tribal Tracts T3063 described as W1/2NE1/4, Section 22, Township 150 N., Range 92 W., Fifth Principal Meridian, North Dakota, containing 52.0 Crop acres, rate of \$40.00 per acre, total of \$2080.00 as described in Appendix A.11
12. Chad Pennington, Tribal Tracts T407A-A/T407A-B described as within SW1/4, Section 12, Township 150 N., Range 93 W., Fifth Principal Meridian, North Dakota, Containing, 117.70 Crop acres, rate of \$40 per acre, total of \$4708.00 as described in Appendix A.12
13. James D. Foote, Tribal Tracts T0318A-A/T0318A-C described as within W1/2 Section 11, Township 149 N., Range 90 W., Fifth Principal Meridian, North Dakota, Containing, 200 pasture acres, rate of \$11 per acre, total of \$2200.00 as described in Appendix A.13
14. Todd Zahow, Tribal Tracts T237A described as within E1/2NW1/4, Section 9, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, Containing, 73.80 Crop acres, rate of \$60 per acre, total of \$4428.00 as described in Appendix A.14
15. Robin Klabunde, Tribal Tracts T670-A described as within W1/2SW1/4SE1/4, Section 10, Township 147 N., Range 88 W., Fifth Principal Meridian, North Dakota, Containing, 200 Crop acres, rate of \$65 per acre, total of \$1300.00 as described in Appendix A.15
16. Robin Klabunde, Allotted Tract 666 described as within NW1/4SE1/4, Section 15, Township 147 N., Range 88 W., Fifth Principal Meridian, North Dakota, Containing, 40 Crop acres, rate of \$60 per acre, Tribal Interest 91.6%, Tribes Share total of \$2198.40 as described in Appendix A.16
17. Don Bauman, Allotted Tract 650 described as within NW1/4NW1/4, Section 15, Township 147 N., Range 88 W., Fifth Principal Meridian, North Dakota, Containing, 37.70 Crop acres, rate of \$60 per acre, Tribal Interest 86.6%, Tribes Share total of \$1960.75 as described in Appendix A.17

18. James Leppell, Allotted Tracts 585A described as within E1/2, Section 19, Township 152 N., Range 94 W., Fifth Principal Meridian, North Dakota, Containing, 315.97 Crop acres, rate of \$32 per acre, Tribal Interest 91%, Tribes Share total of \$9268.45 as described in Appendix A.18
19. Harvey Billadeau, Tribal Tracts T234A-A described as within NE1/4SW1/4, Section 5, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, Containing, 39.60 Crop acres, rate of \$60 per acre, total of \$2376.00 as described in Appendix A.19
20. Harvey Billadeau, Allotted Tracts 1339 described as within E1/2NE1/4, Section 20, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, Containing, 80 Crop acres, rate of \$60 per acre, Tribal Interest 45%, Tribes Share total of \$2160.00 as described in Appendix A.20
21. Harvey Billadeau, Allotted Tracts 223A-A described as within S1/2NW1/4, Section 2, Township 148 N., Range 90 W., Fifth Principal Meridian, North Dakota, Containing, 327 Crop acres, rate of \$60 per acre, Tribal Interest 78.4%, Tribes Share total of \$1539.92 as described in Appendix A.21
22. Harvey Billadeau, Allotted Tracts 80A described as within Section 1 Lot 1,2,3,4, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, Containing, 265.92 Pasture acres, rate of \$20 per acre, Tribal Interest 77%, Tribes Share total of \$4136.53 as described in Appendix A.22
23. Harvey Billadeau, Allotted Tracts 1340 described as within SW1/4NW1/4, Section 21, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, Containing, 40 Crop acres, rate of \$60 per acre, Tribal Interest 74%, Tribes Share total of \$1777.77 as described in Appendix A.23
24. Harvey Billadeau, Allotted Tracts 344 described as within SW1/4, Section 17, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, Containing, 153.75 Crop acres, rate of \$60 per acre, Tribal Interest 28%, Tribes Share total of \$2603.68 as described in Appendix A.24
25. Harvey Billadeau, Allotted Tracts 83A described as within SE1/4, Section 1, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, Containing, 159 Crop acres, rate of \$60 per acre, Tribal Interest 72%, Tribes Share total of \$6890.00 as described in Appendix A.25
26. Tom Breuer, Tribal Tracts T274A-A described as within S1/2SW1/4, Section 21, Township 148 N., Range 89 W., Fifth Principal Meridian, North Dakota, Containing, 61.60 pasture acres, rate of \$52 per acre, total of \$3203.20 as described in Appendix A.26

27. Tom Breuer, Allotted Tracts 157A described as within E1/2SE1/4, Section 31, Township 148 N., Range 88 W., Fifth Principal Meridian, North Dakota, Containing, 78 Crop acres, rate of \$11 per acre, Tribal Interest 32%, Tribes Share total of \$278.78 as described in Appendix A.27
28. Morgan Fettig, Allotted Tract 724A, McKenzie County, State of North Dakota Fifth Principal Meridian, containing 280.0 pasture acres, rate of \$9.00 per acre, Tribal Interest .33%, Tribes share total of \$839.99 as described in Appendix A.28; and

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.

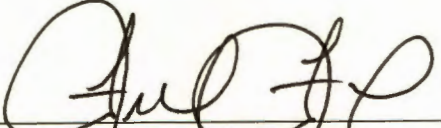
CERTIFICATION

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 12th day of April, 2018, 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.

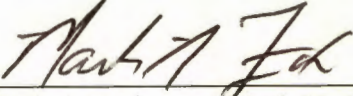
Chairman [X] Voting. [] Not Voting.

Dated this 12th day of April, 2018.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council



Tribal Chairman, Mark N. Fox
Tribal Business Council

APPENDIX A.1