



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

Amending Resolution No. 17-245-FWF entitled, "*Consent to Certain Right(s) of Way across Tribal land for the Fort Berthold Rural Water System – Subsequent User 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, 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, *The United States Department of the Interior, Bureau of Reclamation, (BOR) provides funding for the Fort Berthold Rural Water Supply system, (FBRW) to aid the MHA Nation in providing safe drinking water to its members throughout the Fort Berthold Indian reservation; and*

WHEREAS, *The FBRW is operated by the MHA Nation pursuant to a contract under the Indian Self-determination and Education Assistance Act, which requires rights of way for FBRW purposes to be granted to the BOR as the acquiring federal agency while the project is federally funded; 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, The Tribal Business Council finds it appropriate to authorize the ROWs described herein, *and to waive the provisions for payment and bond in consideration of the public benefit the FBRW system provides.*

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby consents to the following ROW(s) to the United States Department of Interior (acquiring agency BOR) and its assigns for the construction, operation, maintenance, and replacement of the FBRW system:

1. Allotment Number T 222A in the SSW, Section 02, Township 148 N. Range 90W.; McLean County, 51h Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.1 .
2. Allotment Number T 227A in the S1/2NE1/4 and N1 /2SE1/4, Section 02, Township 148N. Range 90 W. ; McLean County, 5th Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.2.
3. Allotment Number 0220A in the S1/2SE114, Section 02, Township 148N. Range 90W.; McLean County, 51h Principal Meridian of North Dakota, containing a 19.69% share, as more particularly described in Appendix A.3.
4. Allotment Number T 295A -B in the SW1/4SE1/4 and S1/2NW1/4SE114, Section 29, Township 150N. Range 90W.; McLean County, 5th Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.4.
5. Allotment Number 354A in the E1/2NE1/4, Section 32, Township 150N. Range 90W.; McLean County, 51h Principal Meridian of North Dakota, containing a 64.29% share, as more particularly described in Appendix A.5.
6. Allotment Number 354A -A in the W1/2NE114, Section 32, Township 150N. Range 90W.; McLean County, 51h Principal Meridian of North Dakota, containing a 4.46% share, as more particularly described in Appendix A.6.
7. Allotment Number T 310A -Bin the W1/2NE1/4, Section 11 , Township 150N. Range 90W.; McLean County, 51h Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.7.
8. Allotment Number T 310A -C in the NE114NE114, Section 11 , Township 150N. Range 90W.; McLean County, 51h Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.8.



9. Allotment Number T 1529 in the N1/2NW1/4, Section 11 , Township 150N. Range 90W.; McLean County, 51h Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.9.
10. Allotment Number T 359A in the SE114NE114NE114, E1/2SE1/4NE114, N1 2N1/2NE114, E1/2SW1/4NE114NE114 and E1/2E1/2W1/2SE114NE114, Section 33, Township 150N. Range 90W.; McLean County, 5th Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.10.
11. Allotment Number T 2277 in the NE114SE114, Section 33, Township 150N. Range 90W.; McLean County, 5th Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.11 .
12. Allotment Number T 3044 in the NW114SE114 and S1/2SE1/4, Section 33, Township 150N. Range 90W.; McLean County, 51h Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.12.
13. Allotment Number 380A in the SW1/4, Section 02, Township 150N. Range 93W.; Mountrail County, 5th Principal Meridian of North Dakota, containing a 50% share, as more particularly described in Appendix A.13.
14. Allotment Number 607 A in the E1/2, Section 29, Township 152N. Range 94W.; McKenzie County, 51h Principal Meridian of North Dakota, containing a 48.71% share, as more particularly described in Appendix A.14.
15. Allotment Number T 820A -C in the SE114SW1 /4, Section 08, Township 151N. Range 94W.; McKenzie County, 5th Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.15.
16. Allotment Number 808A in the N1 /2, Section 08, Township 151N. Range 94W.; McKenzie County, 5th Principal Meridian of North Dakota, containing a 99.33% share, as more particularly described in Appendix A.16.
17. Allotment Number 865A in the S1 /2SE114, S1/2NW1/4SE1/4 and NE114SE1/4, Section 05, Township 148N. Range 93W.; Dunn County, 51h Principal Meridian of North Dakota, containing a 4.95% share, as more particularly described in Appendix A.17.
18. Allotment Number T 1799 -E in the W1/2E1/2SE1/4SW114SW1 /4NW1/4, N1/2-SW1 /4SW114NW1/4, NW114SE1 /4SW1/4NW1/4, W1/2W1/2NE114SE1/4SW114NW1/4 SE1 /4SW1/4SE1 /4NW1/4, SW1 /4SW1/4SW1/4NW1/4, W1 /2NW1/4NE114SW1/4, W1/2SE114SW1/4SW1/4NW1/4, Section 04, Township 148N. Range 93W.; Dunn



County, 51h Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.18.

19. Allotment Number T 1089A in the SE1/4SW1/4, E1/2NE1/4SW1/4, Lot 99=NE1/4SE1/4, NW1/4NE1/4SE1/4, W1/2E1/2SW1/4NE1/4SE1/4, W1/2SE1/4, W1/2SW1/4NE1/4SE1/4, Section 26, Township 148N. Range 92W.; Dunn County, 5th Principal Meridian of North Dakota, containing a 100% share, as more particularly described in Appendix A.19.
20. Allotment Number 1131A in the Lots 1 & 2, E1/2NW1/4, Section 19, Township 150N. Range 94W.; McKenzie County, 51h Principal Meridian of North Dakota, containing a 49.96% share, as more particularly described in Appendix A.20.
21. Allotment Number 1131A -A in the NE1/4, Section 24, Township 150N. Range 95W.; McKenzie County, 51h Principal Meridian of North Dakota, containing a 49.96% share, as more particularly described in Appendix A.21.
22. Allotment Number 1703 in the W1/2NE/4, Section 10, Township 148N. Range 92W.; Dunn County, 51h Principal Meridian of North Dakota, containing a 49.96% share, as more particularly described in Appendix A.22.

BE IT FURTHER RESOLVED, that the term of the ROW(s) shall be perpetual (subject to termination in accordance with applicable federal regulations), and the requirements for compensation and bond are hereby waived

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.

(SIGNATURE PAGE TO FOLLOW)



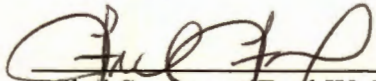
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 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.

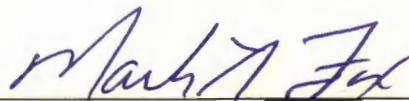
Chairman [X] voting. [] not voting.

Dated this 12th day of April, 2018.

ATTEST:



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

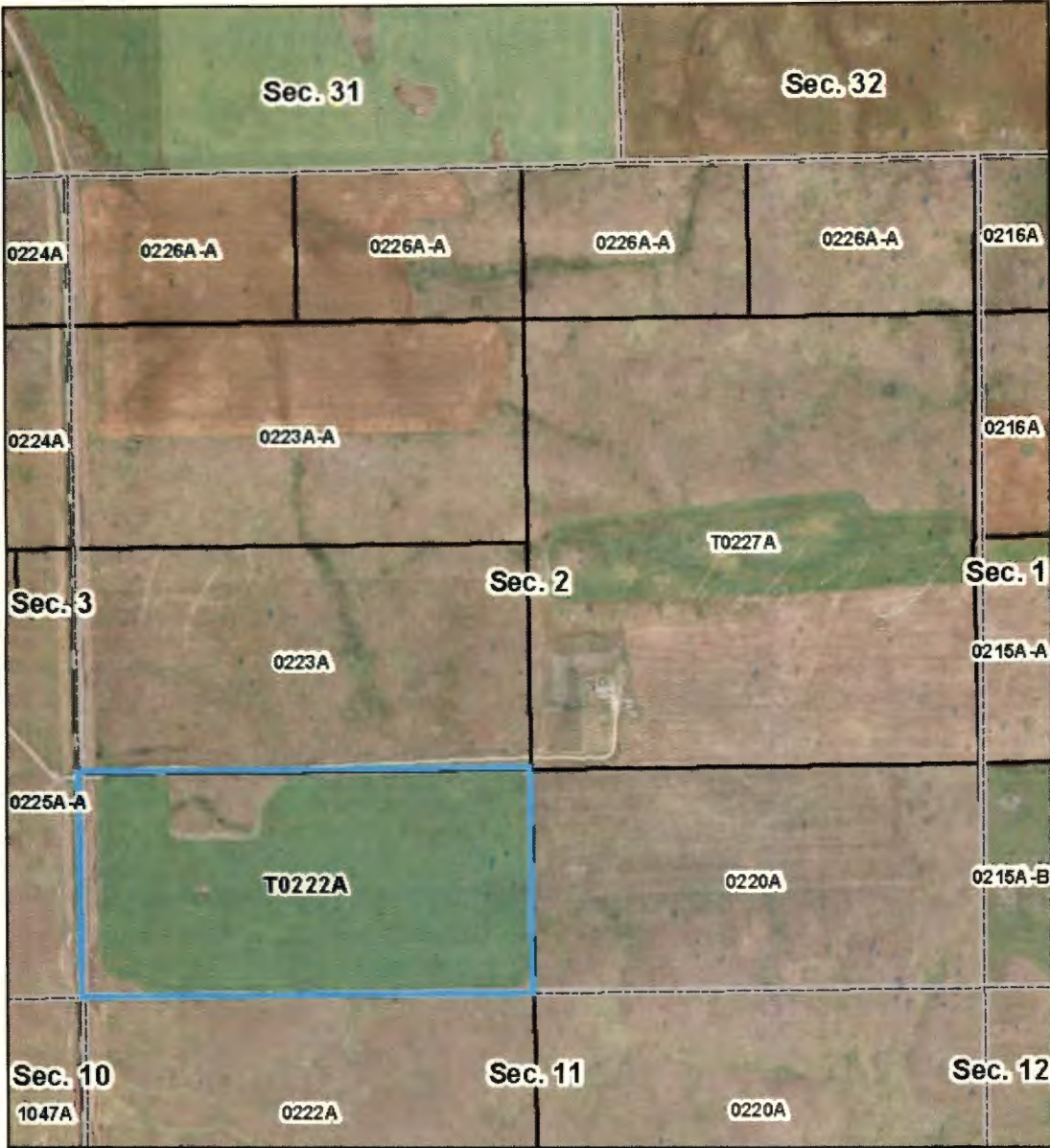




Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes





APPENDIX A.1



-  Parcel Boundary
-  Section Line



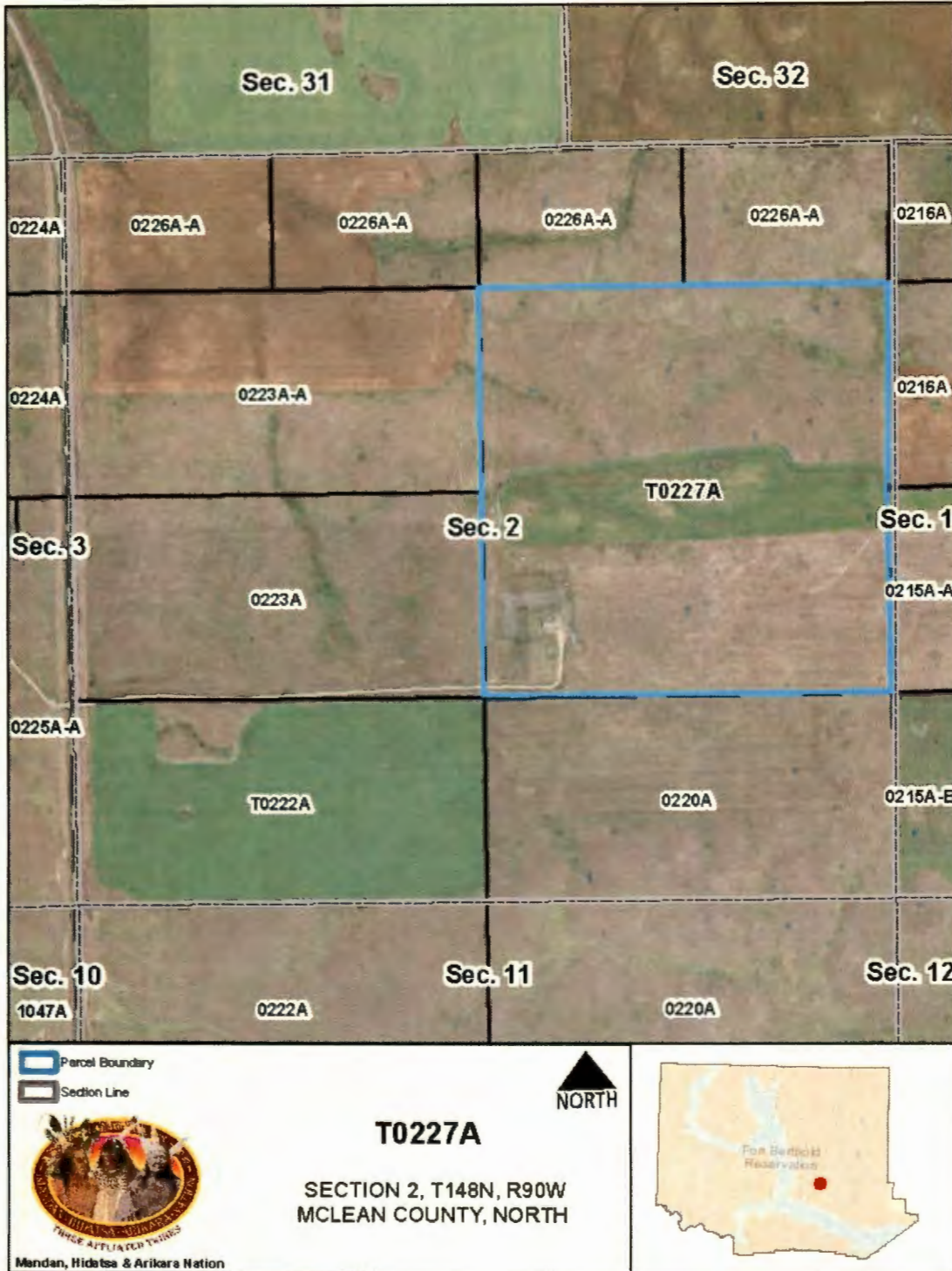
Mandan, Hidatsa & Arikara Nation

T0222A
 SECTION 2, T148N, R90W
 MCLEAN COUNTY, NORTH



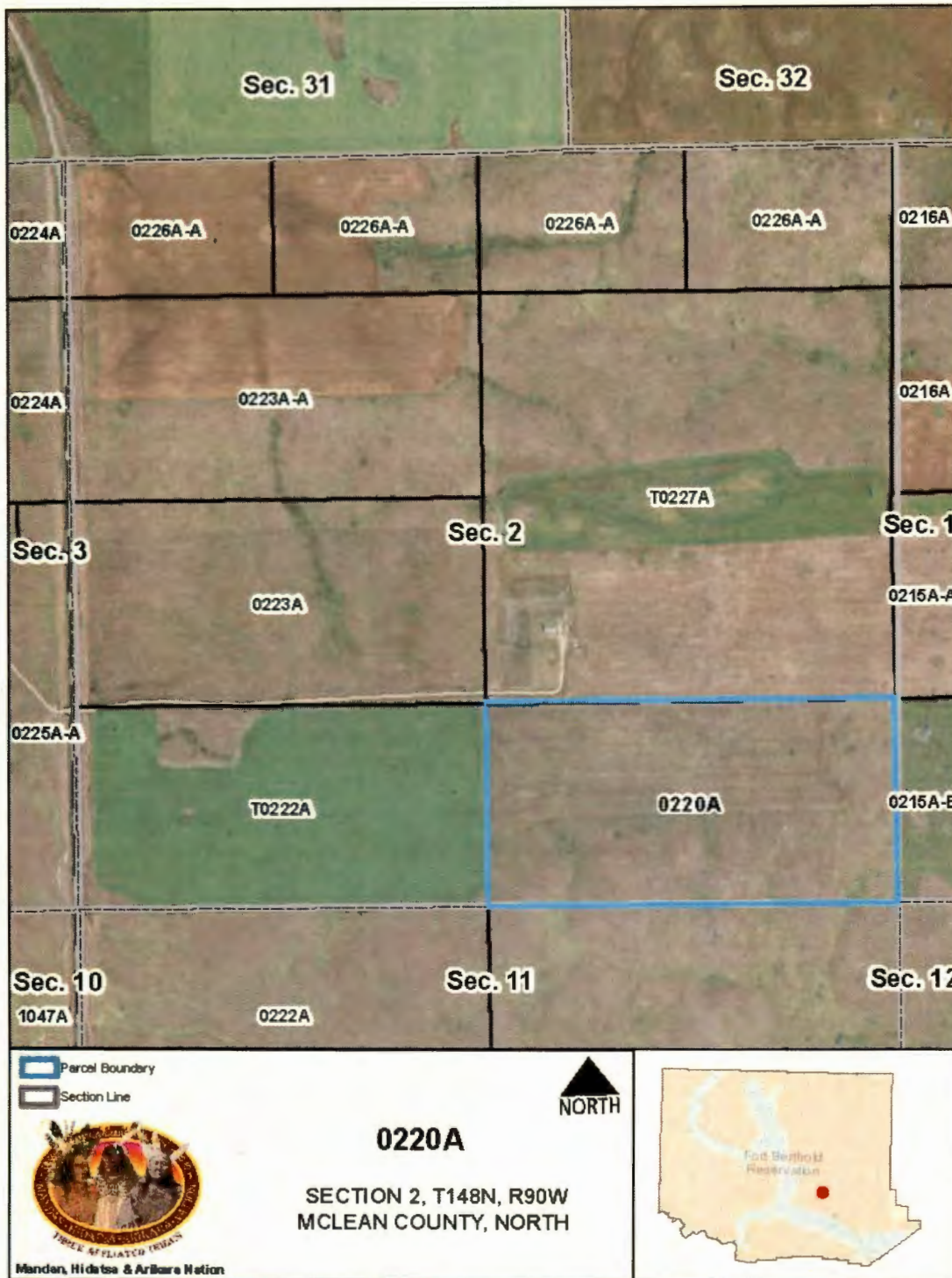


APPENDIX A.2



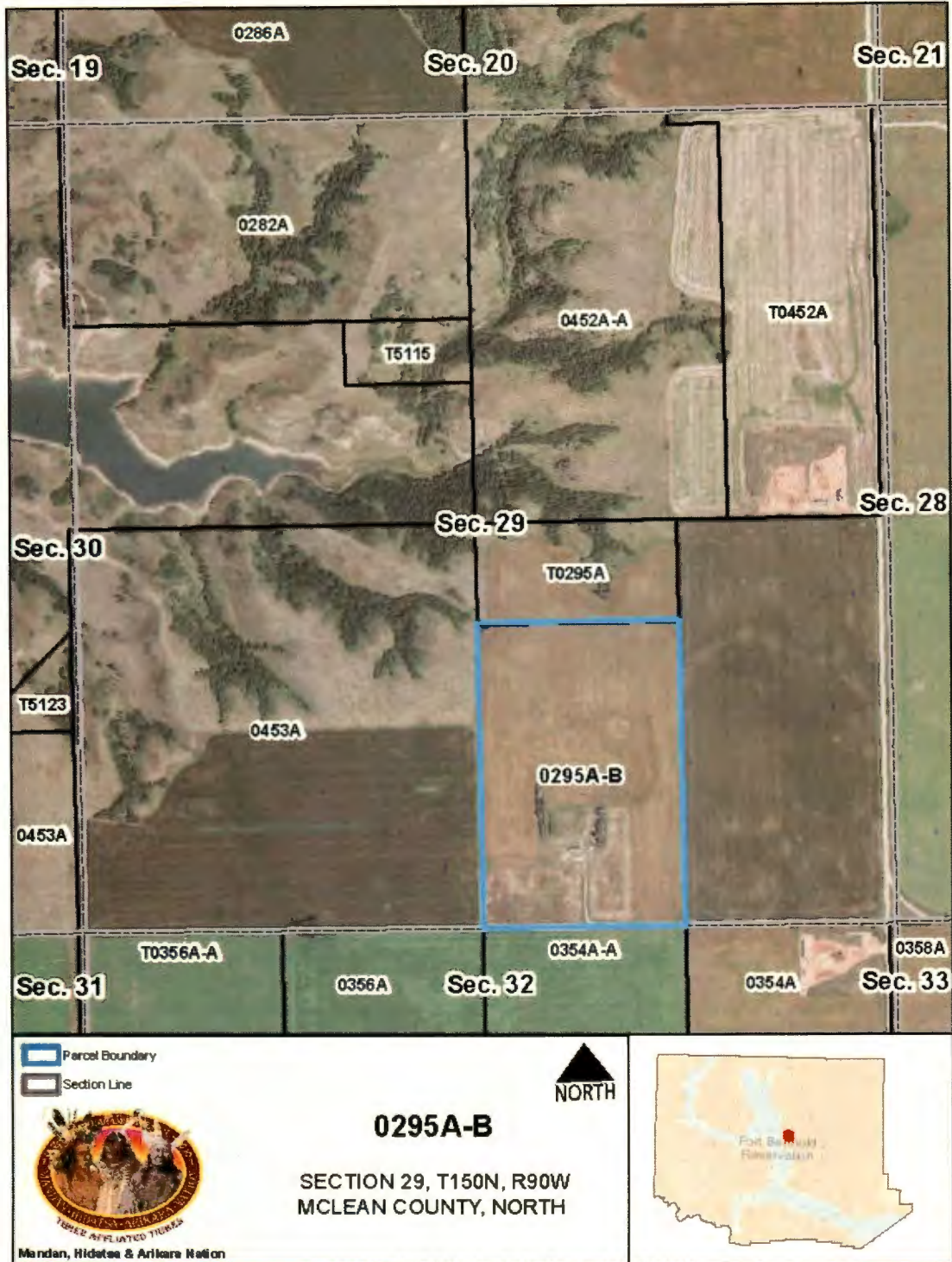


APPENDIX A.3





APPENDIX A.4





APPENDIX A.5



- Parcel Boundary
- Section Line



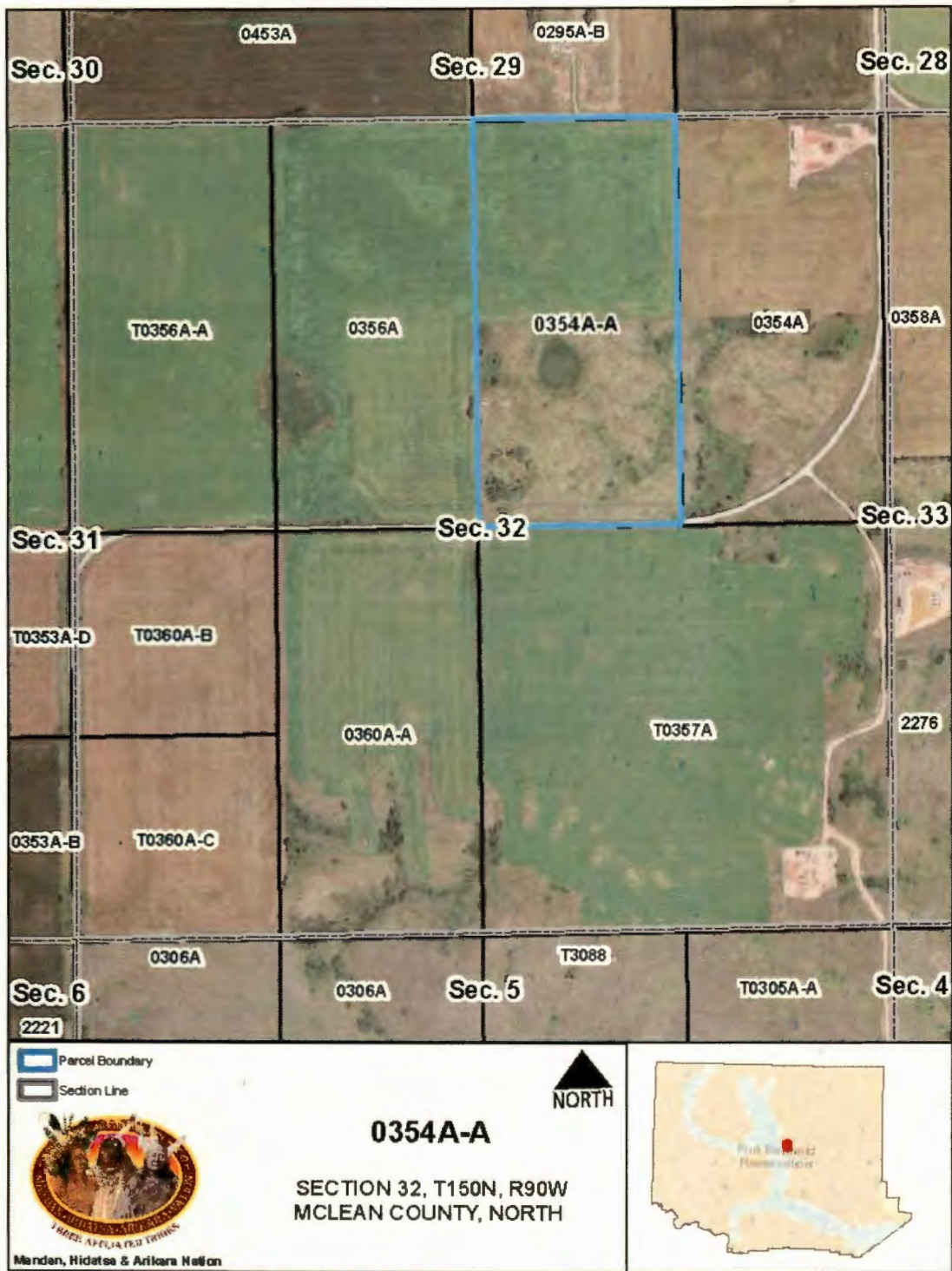
0354A

SECTION 32, T150N, R90W
MCLEAN COUNTY, NORTH





APPENDIX A.6





APPENDIX A.7



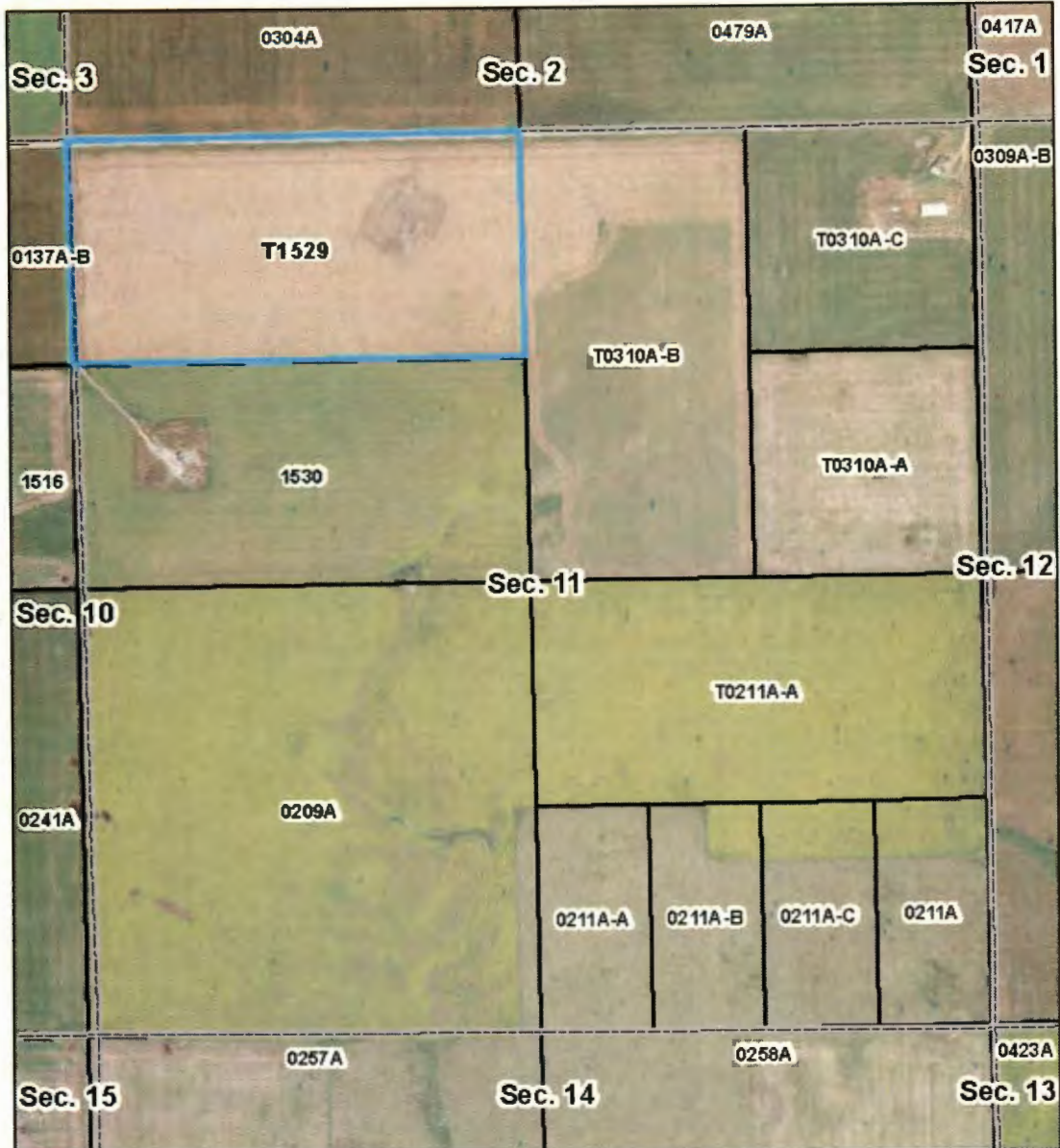




APPENDIX A.8





APPENDIX A.9



-  Parcel Boundary
-  Section Line



T1529

SECTION 11, T150N, R90W
MCLEAN COUNTY, NORTH

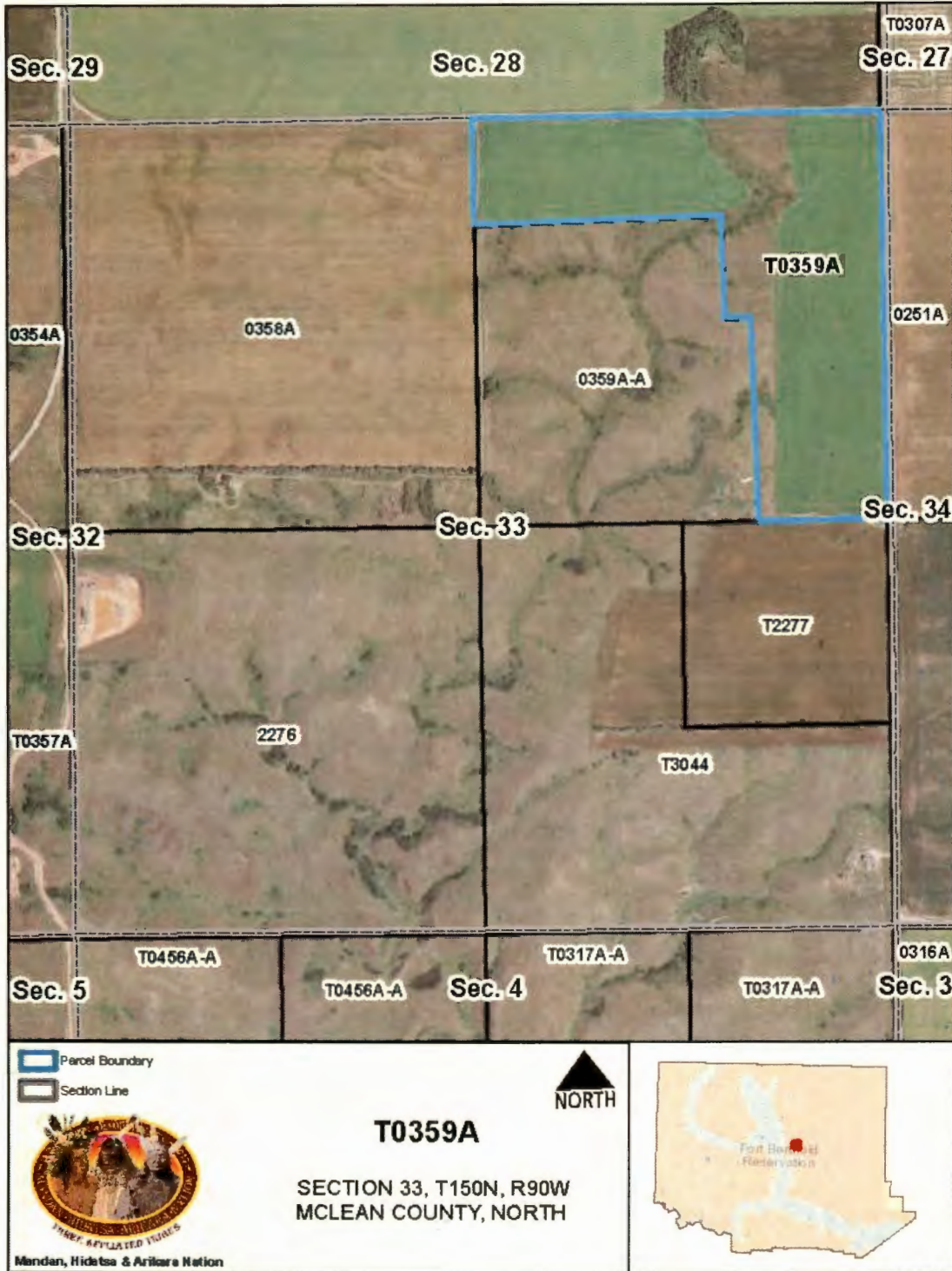


Mandan, Hidatsa & Arikara Nation



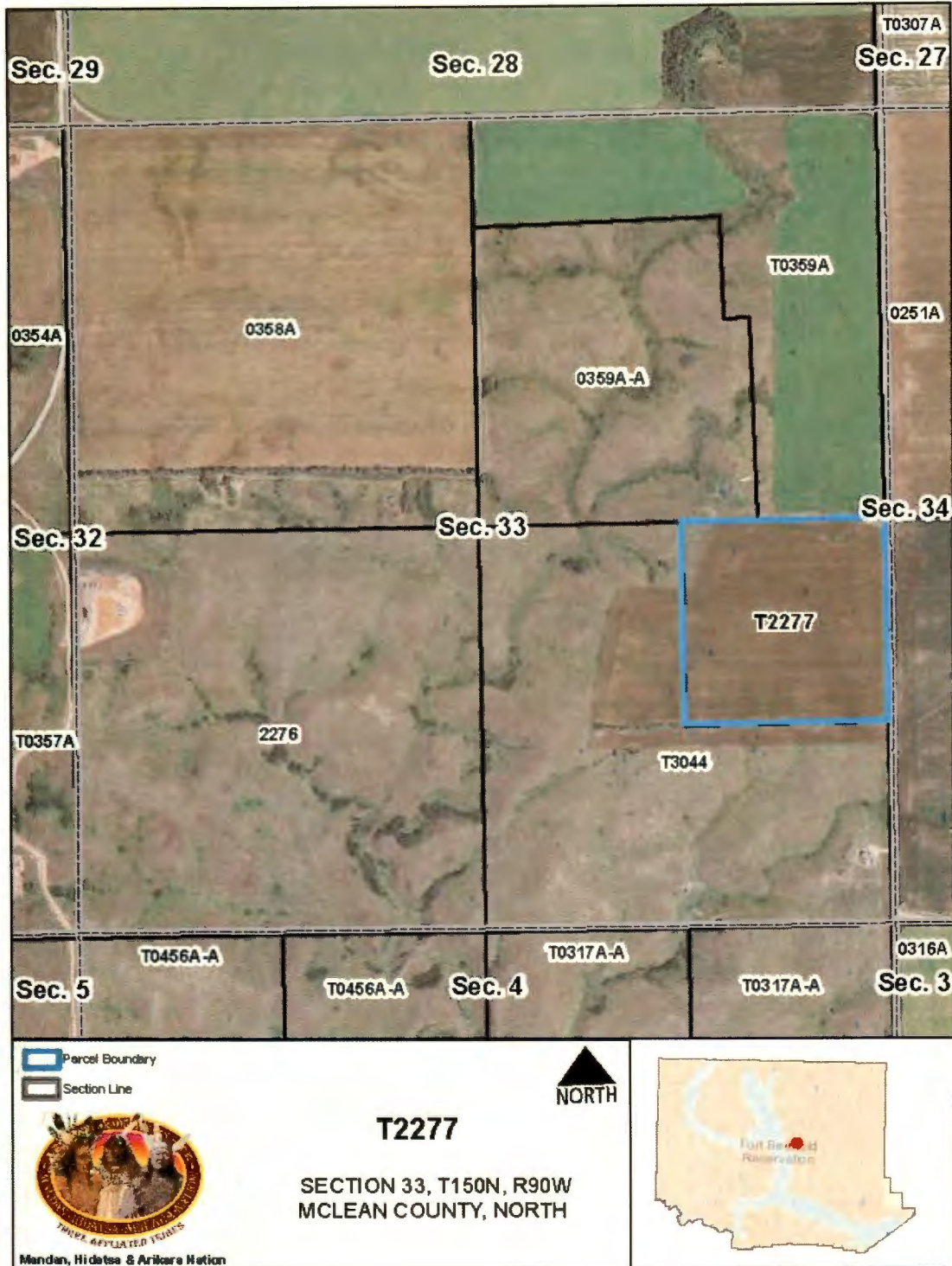


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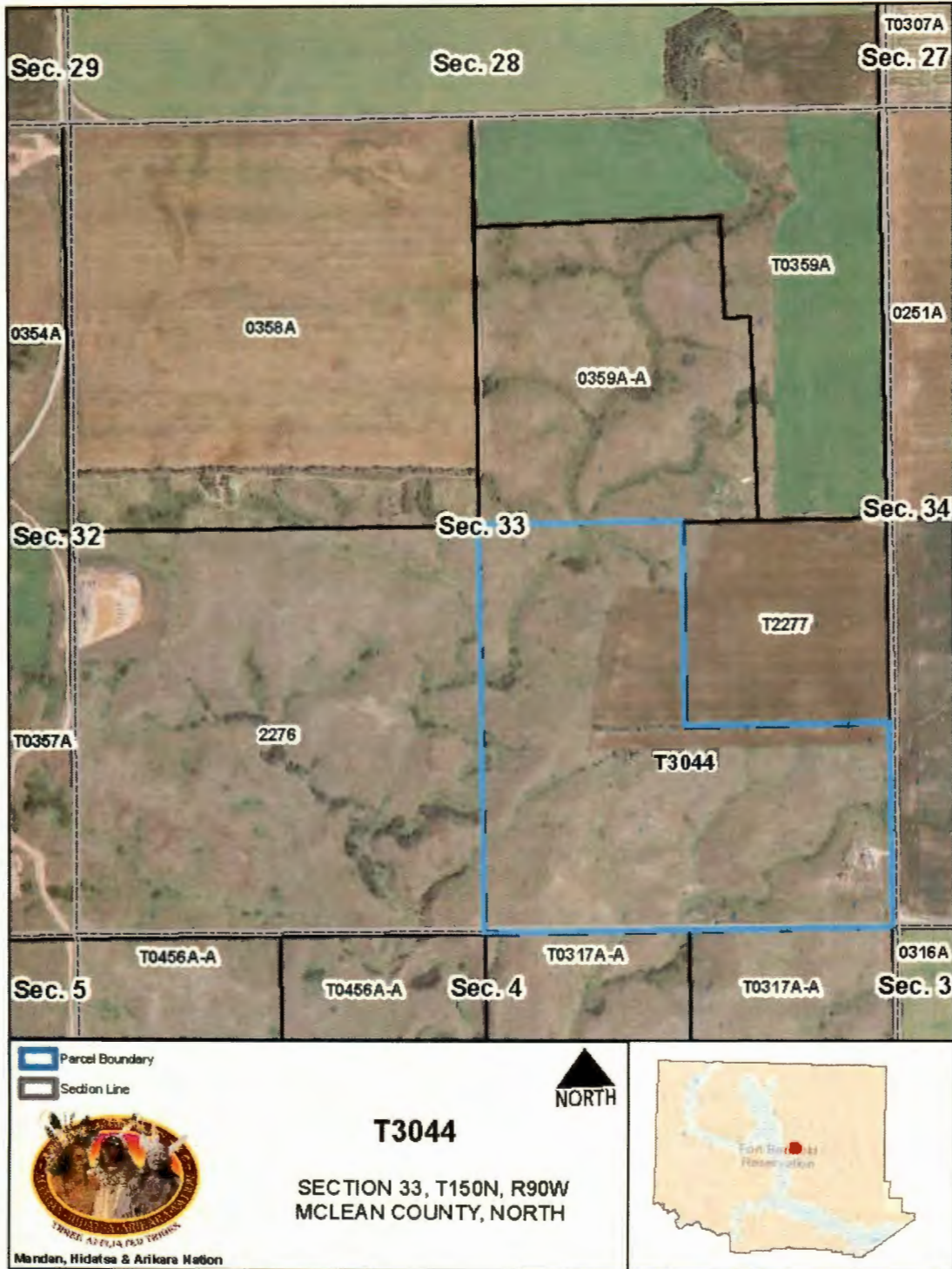


APPENDIX A.11





APPENDIX A.12



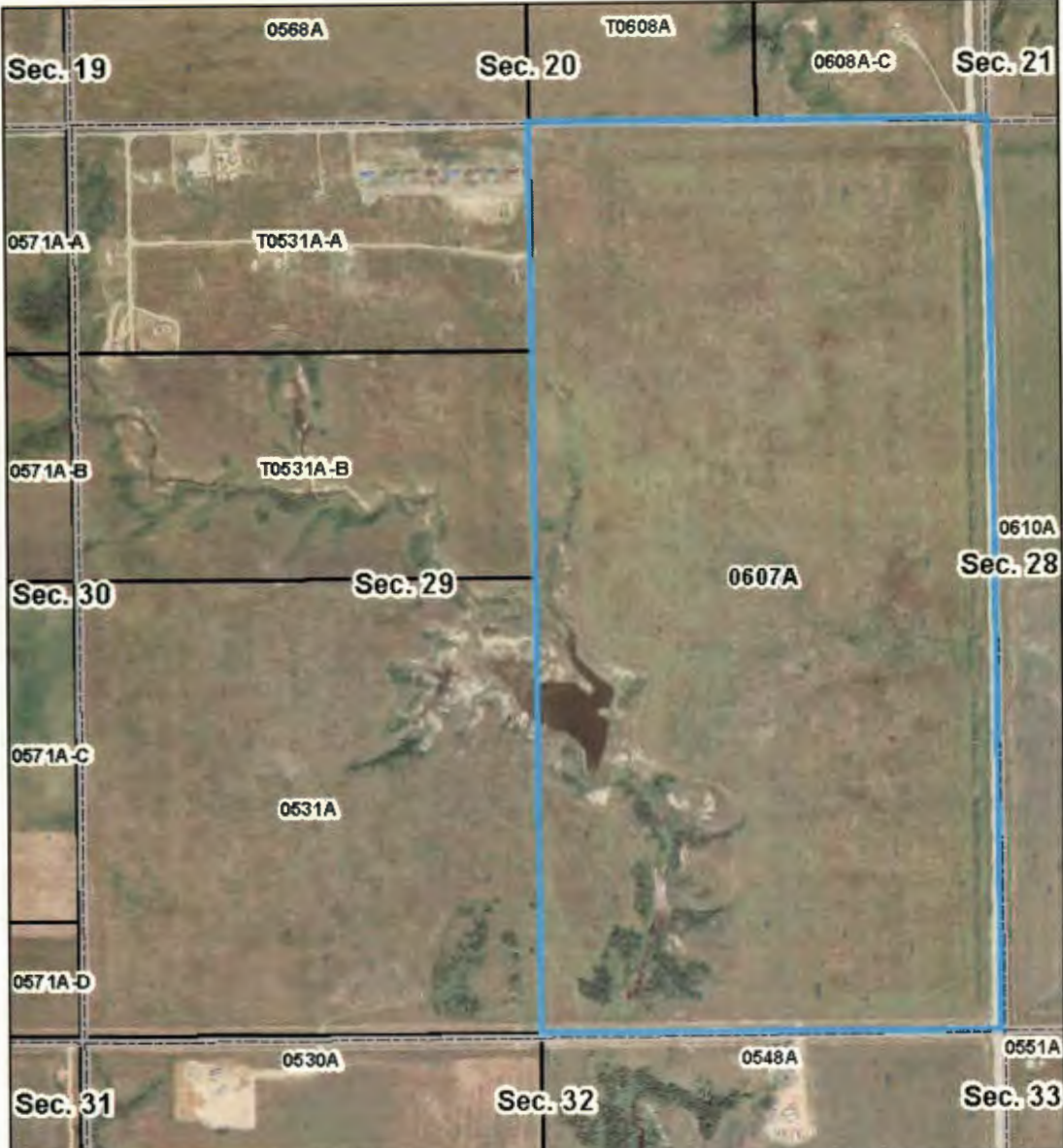




APPENDIX A.13





APPENDIX A.14



 Parcel Boundary
 Section Line



0607A

SECTION 29, T152N, R94W
MCKENZIE COUNTY, NORTH



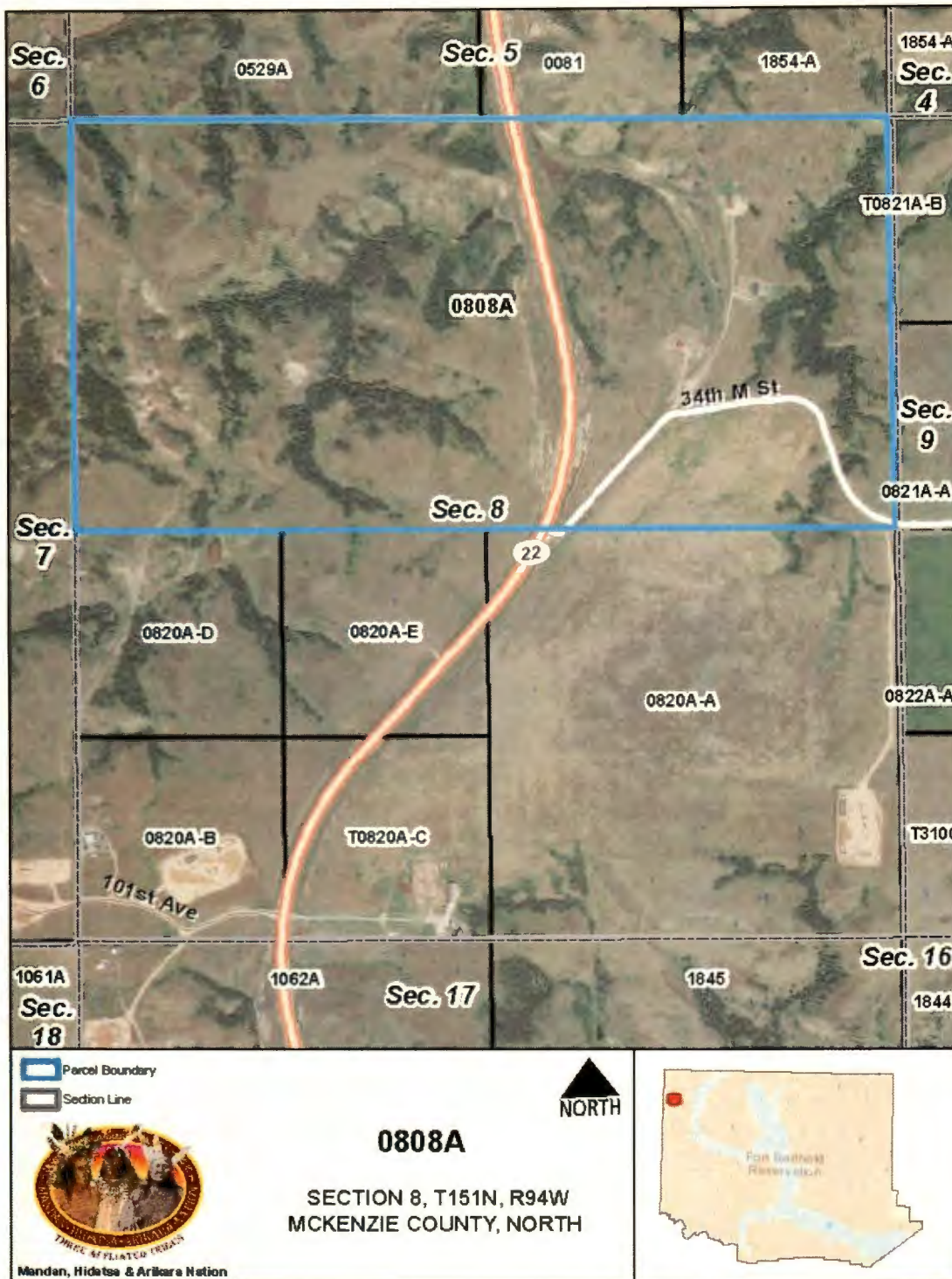


APPENDIX A.15





APPENDIX A.16



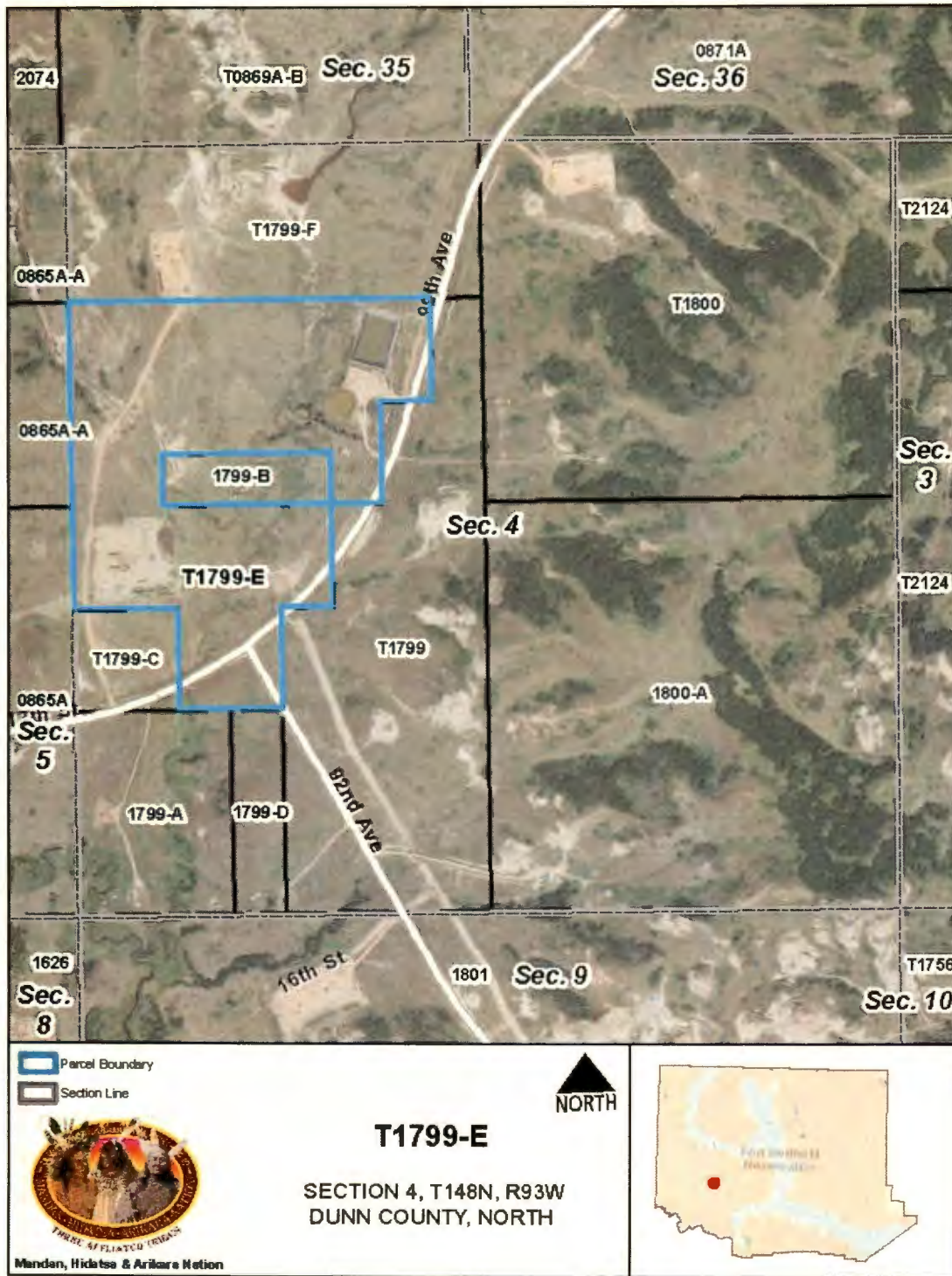


APPENDIX A.17





APPENDIX A.18



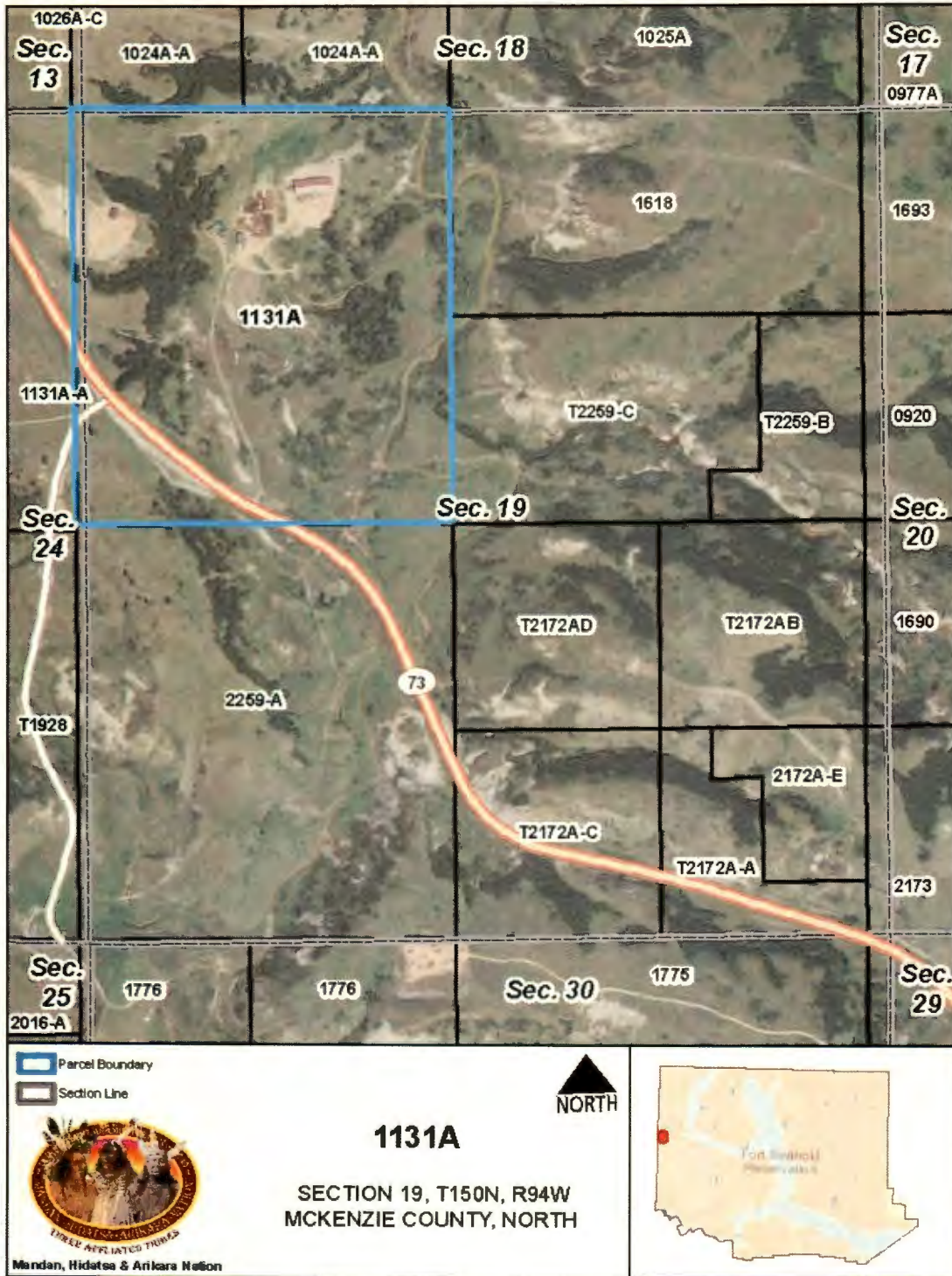


APPENDIX A.19





APPENDIX A.20





APPENDIX A.21





APPENDIX A.22

