



**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 FBRW  
Purposes"***

- 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 (or "Tribes" or "MHA Nation"), 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 provide 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 (or "ROWs") across Tribal trust and fee 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 (or "BOR") provides funding for the Fort Berthold Rural Water Supply system (or "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 MHA Nation's processing fee for this ROW assignment application is \$100.00 per Allotment, totaling \$2,600.00 in this instance; and
- WHEREAS,** The applications for ROWs 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** that the Tribal Business Council of the Three Affiliated Tribes hereby consents to the following ROWs 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 T0549A in the SE/4NE/4NE/4SW/4, N/2N/2NE/4SW/4, NW/4SE/4, S/2NE/4SW/4, SW/4SE/4NE/4SE/4, SW/4NW/4SE/4NE/4SE/4, SW/4NW/4NE/4SW/4, W/2SE/4NW/4NE/4SW/4, N/2NE/4SE/4, NW/4NW/4SE/4NE/4SE/4, SW/4NE/4SE/4, W/2SW/4NW/4SE/4NE/4SE/4, SE/4SE/4, E/2SW/4NE/4NE/4SW/4, Section 16, Township 152N, Range 93W; McKenzie County, 5th Principal Meridian of North Dakota, containing a 100% interest, as more particularly described in Appendix A. 1; and
2. Allotment Number 0585A in the E1/2, Section 19, Township 152N. Range 94W.; McKenzie County, 5th Principal Meridian of North Dakota, containing a 0.9166666666 share, as more particularly described in Appendix A. 2; and
3. Allotment Number 0568A in the W1/2, Section 20, Township 152N. Range 94W.; McKenzie County, 5th Principal Meridian of North Dakota, containing a 0.57291667 share, as more particularly described in Appendix A. 3; and
4. Allotment Number 0537A in the SE1/4SW1/4, S1/2SE1/4, Lots 6-7-8, Section 8, Township 152N. Range 93W and Lots 7-8, Section 9, Township 152N. Range 93W; McKenzie County, 5th Principal Meridian of North Dakota, containing a 0.3333333333 share, as more particularly described in Appendix A. 4; and
5. Fee Parcel 730000103 in the N Portion of IT# 1838, Section 17, Township 152N, Range 93W; McKenzie County, 5<sup>th</sup> Principal Meridian of North Dakota, containing a 1.0000000000 share, as more particularly described in Appendix A. 5; and
6. Tribal Fee Parcel 730000503 in the S Portion of IT# 1838, Section 20, Township 152N, Range 93W; McKenzie County, 5<sup>th</sup> Principal Meridian of North Dakota, containing a 100% interest, as more particularly described in Appendix A. 6; and
7. Allotment Number T0583A-B in the Lots 3-4, Section 19, Township 152N, Range 94W; McKenzie County, 5th Principal Meridian of North Dakota, containing a 100 interest, as more particularly described in Appendix A. 7; and
8. Allotment Number T2172AB in the NE/4SE/4, Section 19, Township 150N, Range 94W; McKenzie County, 5th Principal Meridian of North Dakota, containing a 100 % interest, as more particularly described in Appendix A. 8; and
9. Allotment Number T2172AD in the NW/4SE/4, Section 19, Township 150N, Range 94W; McKenzie County, 5th Principal Meridian of North Dakota, containing a 100% interest, as more particularly described in Appendix A. 9; and
10. Allotment Number T1880-A in the NE/4SW/4, SE/4, NE/4SE/4SW/4, Section 32, Township 150N, Range 93W; Dunn County, 5th Principal Meridian of North Dakota, containing a 100% interest, as more particularly described in Appendix A. 10; and
11. Allotment Number 2248 in the E/2E/2SW/4, W/2SE/4, W/2E/2SE/4, Section 22, Township 148N, Range 95W; NE/4, Section 27, Township 148N, Range 95W; Dunn County, 5th Principal Meridian of North Dakota, containing a 0.3738095238 share, as more particularly described in Appendix A. 11; and
12. Allotment Number T2104 in the W1/2NW1/4, Section 24, Township 148N. Range 95W.; Dunn County, 5th Principal Meridian of North Dakota, containing a 100% interest, as more particularly described in Appendix A. 12; and
13. Allotment Number T2006-A in the N1/2NE1/4NE1/4SE1/4, Section 22, Township 148N. Range 95W and W1/2SE1/4, W1/2E1/2SE1/4 & SW1/4, Section 23, Township 148N. Range 95W; Dunn County, 5th



- Principal Meridian of North Dakota, containing a 100 interest, as more particularly described in Appendix A. 13; and
14. Allotment Number T2006 in the SE1/4NE1/4SE1/4, S1/2NE1/4NE1/4SE1/4 and E1/2SE1/4SE1/4, Section 22, Township 148N. Range 95W.; Dunn County, 5th Principal Meridian of North Dakota, containing a 100 interest, as more particularly described in Appendix A. 14; and
  15. Allotment Number 2103 in the E1/2E1/2SE1/4, Section 23, Township 148N. Range 95W and the NW1/4SW1/4 & S1/2SW1/4, Section 24, Township 148N. Range 95W; Dunn County, 5th Principal Meridian of North Dakota, containing a 0.2065656566 share, as more particularly described in Appendix A. 15; and
  16. Allotment Number 0733A in the E/2 Section 16, Township 149N. Range 93W.; Dunn County, 5th Principal Meridian of North Dakota, containing a 0.2525217257 share, as more particularly described in Appendix A. 16; and
  17. Allotment Number T0694A in the N/2, Section 11, Township 149N, Range 94W; McKenzie County, 5th Principal Meridian of North Dakota, containing a 100 interest, as more particularly described in Appendix A. 17; and
  18. Allotment Number T3055 in the SE/4, Section 12, Township 150N, Range 92W; N/2N/2, Section 13, Township 150N, Range 92W; Mountrail County, 5th Principal Meridian of North Dakota, containing a 100% interest, as more particularly described in Appendix A. 18; and
  19. Allotment Number 0383A in the W/2, Section 9, Township 150N, Range 93W; Mountrail County, 5th Principal Meridian of North Dakota, containing a 0.6597222221 share, as more particularly described in Appendix A. 19; and
  20. Allotment Number T0439A-B in the S/2SW/4, NW/4SW/4, Section 4, Township 150N, Range 93W; Mountrail County, 5th Principal Meridian of North Dakota, containing a 100% interest, as more particularly described in Appendix A. 20; and
  21. Allotment Number 0454A in the NW/4, Section 20, Township 150N, Range 90W.; McLean County 5th Principal Meridian of North Dakota, containing a 0.2000000000 share, more or less, as described in Appendix A. 21; and
  22. Allotment Number T3150 in the SW/4NW/4, Section 21, Township 150N, Range 90W; McLean County, 5th Principal Meridian of North Dakota, containing a 100% interest, as more particularly described in Appendix A. 22; and
  23. Allotment Number 0243A in the NE/4, Section 20, Township 150N, Range 90W; McLean County, 5th Principal Meridian of North Dakota, containing a 0.7769841271 share, as more particularly described in Appendix A. 23; and
  24. Allotment Number T0457 in the NE/4NW/4, Section 34, Township 147N, Range 91W; Dunn County, 5th Principal Meridian of North Dakota, containing a 100% interest, as more particularly described in Appendix A. 24; and
  25. Allotment Number 1102A-A in the SE/4, Section 5, Township 146N, Range 91W; Dunn County, 5th Principal Meridian of North Dakota, containing a 0.5833333333 share, as more particularly described in Appendix A. 25; and
  26. Allotment Number 0474 in the Lots 1-2, E/2NW/4, Section 19, Township 147N, Range 90W; Mercer County, 5th Principal Meridian of North Dakota, containing a 0.1375000000 share, as more particularly described in Appendix A. 26; and

**BE IT FURTHER RESOLVED** that the term of the ROWs shall be perpetual (subject to termination in accordance with applicable federal regulations), and the requirements for compensation and bond are hereby waived; 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, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13<sup>th</sup> day of June, 2019, 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 [ ] Voting. [ X ] Not Voting.

Dated this 13<sup>th</sup> day of June, 2019.

ATTEST:

Tribal Secretary, Fred W. Fox  
Tribal Business Council

Chairman, Mark N. Fox  
Tribal Business Council



APPENDIX A.1





APPENDIX A.2



<p><b>Bartlett &amp; West</b> Serving Communities and Equally Forward™</p> <p>▲ 0 500 1,000 Feet</p>	<p><b>Fort Berthold Rural Water</b></p> <p><b>Thunder Buttes Twin Buttes Segment</b></p>		
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APPENDIX A.3





APPENDIX A.4







APPENDIX A.5





APPENDIX A.6





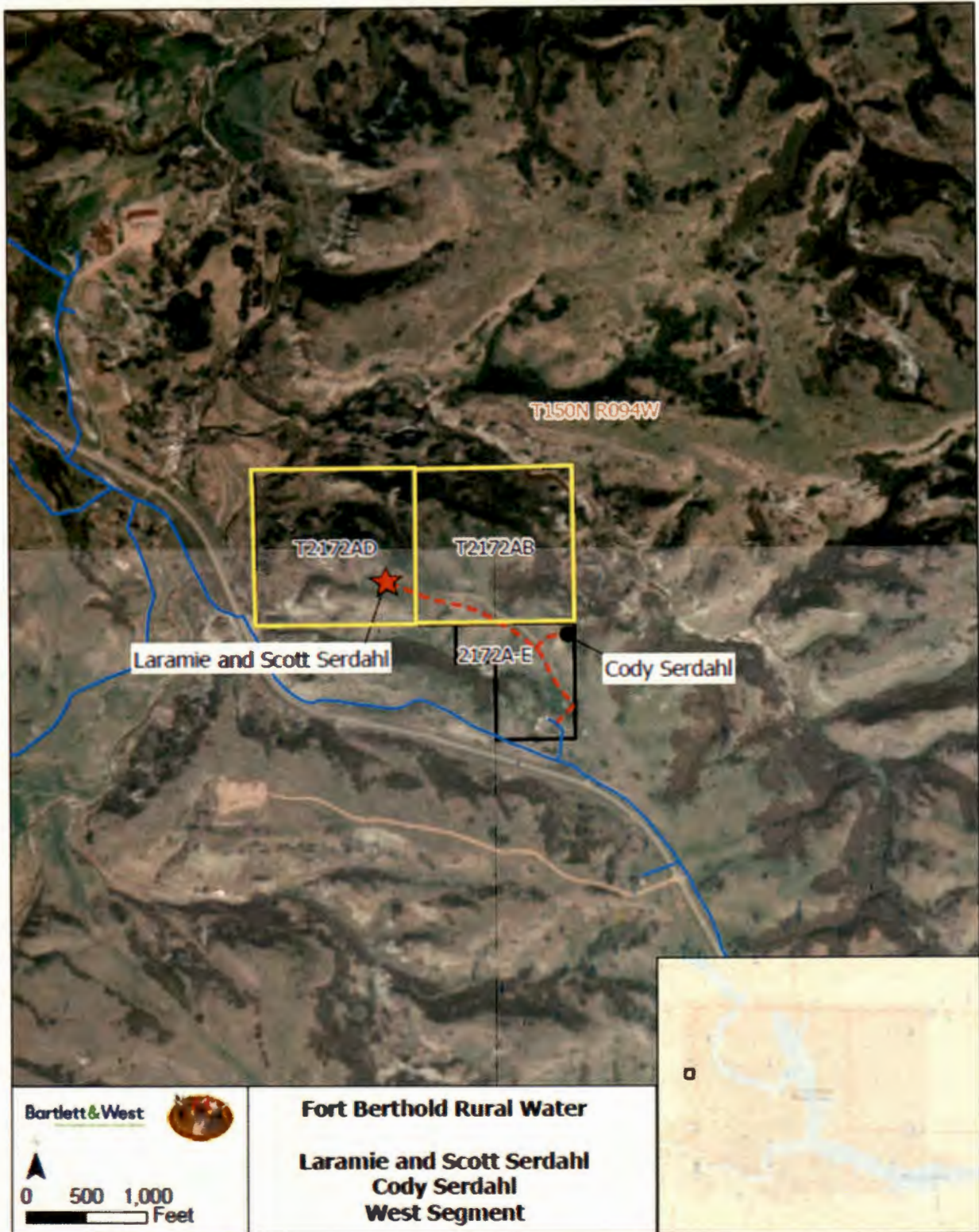
APPENDIX A.7



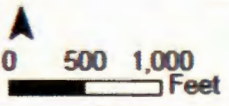
<p><b>Bartlett &amp; West</b> PLANNING ENGINEERING SURVEYING &amp; CONSULTING</p> <p>▲ 0 500 1,000 Feet</p>	<p><b>Fort Berthold Rural Water</b></p> <p><b>Thunder Buttes Twin Buttes Segment</b></p>		
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APPENDIX A.8



Bartlett & West

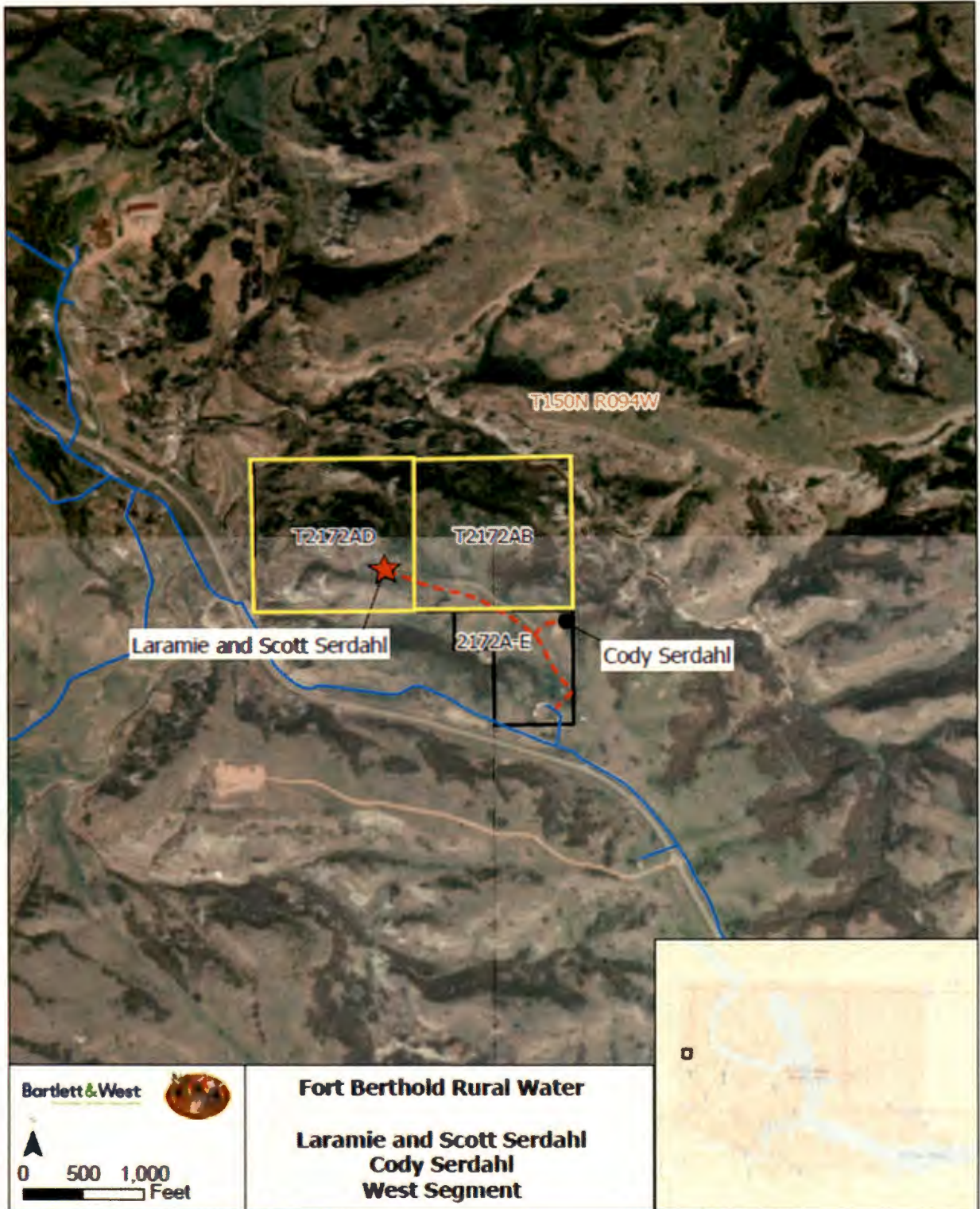


**Fort Berthold Rural Water**  
**Laramie and Scott Serdahl**  
**Cody Serdahl**  
**West Segment**



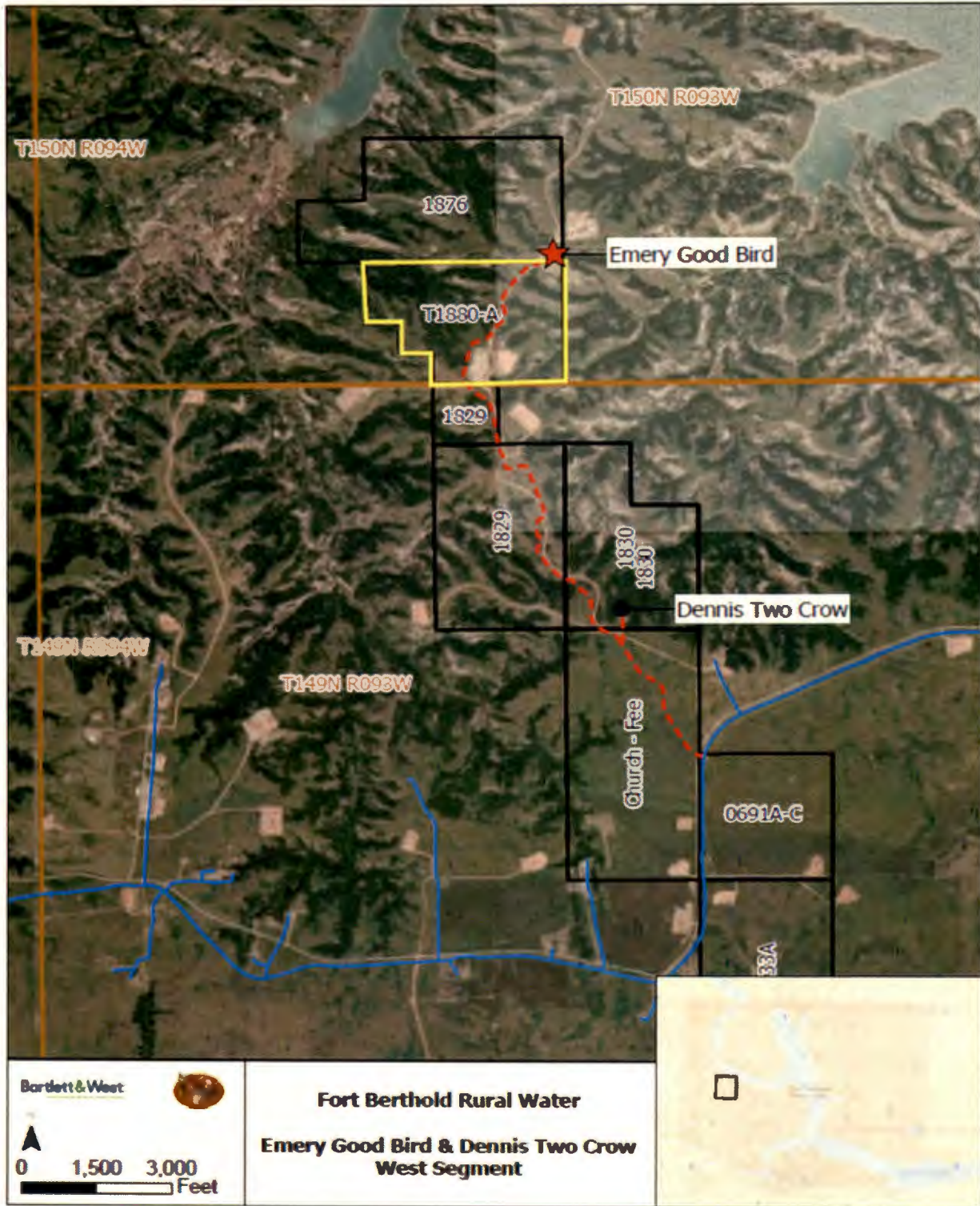


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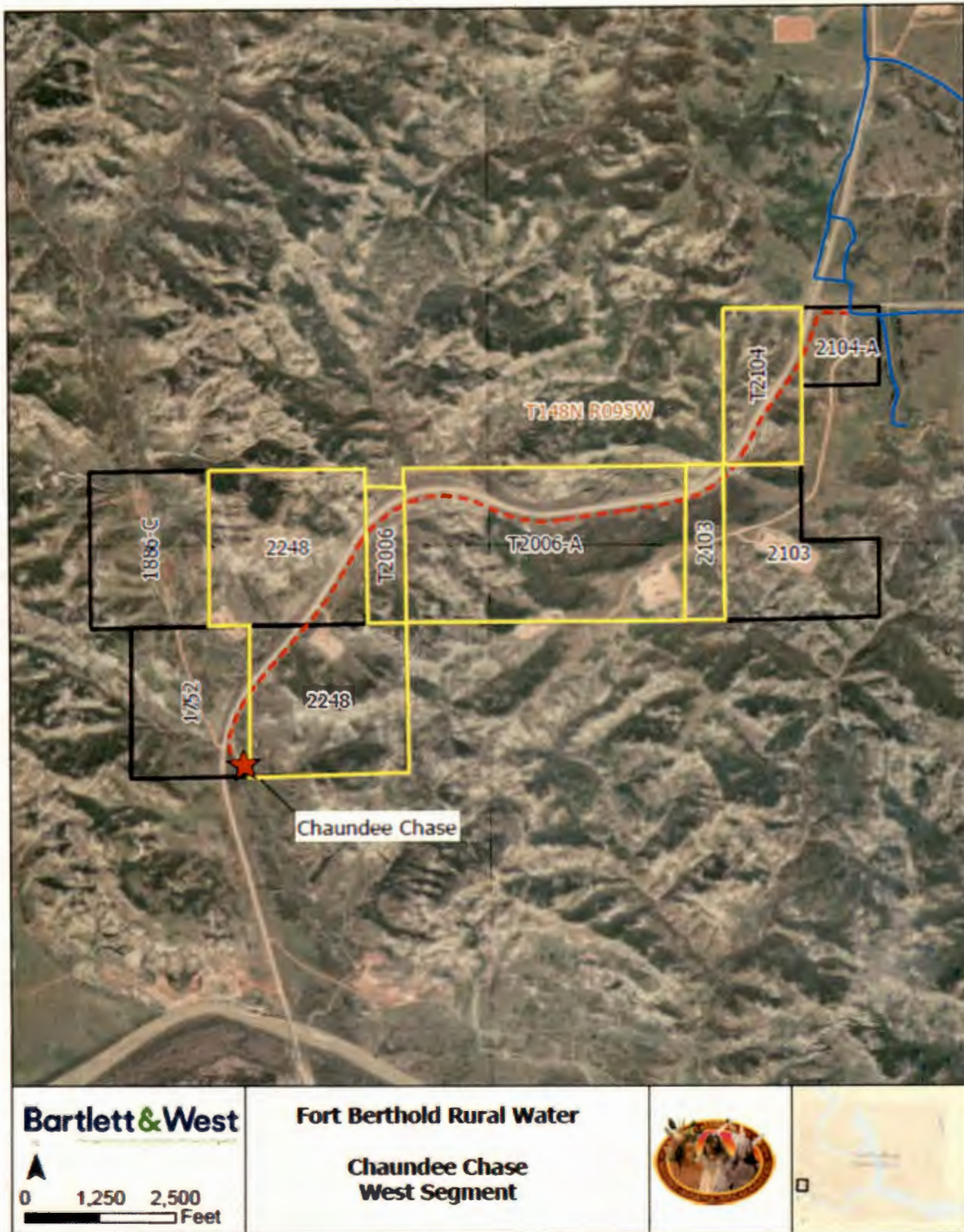


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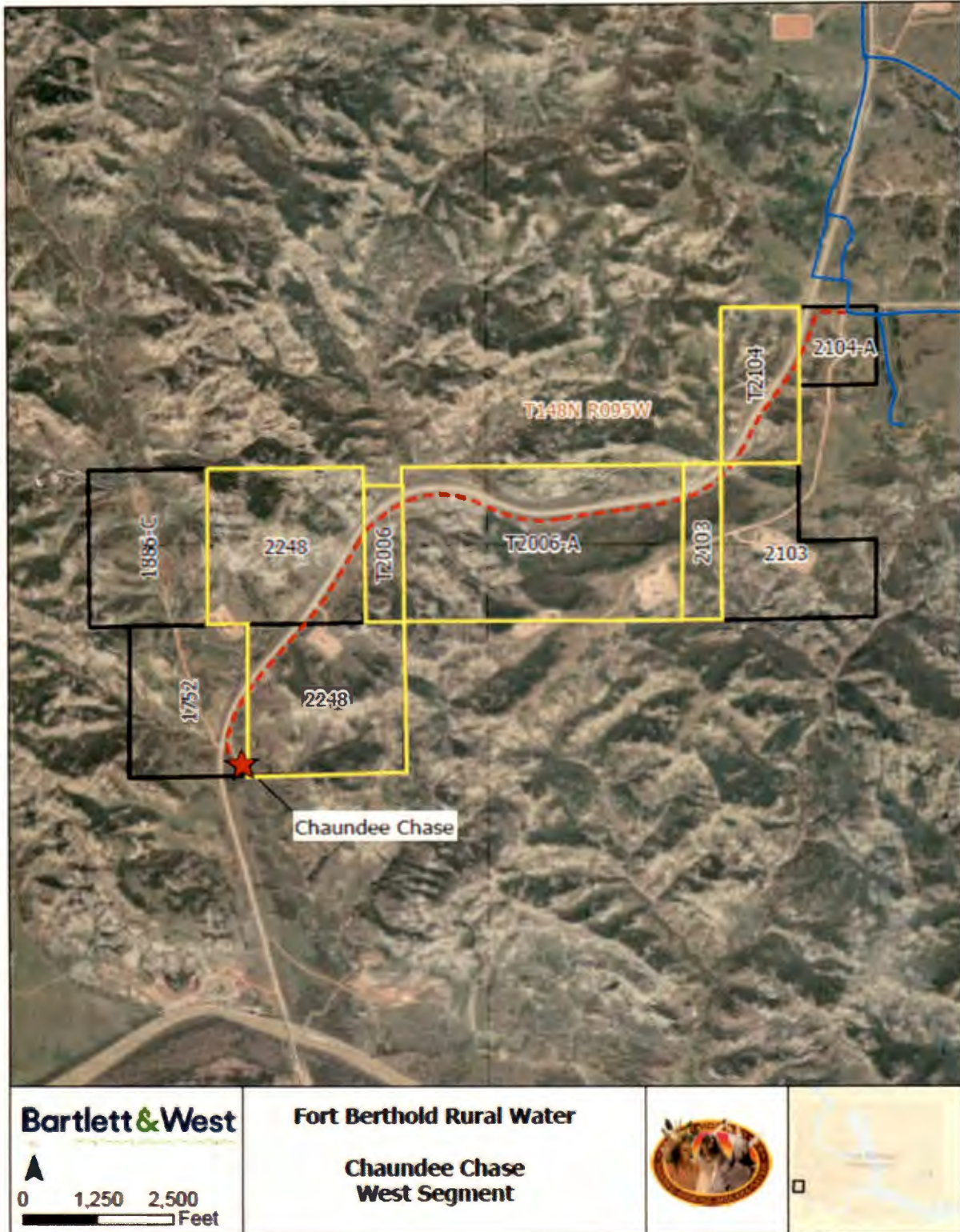


APPENDIX A.11





APPENDIX A.12







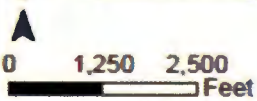
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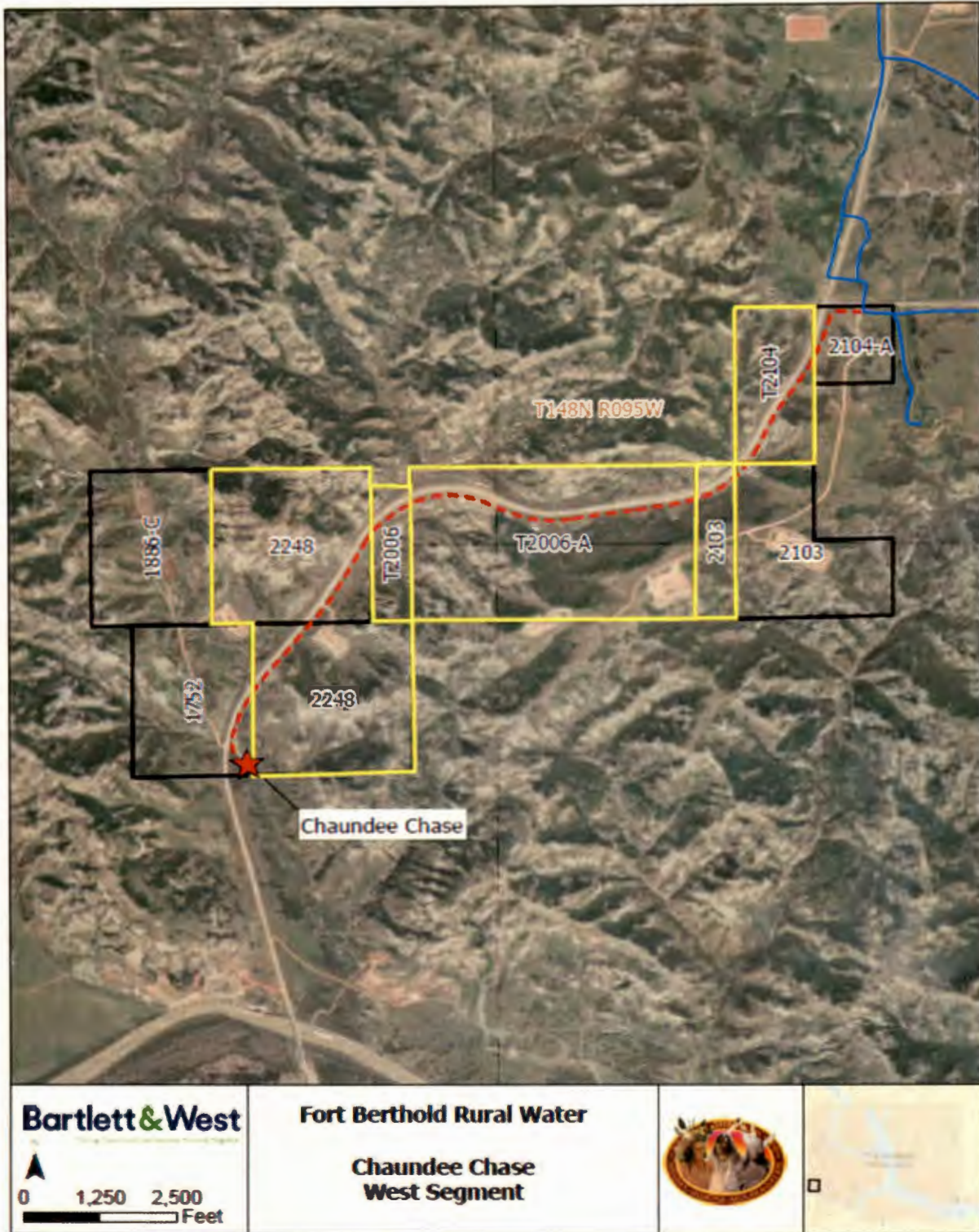
**Fort Berthold Rural Water**

**Chaundee Chase  
West Segment**





APPENDIX A.14

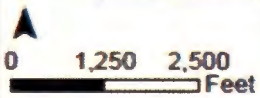




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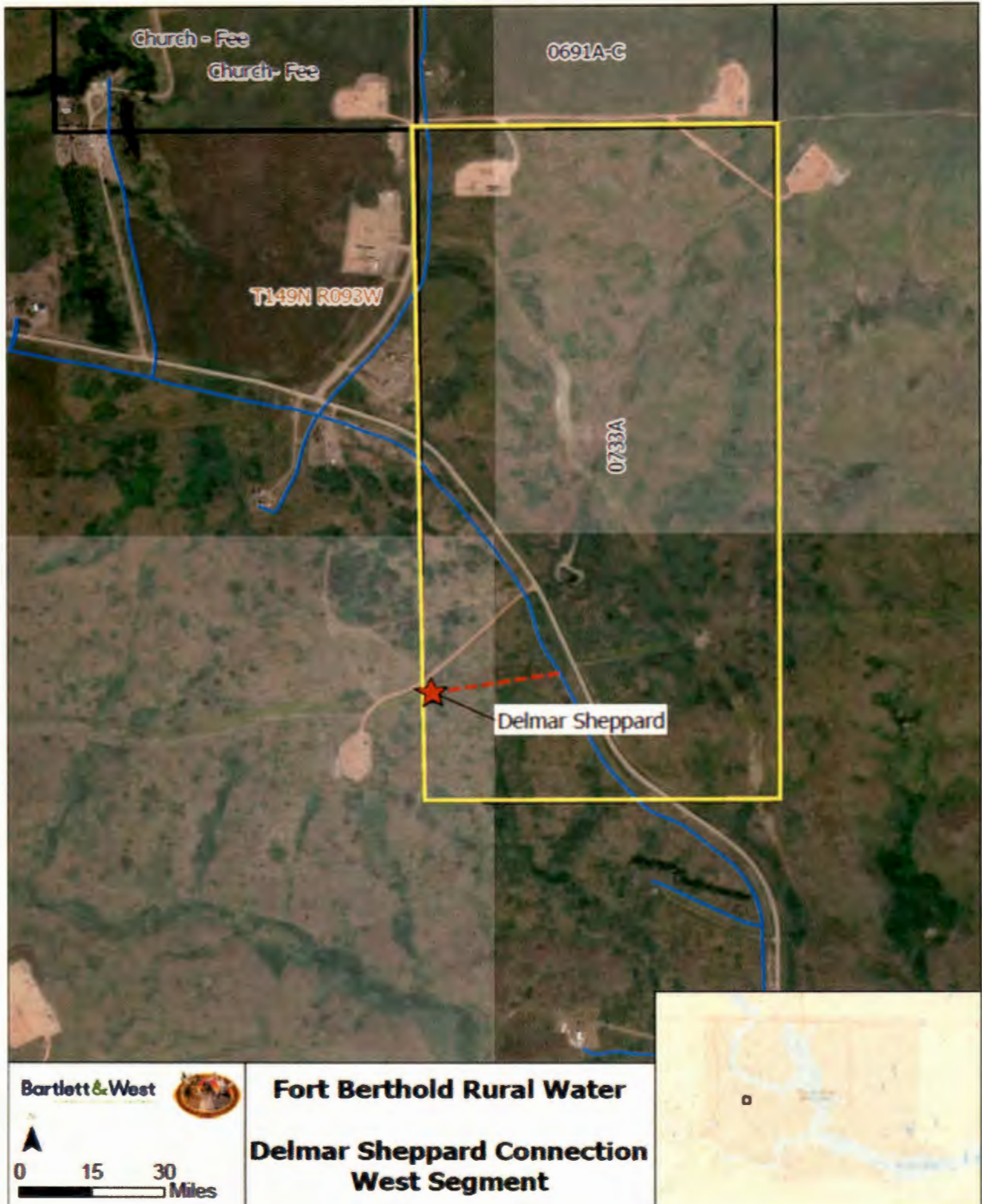
**Fort Berthold Rural Water**

**Chaundee Chase  
West Segment**



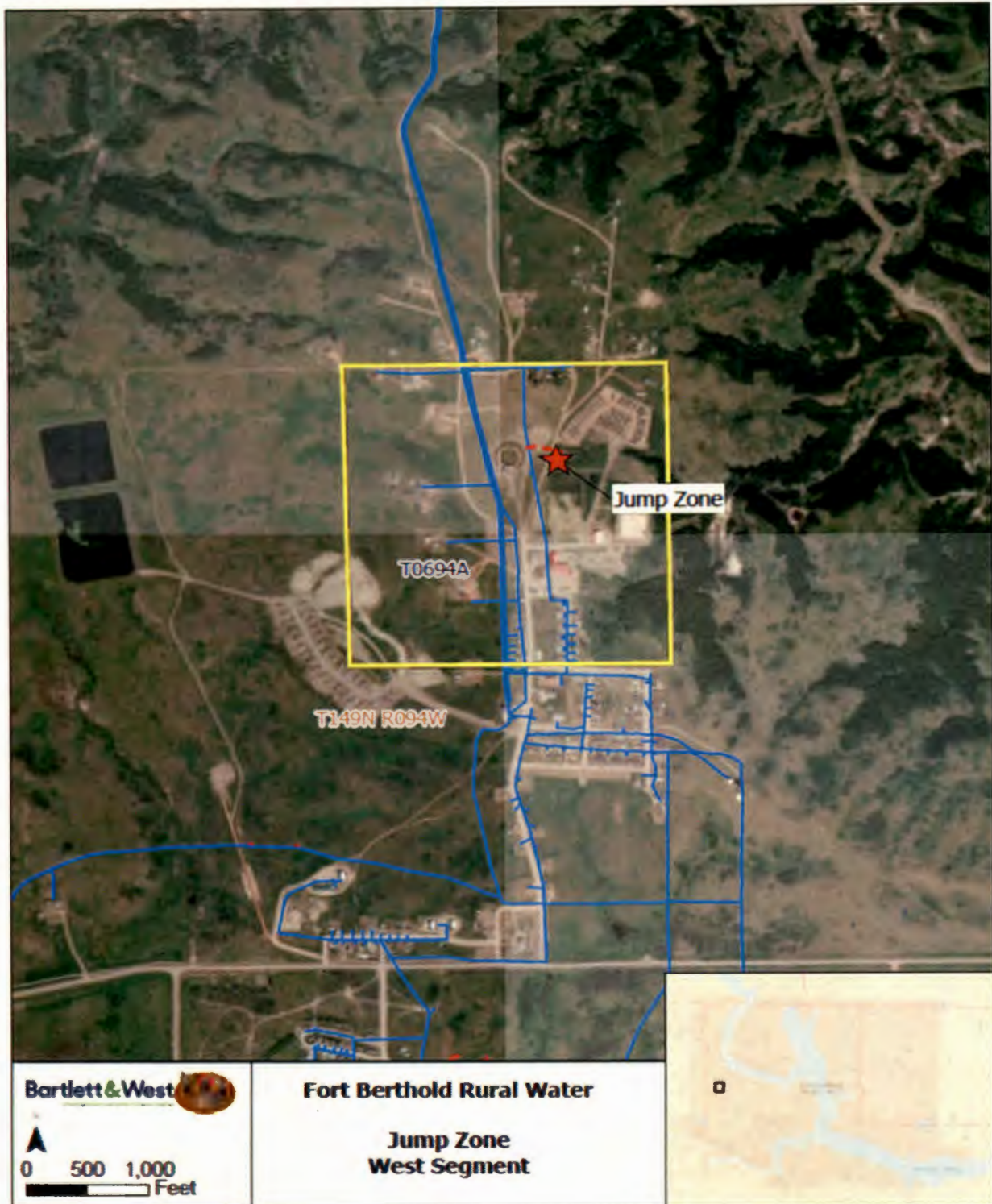


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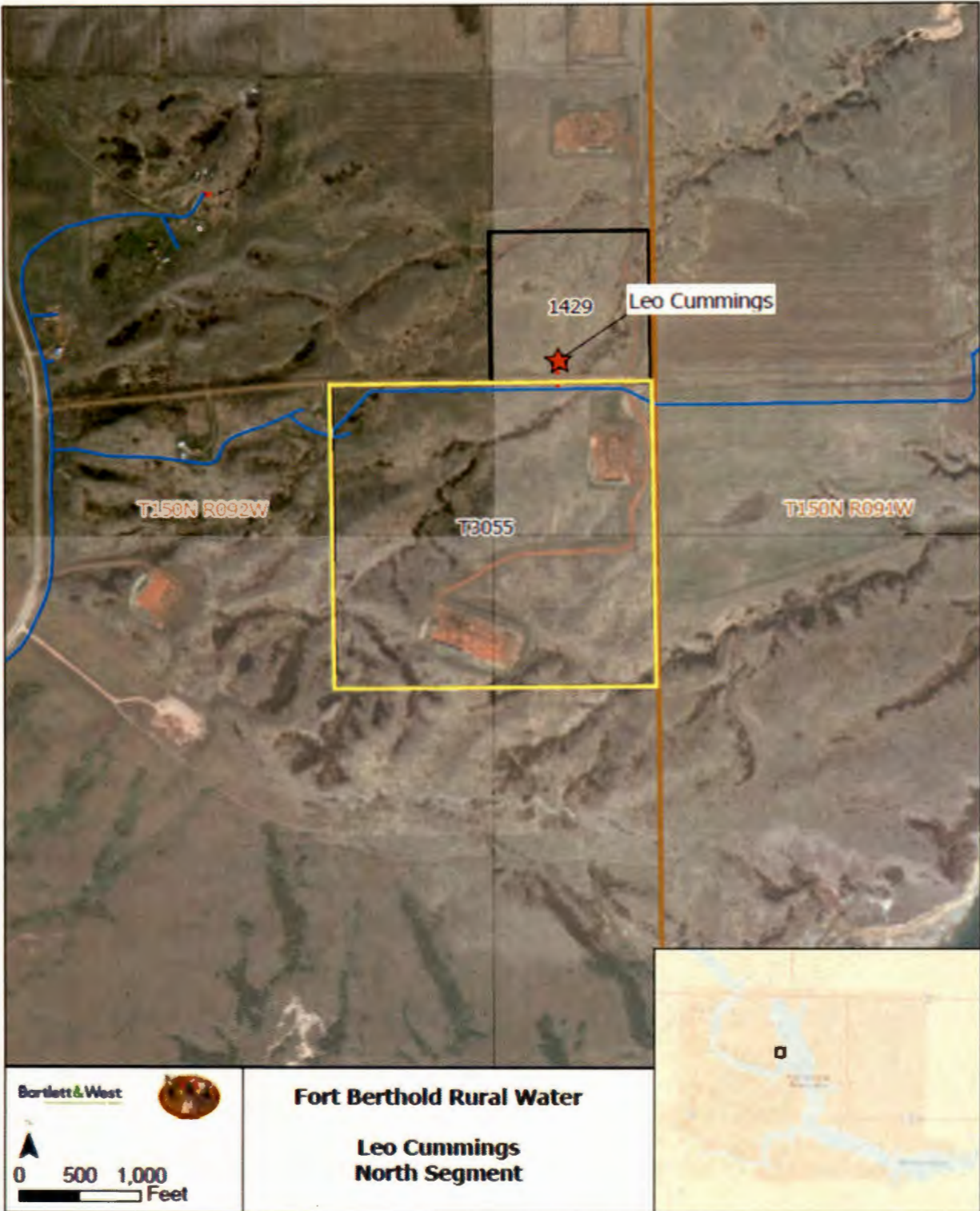


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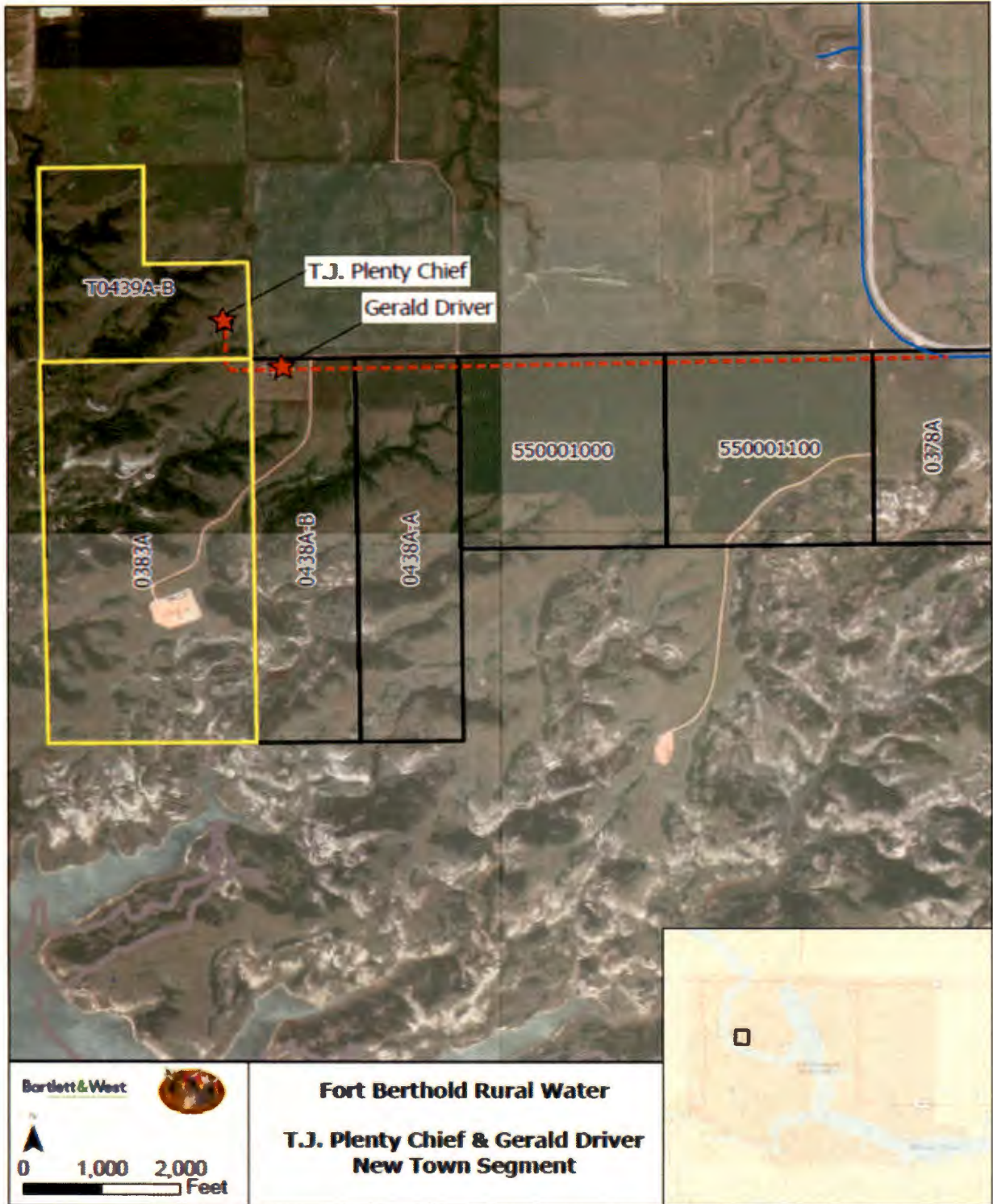


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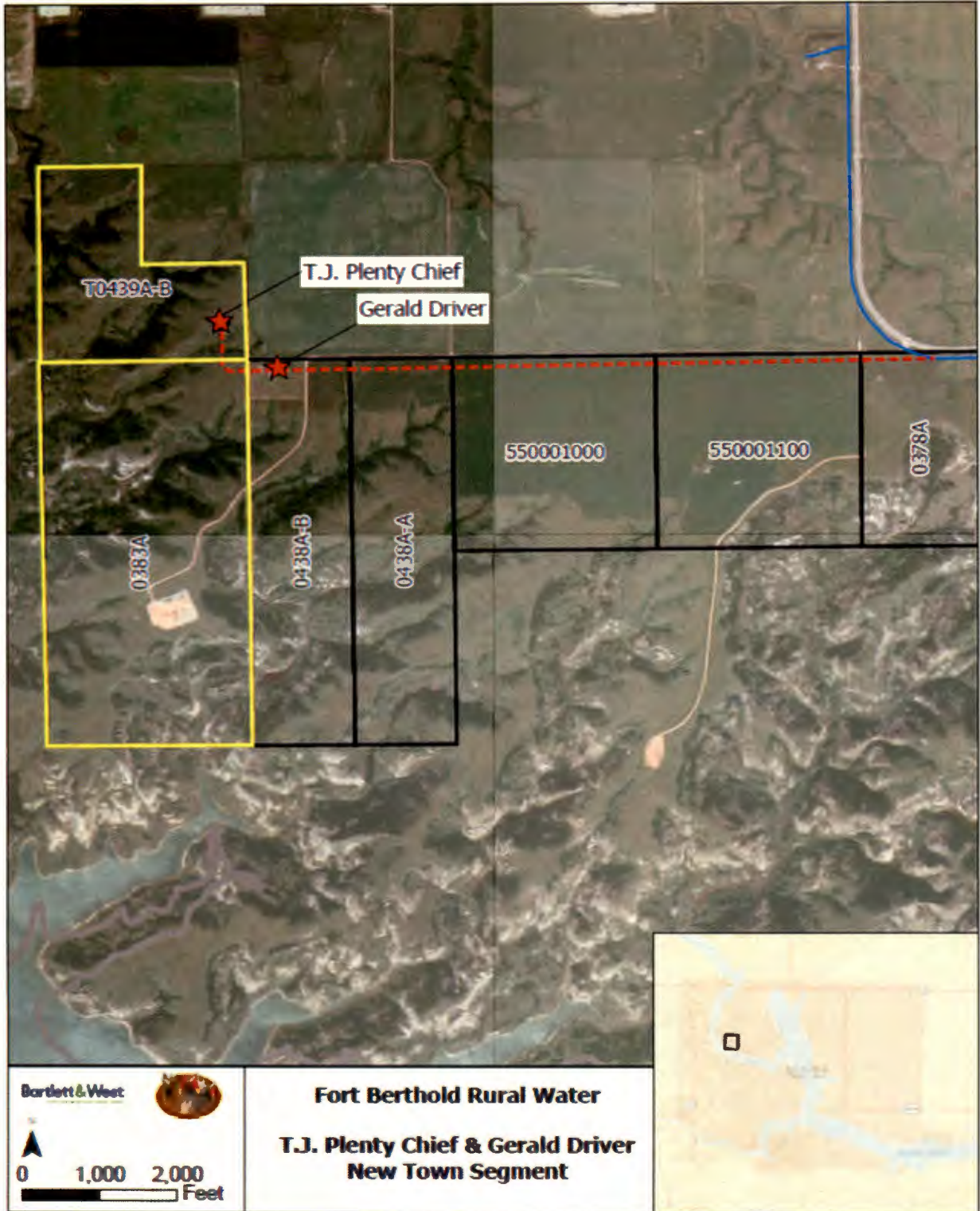


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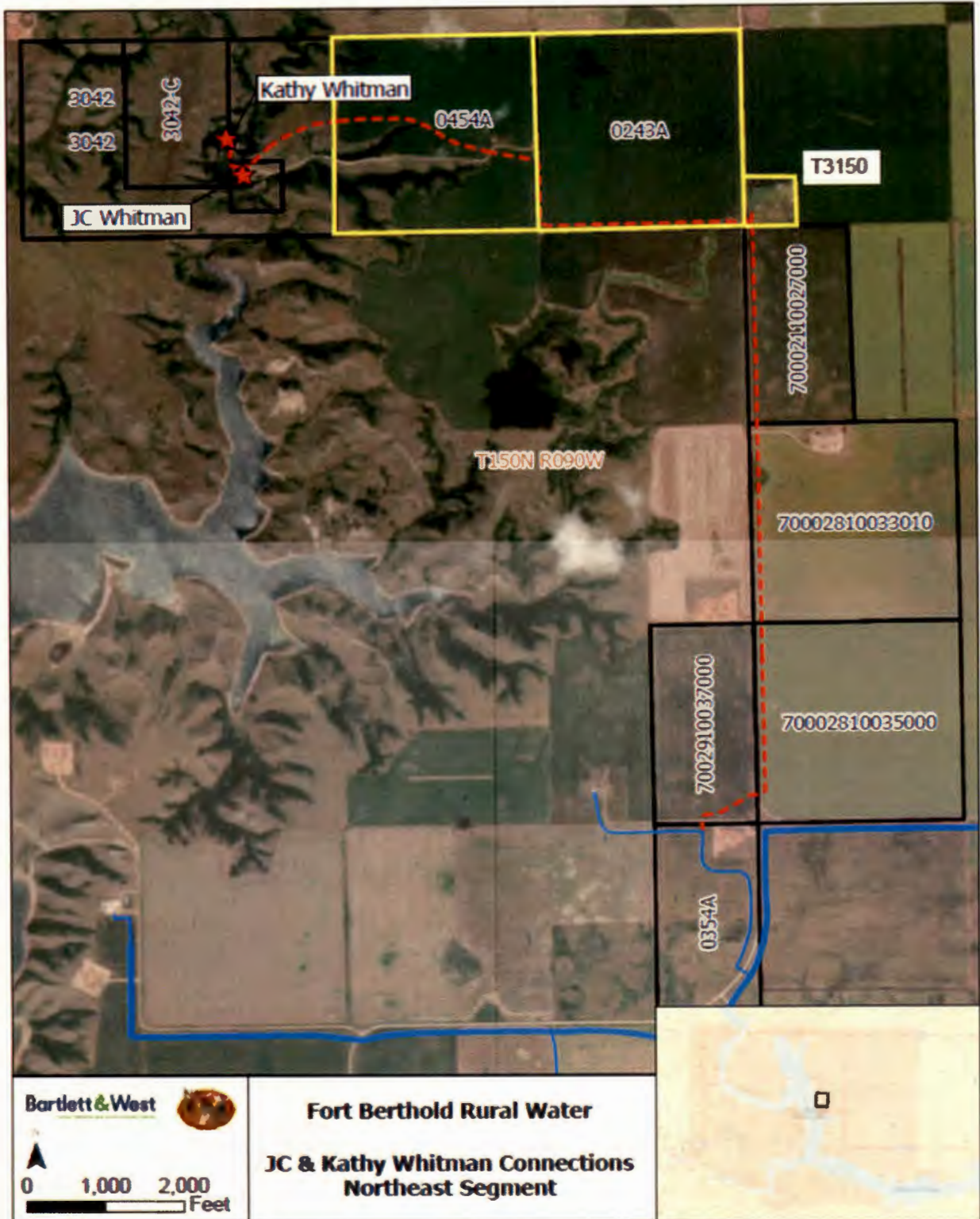
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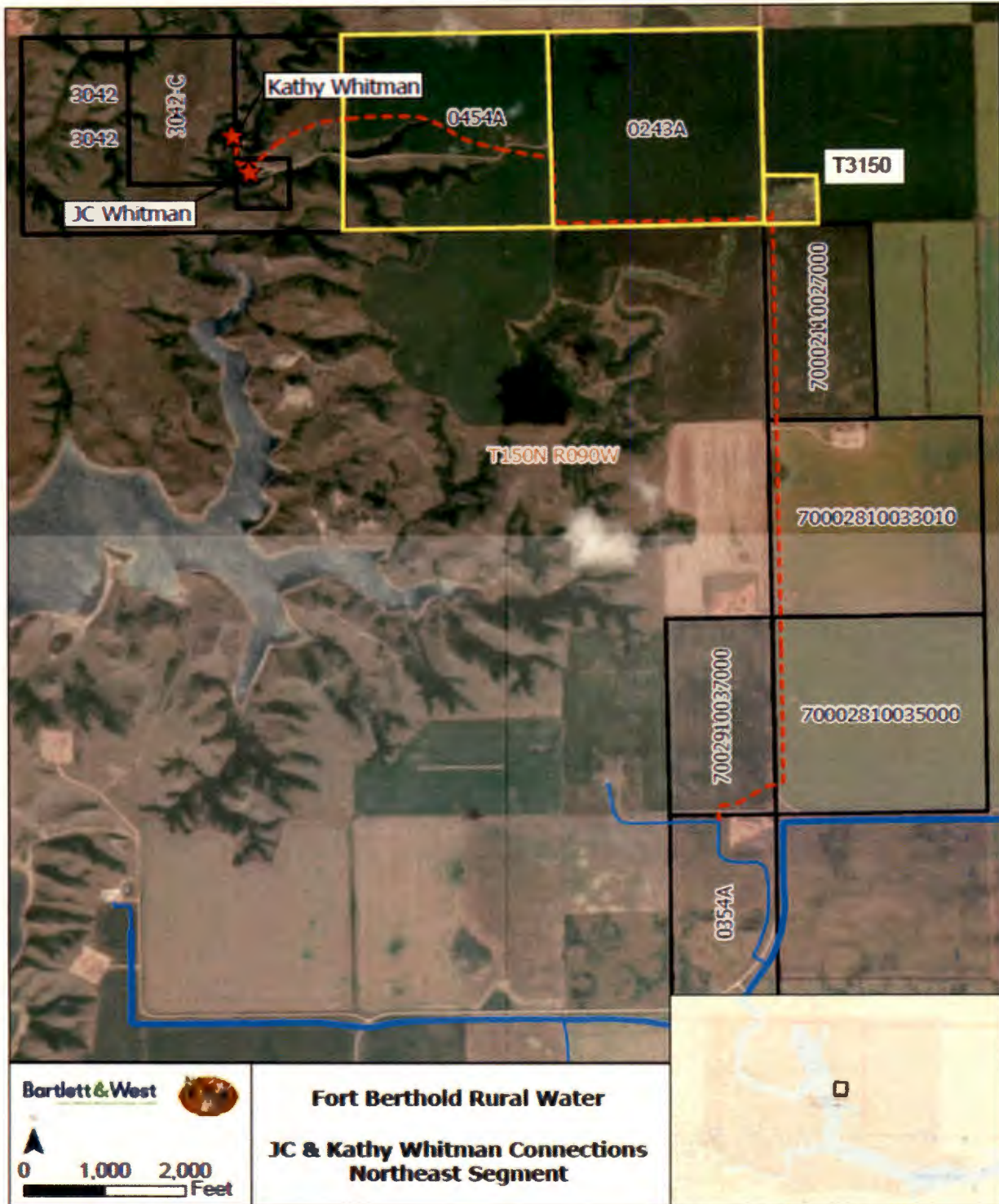


PPENDIX A.21



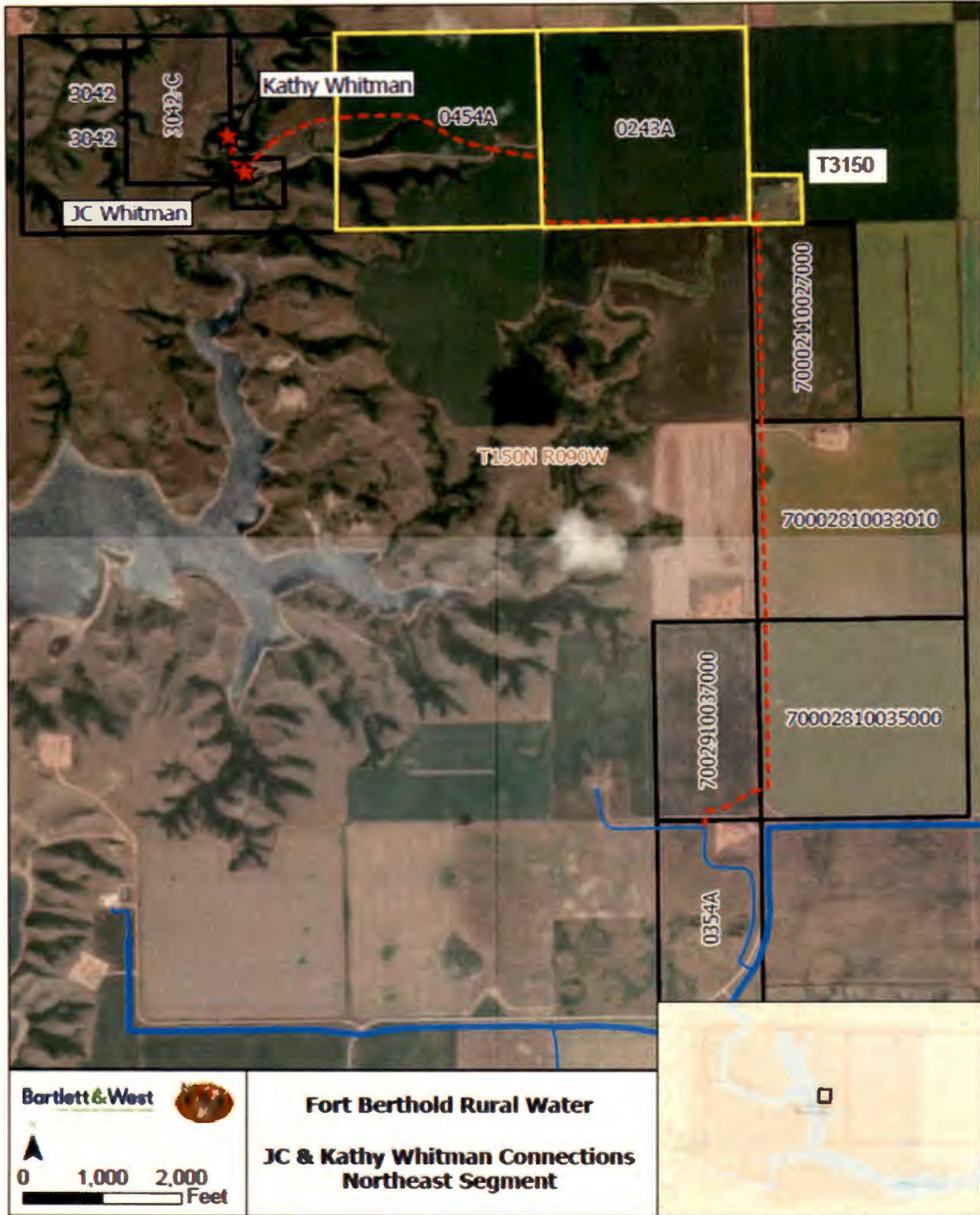


APPENDIX A.22





APPENDIX A.23



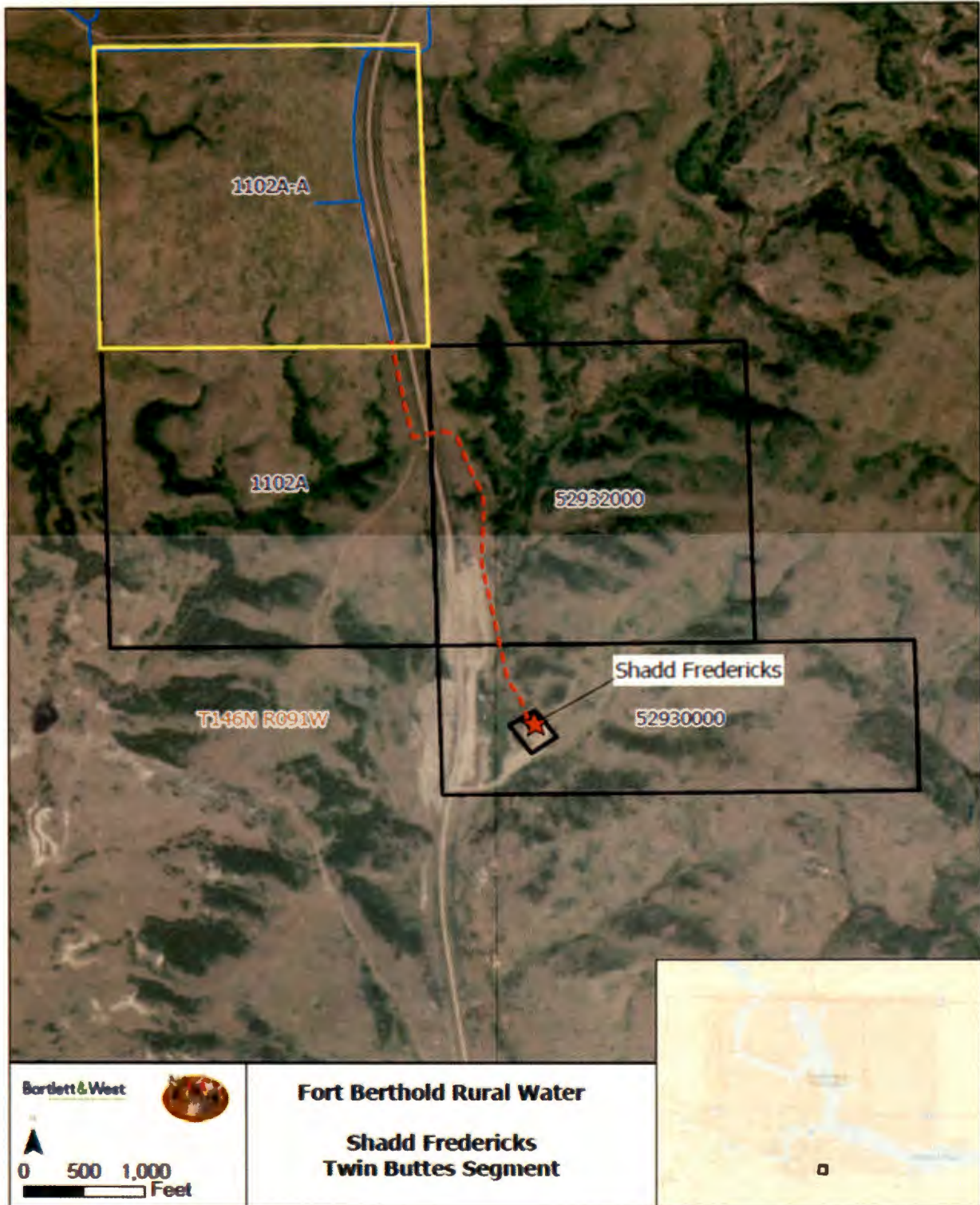


APPENDIX A.24





APPENDIX A.25





APPENDIX A.26

