



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

A Resolution entitled, "Consent to Certain Right(s) of Way across Tribal land"

- 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 (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 (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 ROWs 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 Number, equaling \$700.00; 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 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 T0531A-B in the S/2NW/4, Section 29, Township 152N, Range 94W; McKenzie County, 5th Principal Meridian of North Dakota, containing a 1.0000000000 share, as more particularly described in Appendix A. 1; and
2. Allotment Number T0701A in the NE/4, Section 13, Township 147N, Range 91W; Dunn County, 5th Principal Meridian of North Dakota, containing a 1.0000000000 share, as more particularly described in Appendix A. 2; and
3. Allotment Number T1779-A in the E/2SW/4, S/2SE/4, East 20 acres of Lot 5, East 20 acres of Lot 6, Section 7, Township 147N, Range 90W; Mercer County, 5th Principal Meridian of North Dakota, containing a 1.0000000000 share, as more particularly described in Appendix A. 3; and
4. Allotment Number T5377 in the Metes and Bounds: A triangular portion of the S/2NW/4NW/4SE/4 & S/2NW/4SE/4 bounded by the South and West sides and by a diagonal line extending from the NW/4 corner of the S/2NW/4NW/4SE/4 to the SE/4 corner of the S/2NW/4SE/4 (15.000 acres), Section 7, Township 147N, Range 90W; Mercer County, 5th Principal Meridian of North Dakota, containing a 1.0000000000 share, as more particularly described in Appendix A. 4; and
5. Allotment Number T15345 in the Those Portions Lying Above Elevation 1854', M.S.L., Metes and Bounds: Lot 5, except the East 20 acres thereof, Lots 4, 7, 8, and 9; and the NW/4SE/4 except that portion of the NW/4SE/4 described as follows: Beginning at the Southwest corner of said NW/4SE/4; thence Northerly along the West line of said NW/4SE/4 to the Northwest corner of the SW/4NW/4NW/4SE/4 of Section 7; thence Southeasterly to the Southeast corner of said NW/4SE/4; thence Westerly along the South line of said NW/4SE/4 to the point of beginning. (68.400 acres), Section 7, Township 147N, Range 90W; Mercer County, 5th Principal Meridian of North Dakota, containing a 1.0000000000 share, as more particularly described in Appendix A. 5;
6. Allotment Number T0113A-A in the NW/4NE/4, E/2SW/4NE/4, Section 17, Township 148N, Range 88W; McLean County, 5th Principal Meridian of North Dakota, containing a 1.0000000000 share, as more particularly described in Appendix A. 6; and



7. Allotment Number T0117A-A in the W/2SW/4SW/4SE/4, Section 8, Township 148N, Range 88W; McLean County, 5th Principal Meridian of North Dakota, containing a 1.0000000000 share, as more particularly described in Appendix A. 7;

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.

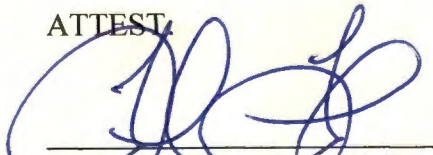
CERTIFICATION

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 10th day of July, 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. Not Voting.

Dated this 10th day of July, 2019.

ATTEST:



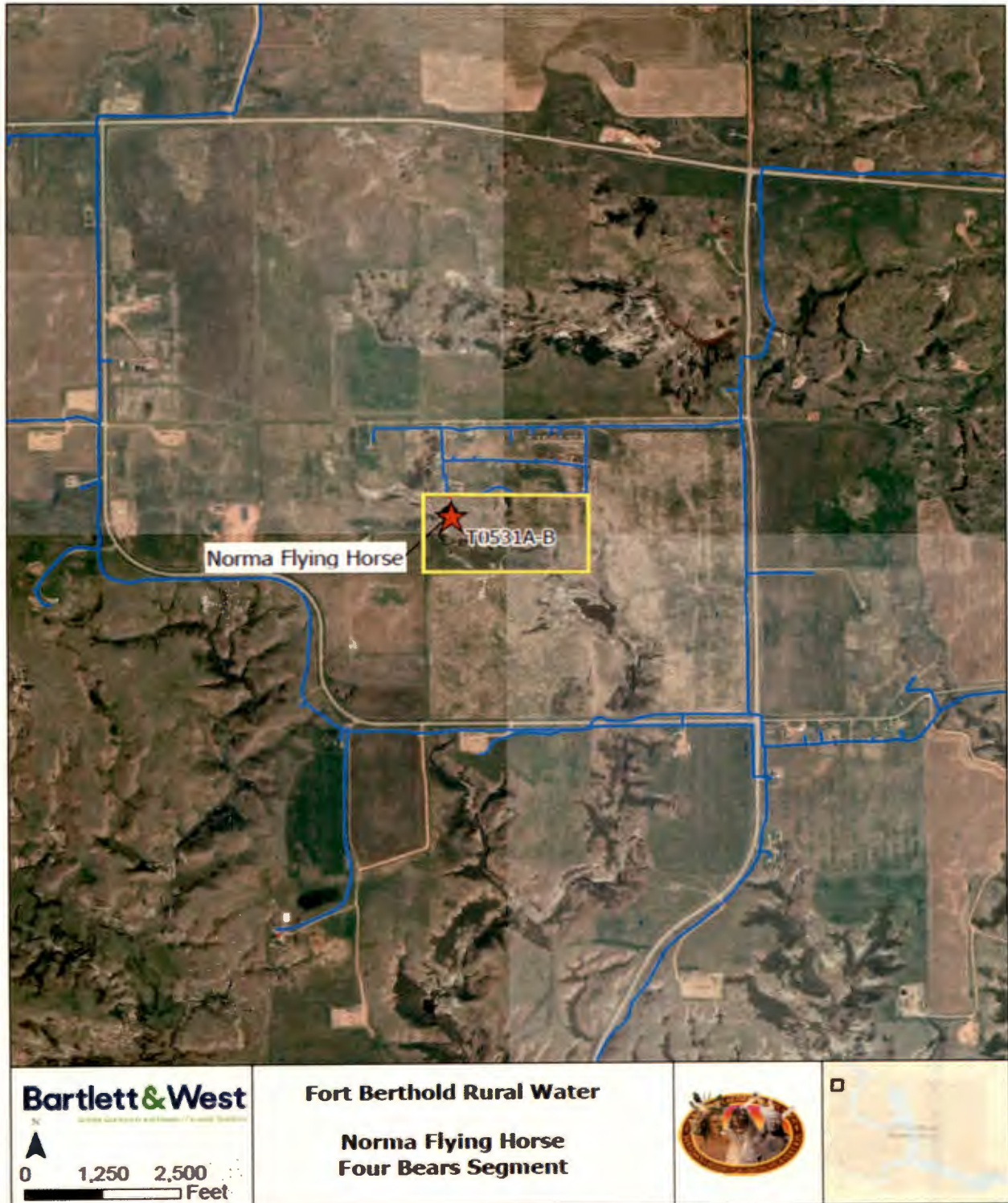
Tribal Secretary, Fred W. Fox
Tribal Business Council



Chairman, Mark N. Fox
Tribal Business Council



APPENDIX A.1





APPENDIX A.2





APPENDIX A.3





APPENDIX A.4



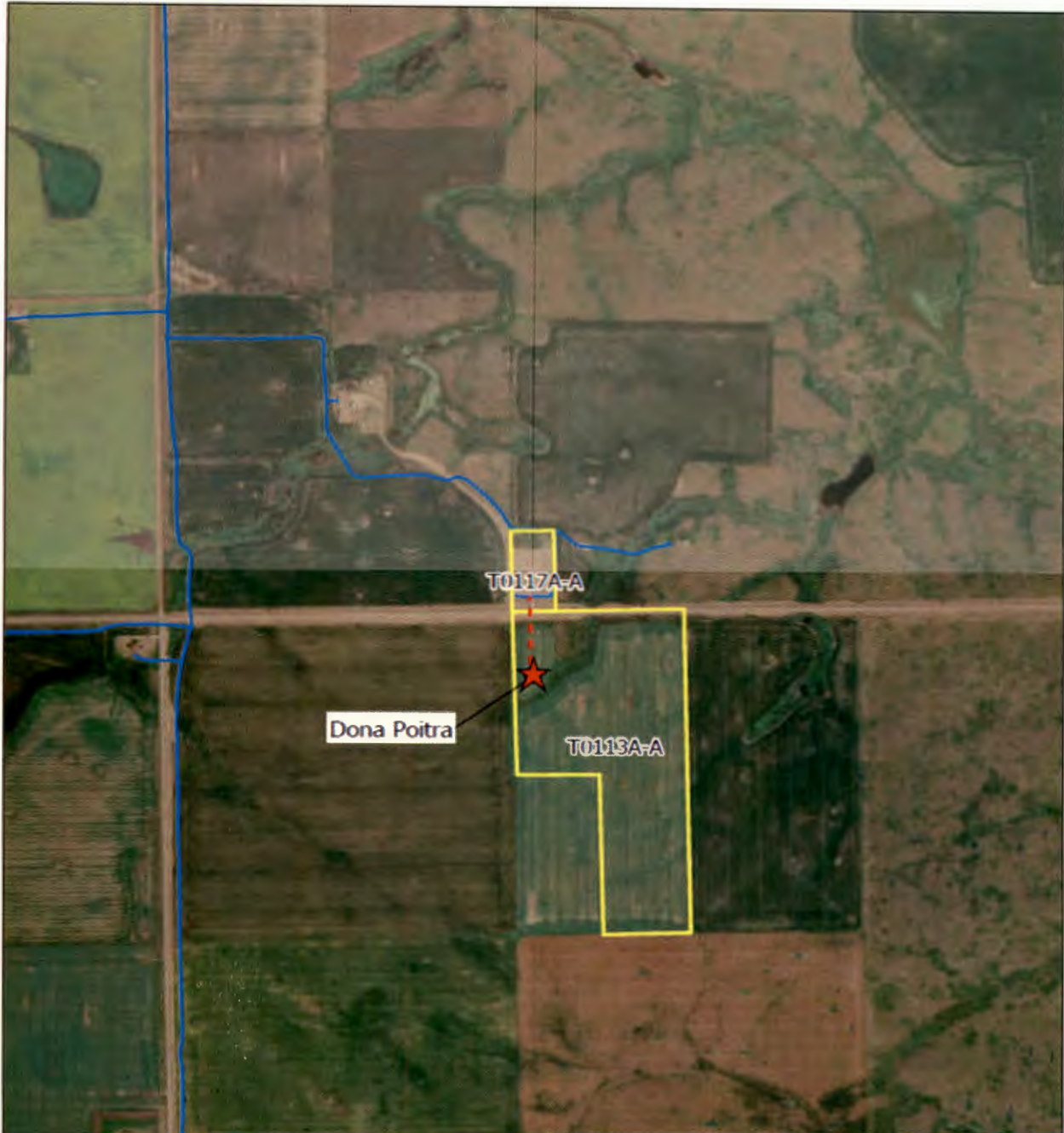


APPENDIX A.5





APPENDIX A.6



<p>Bartlett & West BY</p> <p>▲ 0 500 1,000 Feet</p>	<p>Fort Berthold Rural Water</p> <p>Donna Poitra East Segment</p>		
--	---	--	--



APPENDIX A.7

