



**AMENDED
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 McKenzie Electric Cooperative, Inc."

- 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,** The applications for Rights of Way 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.
- WHEREAS,** The ROW application, submitted by McKenzie Electric Cooperative, Inc., for a Three Phase Electrical Line for the Fort Berthold Rural Water Supply System in Twin Buttes has been reviewed and recommended for approval by the MHA Natural Resources Department in accordance with the MHA Nation's approved procedure for authorizing ROWs on Tribal Land; and
- WHEREAS,** This Rights-of-Way Consent is to be used to inspect, survey, develop, install, expand, construct, replace, operate, maintain, repair, remove and demolish electrical facilities; and
- WHEREAS,** McKenzie Electric Cooperative will follow the "MHA Nation Public Utility Right-of-Way Consent Terms and Conditions with McKenzie Electric Cooperative, INC"; and



WHEREAS, The United States Department of the Interior, Bureau of Reclamation (BOR), and McKenzie Electric Cooperative agree to overlapping easements that allow for joint operation, maintenance, repair, and replacement of their infrastructure within this Resolution and Resolution No. 19-233-FWF.

NOW THEREFORE BE IT RESOLVED, the Business Council hereby consents to the following Rights-of-Way for McKenzie Electric Cooperative through the following parcels; and as shown in APPENDIX A.1:

- T 701A - Township 147N Range 91W Section 13: NE/4
- T 1779-A - Township 147N Range 90W Section 7: E/2SW/4, Lot 5, S/2SE/4, Lot 6
- T 5377 - Township 147N Range 90W Section 7: Meets and Bounds: a triangular portion of the SNWNWSE & the SNWSE bounded by the south and west sides and by a diagonal line extending from the NW corner of the SNWNWSE to the SE corner of the SNWSE
- T 15345 - Township 147N Range 90W Section 7: Those portions lying above elevation 1854', M.S.L. Minerals Reserved, 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 said 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.

BE IT FURTHER RESOLVED, Fort Berthold Rural Water will present a Line Extension Agreement for construction of the facilities on the right of way for approval of the Tribal Business Council.

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 _____ Meeting thereof duly called, noticed, convened and held on the 12 day of September, 2019, 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 18 day of September, 2019.

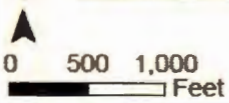
ATTEST:

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

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



Bartlett & West



Fort Berthold Rural Water

**Twin Buttes Intake to Twin Buttes WTP
South Segment**

