



**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 the  
McKenzie Electric Cooperative – TAT Water Intake Pole Move."***

**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, also known as the Mandan, Hidatsa, and Arikara Nation (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 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 (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 payment in consideration of the public benefit the granting of the ROWs provides.

**NOW, THEREFORE, BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby waives payment and consents to the following ROW(s):

1. McKenzie Electric Cooperative's Purpose of Easement is to inspect, survey, develop, install, expand, construct, replace, operate, maintain, repair, remove and demolish electrical facilities. Term: 30 years – in accordance with the MHA Nation Public Utility Right-of-Way Consent Terms and Conditions with McKenzie Electric Cooperative, Inc., and containing 1.179 temporary acres and 0.529 permanent acres more or less. The easement is for the TAT Water Intake Pole Move across certain Tribal lands in:



- a. Allotment T15173, Section 19, T150N, R93W, Dunn County, 5<sup>th</sup> Principal Meridian of North Dakota, with a 1.0000000000 Tribal interest.

**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 15<sup>th</sup> day of April, 2022, 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 [ X ] Voting. [ ] Not Voting.

Dated this 15<sup>th</sup> day of April, 2022.

**ATTEST:**

Tribal Secretary, Frederick W. Fox, Sr.  
Tribal Business Council  
Three Affiliated Tribes

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