



**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 – Bobbie Big Lake New House, and Rescinding Resolution 21-139-FWF."*

**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 ("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,** Pursuant to Resolution 21-139-FWF, ROWs for McKenzie Electric Cooperative services were granted for Bobbi Big Lake's New House. Since that time, Bobbi Big Lake's home site has been moved; 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, and to rescind Resolution 21-139-FWF which is no longer needed for the purpose for which it was intended.

**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 3.909 temporary acres and 1.698 acres more or less. The easement is for the Bobbie Big Lake New House across certain Tribal lands in:

- a. Allotment T565A-E, Section 25, T152N, R95W, McKenzie County, 5<sup>th</sup> Principal Meridian of North Dakota, with a 100% Tribal interest.
- b. Allotment T567A-C, Section 30, T152N, R94W, McKenzie County, 5<sup>th</sup> Principal Meridian of North Dakota, with a 100% Tribal interest.
- c. Allotment T567A-E, Section 30, T152N, R94W, McKenzie County, 5<sup>th</sup> Principal Meridian of North Dakota, with a 100% Tribal interest.

**BE IT FURTHER RESOLVED**, that Resolution 21-139-FWF is rescinded since it is no longer needed for the purposes for which it was intended; 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 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 14<sup>th</sup> day of July, 2022; 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 14<sup>th</sup> day of July, 2022.

**ATTEST:**

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

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