



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

A Resolution entitled, "Consent to Assignment of Right(s) of Way to The United States of America "Bureau of Reclamation" the acquiring agency and its assigns.

- 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,** 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 (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 (or "ROWs") for FBRW purposes to be granted to the BOR as the acquiring federal agency while the project is federally funded; and
- WHEREAS,** The referenced assignment(s) described herein below have been reviewed and recommended for assignment to The United States of America, Department of the Interior, Bureau of Reclamation the acquiring agency; and



WHEREAS, The Tribal Business Council finds it appropriate to authorize these assignment(s) for the above referenced Grant of Right of Ways in the name of Three Affiliated Tribes and Fort Berthold Rural Water Supply System described herein.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby consents to the following ROW(s) assignment(s) to the United States Department of Interior (acquiring agency BOR) and its assigns for the construction, operation, maintenance, and replacement of the FBRW system, grant of right of way's to be assigned are as follows:

- 301-31029---New Town Area 1
- 301-31030---Mandaree Area 1
- 301-31031---Amendment to Mandaree Area 1
- 301-31032---Utility Corridor for Homesites in the NE Segment
- 301-31033---White Shield FBRW for the Virgil Wilkinson Homesite
- 301-31034---White Shield Area 2
- 301-31035---Twin Buttes
- 301-31038---Four Bears Utility Corridor for homesites
- 301-31039---Four Bears
- 301-31040---Parshall Area 1
- 301-31041---Twin Buttes Area 1A
- 301-31056---Mandaree Area 2
- 301-31057---Four Bears Bakersfield Expansion

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.

[THIS SPACE INTENTIONALLY LEFT BLANK. CERTIFICATION FOLLOWS.]




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, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of September 2022; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 14th day of September 2022.

ATTEST:



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



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