



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

***A Resolution entitled, "Authorizing and Approving Transfer of Environmental Quality
Incentives Program Contract to the Three Affiliated Tribes"***

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes (Tribe), having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and
- WHEREAS,** The Constitution authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the MHA Nation and of the enrolled members thereof; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; 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 Section 1 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,** Pete Fredericks, a tribal member, was awarded a U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) Environmental Quality Incentives Program (EQIP) Contract No. 746633210VA (Contract) to install a pipeline and tanks on tribal land for a livestock watering system (Hans Creek Bison Water Line); and
- WHEREAS,** Installing the Hans Creek Bison Water Line on tribal land through EQIP will improve the tribal land and help conserve rangeland resources; and
- WHEREAS,** The Tribal Business Council believes it is in the best interest of the MHA Nation for this EQIP Contract to be transferred to the Tribe and for the Twin Buttes Segment to assume responsibility for ensuring the necessary work is performed under the Contract.



NOW THEREFORE BE IT RESOLVED, The Tribal Business Council hereby authorizes and approves transferring EQIP Contract No. 746633210VA from Pete Fredericks to the MHA Nation, subject to federal approval.

BE IT FURTHER RESOLVED, The Chairman of the Tribal Business Council is hereby authorized to sign, subject to legal review, NRCS-CPA-1156 “Revision of Plan/Schedule of Operations or Modification of a Contract” (Number 4) and NRCS-CPA-152 “Conservation Program Contract Transfer Agreement” required for the MHA Nation to become the holder of EQIP Contract No. 746633210VA.

BE IT FURTHER RESOLVED, The Tribal Business Council hereby authorizes the Twin Buttes Segment to fulfill the terms under EQIP Contract No. 746633210VA and to be the recipient of any financial assistance related to installing a livestock watering system, as shown in Appendix A, across the following tribal lands:

- Allotment Number T992A-E, Metes & Bounds within E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 23, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest.
- Allotment Number T992A-D, W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 23, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest.
- Allotment Number T992A-A, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 22, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest.
- Allotment Number T1814, NE $\frac{1}{4}$, Section 22, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 23, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest.
- Allotment Number T992A-B, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 22, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest.
- Allotment Number T1866, NW $\frac{1}{4}$, Section 22, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest.
- Allotment Number T1003A, SE $\frac{1}{4}$, Section 21, T. 147 N., R. 92 W., SW $\frac{1}{4}$, Section 22, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest.
- Allotment Number T2148, E $\frac{1}{2}$, Section 28, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest.



- Allotment Number T1726-A, N½SW¼, SE¼ SW¼, Section 28, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest.

BE IT FINALLY RESOLVED, The Chairman of the Tribal Business Council is authorized to take such action as is 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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13th day of April, 2023, 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 13th day of April, 2023.

ATTEST:

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

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