



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

*A Resolution entitled, "Consent to Approval of a Right-of-Way across Tribal land 301-T 3155-
as requested by Weston Schettler."*

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 provides 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 land require the consent of the Tribal Business Council pursuant to federal and Tribal Law; and

WHEREAS, Applications for Rights-of-Way ("ROWS") on Tribal Land are subject to the requirements of Tribal law, including Resolution No. 17-117-FWF, Resolution No. 14-071-VJB (MHA Nation Application for Rights-of-Way and Use of Right-of-Way), Resolution No. 14-089-VJB (MHA Nation Pipeline Right-of-Way Terms and Conditions), and Resolution No. 15-045-LKH (Establishing a Procedure for the Approval of Leases, Rights-of-Way, Setback Variances and Permissions to Survey on Tribal Land); and

WHEREAS, Weston Shettler, owner and operator, has submitted a ROW application for a water pipeline easement, for domestic livestock, across T 3155-A, in Section 9 Township 148 North, Range 89 West, McLean County, 5th PM of North Dakota; and

WHEREAS, The aforementioned ROW application has been reviewed and recommended for approval in accordance with the Three Affiliated Tribes' approved procedure for authorizing ROWs on Tribal land.

NOW, THEREFORE, BE IT RESOLVED, that subject to Mr. Weston Schettler's application for a livestock water easement and his execution of the MHA Right-of-Way



Application and agreement with its Terms and Conditions, as listed therein, the Tribal Business Council hereby approves the following ROW application, attached as Appendix A.1, and ROW consent, as follows and waives the ROW fees:

- Mr. Weston Schettler — East Segment Livestock Watering Easement
 - Water line easement being 330 feet in length, temporary construction easement of .76 acres and permanent of .15 acres, Allotment T 3155-A, Section 9, Township 148 North, Range 89 West, in McLean County, 5th Principal Meridian with a 100% Tribal Interest.
 - For a total disturbance of .91 acres.

BE IT FURTHER RESOLVED, that the ROW shall have a twenty (20) year term, from the date of the BIA's execution of the grant of the ROW for said project. The Tribe does consent to waive any bond, insurance, or alternative form of security; 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 Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Continuation Meeting thereof duly called, noticed, convened and held on the 20th day of January, 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 20th day of January, 2022.

ATTEST:

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

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