



**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, for a livestock watering system, requested by Pete Fredericks"

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, 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, Pete Fredericks, owner and operator, has submitted a ROW application for a water pipeline and tanks, for domestic livestock, as shown on detail maps (attached), across certain tribal land in the South Segment.

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

NOW THEREFORE BE IT RESOLVED, Mr. Pete Fredericks, application for a livestock water easement agreement to the execution of the MHA Right-of-Way Application and Terms and Conditions, as listed therein, and waive the payment of ROW fees, the



Tribal Business Council hereby approves the following ROW application, map and easement summary attached as Appendix A., and ROW consent, as follows:

- Mr. Pete Fredericks — South Segment Livestock Watering Easement
- a. 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, as more particularly described in Appendix A.
- b. 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, as more particularly described in Appendix A.1.
- c. 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, as more particularly described in Appendix A.
- d. 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, as more particularly described in Appendix A.
- e. 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, as more particularly described in Appendix A.
- f. 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, as more particularly described in Appendix A.
- g. 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, as more particularly described in Appendix A.
- h. 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, as more particularly described in Appendix A.
- i. Allotment Number T1726-A, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, T. 147 N., R. 92 W., Dunn County, 5th Principal Meridian of North Dakota, with 100% Tribal interest, as more particularly described in Appendix A.



BE IT FURTHER RESOLVED, 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.

C E R T I F I C A T I O N

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