



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

A Resolution Entitled, “Request to the Secretaries of the Interior and Army to Enter Agreement Declaring Recreation Lands Around Lake Sakakawea to be Held in Trust for the MHA Nation”

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, 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,** Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and
- WHEREAS,** Under Article IX of the Constitution, the Tribal Business Council has authority to manage or deal with tribal lands and is empowered to acquire lands or interests in land on behalf of the Tribe; and
- WHEREAS,** The Fort Berthold Mineral Restoration Act, Pub. L. No. 98-602, 98 Stat. 3152, 3153 (1984) (FBMRA), authorizes the Secretary of the Army and the Secretary of the Interior to enter into agreements to declare lands be held in trust for the MHA Nation within the exterior boundaries of the Fort Berthold Reservation that are no longer needed for the “construction, maintenance, or operation of the Garrison Dam and Reservoir Project”; and
- WHEREAS,** There is approximately 925.72 acres of recreation lands around Lake Sakakawea within the boundaries of the Fort Berthold Reservation described in Attachment A that is currently owned and managed by the United States Army Corps of Engineers (Army Corps); and
- WHEREAS,** The MHA Nation believes the lands should be returned to the MHA Nation because they are part of the MHA Nation’s ancestral lands and are no longer needed for the construction, maintenance, or operation of the Garrison Dam Project and should be



returned to the Secretary Of Interior in trust for the MHA Nation pursuant to the FBMRA; and

WHEREAS, The recreation lands have been historically leased to the MHA Nation, and returning these lands to the MHA Nation in trust status will facilitate tribal management and control of the ancestral lands without the need for a lease and without the obstacles presented by Army Corps ownership.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council hereby requests the Secretary of the Interior enter into an agreement with the Secretary of the Army to declare the lands described in Attachment A in trust for the benefit of the MHA Nation.

BE IT FINALLY RESOLVED, The Chairman of the Tribal Business Council authorized to execute such documents and take such 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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11th day of January, 2023, 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 Voting. Not Voting.

Dated this 11th day of January, 2023.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council



Tribal Chairman, Mark N. Fox
Tribal Business Council



Attachment A - Recreational Lands Legal Descriptions

TAT Cultural/Interpretive Center Lease Area Description:

A tract of land located in the SW1/4 and S1/2SE1/4 of Section 16 and the NW1/4 of Section 21, Township 152 North, Range 93 West of the 5th P.M., McKenzie County, North Dakota, containing 98.5 acres, more or less.

This lease area also contains approximately 37.6 Water acres, more or less.

The entire lease area contains approximately 136.1 acres, more or less.

Four Bears Area Lease:

A parcel of land lying between contour elevation 1854' and contour elevation 1820', located in the SE1/4SW1/4 of Section 15, the SW1/4SE1/4 of Section 16, Section 21, and the NW1/4 of Section 22, Township 152 North, Range 93 West of the 5th P.M., McKenzie County, North Dakota.

The parcel of land herein described contains 135.0 acres, more or less.

Twin Buttes Pow Wow and Rodeo Grounds Recreation Area:

A tract of land located in the W1/2 of the SE1/4 and N1/2 of the SW1/4 of Section 26 and SE1/4SE1/4 of Section 27, Township 147 North, Range 90 West of the 5th P.M., Mercer County, North Dakota, containing 109.3 acres, more or less.

Pouch Point Recreation Area:

A tract of land above the 1840' msl located in the N1/2NE1/4 of Section 23 and NW1/4NW1/4 of Section 24, Township 150 North, Range 92 West of the 5th P.M., Mountrail County, North Dakota, containing 39.14 acres, more or less.

Charging Eagle Recreation Area:

A parcel of land and water located in the NW1/4 of Section 3, Township 147 North, Range 92 West of the 5th P.M., Dunn County, North Dakota, containing 95.0 acres, more or less.

Indian Hills Recreation Area:

A tract of land and water located in the W1/2SW1/4 of Section 25 and the N1/2SW1/4 and the NW1/4 of section 36, Township 148 North, Range 90 West of the 5th P.M., McLean County, North Dakota. The tract of land and water herein described contains 240.0 acres, more or less and includes all land and water areas above the 1800' msl.

Skunk Creek Recreation Area:

A tract of land in the S1/2 of Section 3, the E1/2 of Section 10, the W1/2 of Section 11 and the NE1/4 of Section 15, Township 149 North, Range 92 West of the 5th P.M., Dunn County, North Dakota, containing 171.18 acres, more or less.

Acres for the above recreational areas totals 925.72 acres, more or less.