



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

***A Resolution Entitled, “Amended 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,** 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,** Pursuant to Resolution No. 23-023-FWF the Tribal Business Council requested the Secretaries of the Interior and the Army to use their authority under FBMRA to declare in trust for the MHA Nation 925.75 acres of recreation lands around Lake Sakakawea managed by the United States Army Corps of Engineers (Army Corps) that are no longer needed for the construction, maintenance, or operation of the Garrison Dam Project; and
- WHEREAS,** There are additional recreation lands around Lake Sakakawea that are currently owned and managed by the Army Corps and that are no longer needed for the construction, maintenance, or operation of the Garrison Dam Project; and



WHEREAS, The 1,277.85 acres of recreation lands described in Attachment A are part of the MHA Nation's ancestral lands and have historically been leased to the MHA Nation; and

WHEREAS, Returning these lands to the MHA Nation in trust status will facilitate tribal management and control of these ancestral lands without the need for a lease and without the obstacles presented by Army Corps ownership; and

WHEREAS, The MHA Nation believes the Secretaries of the Interior and the Army should declare all 1,277.85 acres of land shown in Attachment A in trust for the MHA Nation pursuant to their authority under FBMRA.

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 all those lands described in Attachment A in trust for the benefit of the MHA Nation.

BE IT FURTHER RESOLVED, That this Resolution supersedes previously approved Resolution No. 23-023-FWF.

BE IT FINALLY RESOLVED, The Chairman of the Tribal Business Council is authorized to execute such documents and take such actions as are necessary to carry out the terms and intent of this Resolution.

[Remainder of Page Left Blank, Certification Follows]



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 13th day of July , 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. [X] Not Voting.

Dated this 13th day of July, 2023.

ATTEST:

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

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



Attachment A - Recreational Lands Legal Descriptions

TAT Cultural/Interpretive Center Area:

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 Recreation Area:

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.

Bear Creek Recreation Area:

A portion of land above the 1854' msl Sections 1 and 2, Township 147 North, Range 92 West of the 5th P.M., Dunn County, North Dakota, containing 326.59 acres more or less.

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.



Bear Den Recreational Area:

A tract of land in the S/2NE/4 and N/2SE/4 of Section 16 and the S/2NW/4, N/2SW/4, N/2SE/4 of Section 15 Township 150 North, Range 94 West of the 5th P.M., McKenzie County, North Dakota, Containing 229.91 acres, more or less.

Lost Bridge Recreational Area:

A tract of land in the SW/4NW/4 and SE/4NW/4 of Section 35, and SE/4NE/4 of Section 34 Township 148 North, Range 95 West of the 5th P.M., Dunn County, North Dakota, Containing 35.01 acres, more or less.

Acreage for the above Recreational Areas totals 1,277.85 acres, more or less.