



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

A Resolution Entitled: “*Range Unit 913 Modification and Allocation of 913A to Leo Cummings.*”

WHEREAS, The Mandan Hidatsa and Arikara Nation, also known as the Three Affiliated Tribes (“MHA Nation” or “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 provides that 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(l) of said 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, Article IX, Sections 1 and 3 of the Constitution provide that the Tribal Business Council has the authority to manage and lease or otherwise deal with Tribal lands and resources and has authority to issue grazing permits for tribal lands with the Secretary of the Interior's approval; and

WHEREAS, Allocation of Range Units requires approval of the Tribal Business Council pursuant to the Grazing Regulations of the Fort Berthold Reservation (Resolution No. 21-236-FWF); and

WHEREAS, Range Unit 913 was allocated to Gary Danks for the 2021-2026 grazing period pursuant to Resolution No. 21-259-FWF, however a dispute over this allocation was brought forward to the Tribal Business Council by the previous permittee Leo Cummings; and

WHEREAS, The Tribal Business Council through the Tribes’ Natural Resource Department recommends modifying Range Unit 913 to create Range Units 913 and 913A and to allocate Range Unit 913A to Leo Cummings for the remainder of the 2021-2026 grazing period; and



WHEREAS, Range Unit 913A will consist of the following tracts as described:

Tract 301-147:

Lot 06, S6, T150N, R91W 5th PM, McLean County, ND, containing 33.180 acres
Lot 07, S6, T150N, R91W 5th PM, McLean County, ND, containing 33.220 acres

Tract 301-2264:

Lot 01, S7, T150N, R91W 5th PM, McLean County, ND, containing 30.14 acres
Lot 02, S7, T150N, R91W 5th PM, McLean County, ND, containing 2.00 acres
NE/4, NW/4, S7, T150N, R91W 5th PM, McLean County, ND, containing 34.72 acres

Total acres: 133.26

WHEREAS, Range Unit 913 will consist of the remainder of the original unit and as such will continue to be allocated to Gary Danks.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby directs the Superintendent, Fort Berthold Agency, Bureau of Indian Affairs, to create Range Unit 913A, issue a grazing permit to Leo Cummings for Range Unit 913A for the remainder of the 2021-2026 grazing period, and modify the grazing permit issued to Gary Danks for Range Unit 913 to correctly reflect the change in acres as described above; and

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

<SIGNATURE PAGE TO FOLLOW>




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 10th day of January, 2024, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 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. [X] Not Voting.

Dated this 10th day of January, 2024.

ATTEST:



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



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