



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

A Resolution Entitled: "Payment of Grazing Fees to Individual Landowners in Range Unit 101B for the 2024 Grazing Season."

WHEREAS, The Mandan Hidatsa 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 (or the "Constitution") under said Act; and

WHEREAS, 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, The grazing permit for Range Unit 101B has been cancelled by the Bureau of Indian Affairs (or "BIA") for non-payment of grazing fees for the 2022 and 2023 grazing seasons. The Tribal Business Council also moved to cancel the grazing permit for overstocking and overgrazing on February 8, 2023 and re-affirmed this action on June 8, 2023, and furthermore recommended not reallocating the Unit for a period of one year to allow the land time to rest and recover; and

WHEREAS, Individual landowners who own tracts of land contained in the Range Unit 101B will not receive the compensation for grazing fees for the 2024 grazing season that would normally be paid by a permittee; and



WHEREAS, The Natural Resource Committee through the Natural Resource Department recommends paying the individual landowners grazing fees while the Range Unit is unallocated; and

WHEREAS, The BIA will issue an invoice to the Three Affiliated Tribes in the amount of \$11,204.08 for grazing fees to individual landowners for the 2024 grazing season.

NOW, THEREFORE, BE IT RESOLVED, that due to its decision to let Range Unit 101B rest and recover and be unallocated for one year, the Tribal Business Council of the Three Affiliated Tribes hereby approves that the Tribes pay, through the Bureau of Indian Affairs, the owners of individually allotted tracts contained in Range Unit 101B for the 2024 grazing season the total amount of \$11,204.08; and

BE IT FURTHER RESOLVED, that if the Tribal Business Council reconsiders the matter and decides to reallocate Range Unit 101B before the start of the 2024 grazing season, the Tribes shall invoice the new permittee for reimbursement to the Tribes for the 2024 grazing fees that were paid to the individual land owners; and

BE IT FINALLY RESOLVED, that the Chairman 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