



**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 Fee land for a Electrical Utility Corridor-North Segment Community Center.”

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, also known as the Mandan, Hidatsa, and Arikara Nation (“Tribes” or “MHA Nation”) 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, Applicants have submitted a ROW application for an electrical underground utility corridor for Mountrail Williams Electric Cooperative for the new North Segment Community Building across Tribal tracts listed below; and

WHEREAS, The ROW application has been reviewed and recommended for approval in accordance with the MHA Nation’s approved procedure for authorizing ROWs on Tribal land.

NOW, THEREFORE, BE IT RESOLVED, that subject to the Utility Company’s agreement to the execution of the MHA Right-of-Way Application and the Terms and Conditions



as listed therein, payment of ROW fees is waived and the Tribal Business Council hereby approves the following ROW application and ROW consent:

- North Segment Community Center — North Segment
 - Electrical Underground Utility Corridor Tribal property on TF 56-0061600, A 40' wide strip (20' on either side), for approximately 603.37, approximately .55 acres, more or less, within Block 2 of Waheenee-Mia 2nd Subdivision, City of New Town, Section 17, Township 152 North, Range 92 West, in Mountrail County, 5th Principal Meridian of ND, with a 100% Tribal Interest.
 - Electrical Underground Utility Corridor Tribal property on TF 56-0061595, A 40' wide strip (20' on either side), for approximately 516.65, approximately .47 acres, more or less, within Block 1 of Waheenee-Mia 2nd Subdivision, City of New Town, Section 17, Township 152 North, Range 92 West, in Mountrail County, 5th Principal Meridian of ND, with a 100% Tribal Interest,

BE IT FURTHER RESOLVED, that the ROW shall have a thirty (30) year term, from the date of the BIA's execution of the grant of the ROW for said project; and

BE IT FURTHER RESOLVED, that the Tribes do not 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.

<CERTIFICATION ON THE FOLLOWING PAGE>



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 7th day of March, 2024, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 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 7th day of March, 2024.

ATTEST:



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



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