



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

A Resolution Entitled, “*Acquisition of Easement across fee land for the Fort Berthold Rural Water’s Four Bears Water Treatment Plant Project.*”

- 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,** Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and
- WHEREAS,** Article VI, Section 5(g) of the Constitution authorizes the Tribal Business Council to purchase land...under condemnation proceedings in courts of competent jurisdiction”; and
- WHEREAS,** Fort Berthold Rural Water is building a water treatment plant in the Four Bears Segment (Project); and
- WHEREAS,** That project requires an easement to construct a raw water line across land owned in fee by Mabel M. Snow Bird and Dustin W. Snow Bird who are both enrolled members of the Tribe; and
- WHEREAS,** The land where the easement is necessary is Fee Tract No. 76-00-00100 and is legally described as T 152 N, Range 93 W, Section 17, SW4; and
- WHEREAS,** The route upon which the easement will be built is shown in **Attachment A** to this Resolution; and
- WHEREAS,** Mabel M. Snow Bird has agreed to grant an easement for the water line, but due to circumstances beyond the control of the Tribe, Dustin W. Snow Bird is unavailable and unable to execute an easement for the water line; and



WHEREAS, No viable route for the water line is possible and the Project will fail without the easement; and

WHEREAS, The Project will provide a vital public good to residents of the Reservation by providing clean drinking water; and

WHEREAS, The Tribal Council finds that extraordinary circumstances exist which necessitate the exercise of its authority under Article VI, Section 5(g) of the Constitution in order to purchase an easement for a water line by condemnation.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council directs its legal counsel to undertake the necessary legal filings in the Fort Berthold District Court and to obtain a judgment authorizing the purchase of an easement by condemnation from Dustin W. Snow Bird across the land described in Attachment A for the Project.

BE IT FINALLY RESOLVED, That the Chairman is authorized to execute such documents, subject to legal review, and take such actions as are necessary to carry out the terms and intent of this Resolution.

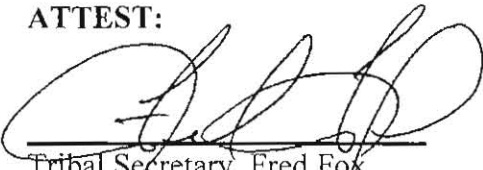
CERTIFICATION

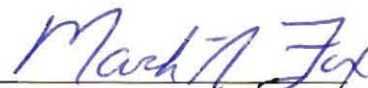
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8th day of July 2026; 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 [X] voting. [] not voting.

Dated this 8th day of July 2026.

ATTEST:


Tribal Secretary, Fred Fox
Tribal Business Council
Three Affiliated Tribes


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