

# *Pyramid Lake Paiute Tribal Council*

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**RESOLUTION NO.: PL -091-22**

*SFPP Pipeline Easement Agreement First Amended & Restated*

## **RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA**

- WHEREAS**, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs, and possesses attributes of sovereignty over both its members and territory; and
- WHEREAS**, the Constitution of the Pyramid Lake Paiute Tribe authorizes and empowers the Tribal Council to engage in activities on behalf of and in the interest of the welfare and benefits of the Tribe and of the enrolled members thereof; and
- WHEREAS**, the Constitution, Article VI, Section 1(c), as amended, authorizes the Tribal Council to approve any lease or encumbrance of tribal lands; and
- WHEREAS**, the Constitution, Article VI, Section 1(f), authorizes the Tribal Council to administer funds or property within the control of the tribe and to make expenditures from available funds for public purposes.
- WHEREAS**, S.F.P.P. LP ("SFPP"), a Delaware limited partnership, received a Grant of Easement for Pipeline Right-of-Way in 2010 ("2010 Pipeline Grant") from the United States for the purpose of operating a 6 inch welded joint steel petroleum products pipeline ("Pipeline") over the Pyramid Lake Paiute Reservation ("Reservation");
- WHEREAS**, the 2010 Pipeline Grant was valid for a ten year term, which expired on or around November 30, 2019;
- WHEREAS**, as consideration for the Tribe's consent to a new grant of easement, the Tribal Council and SFPP negotiated an Easement and Right of Way Agreement for Petroleum Products Pipeline ("Easement Agreement"), which was approved by Tribal Council on October 15, 2021 pursuant to Resolution No. PL xx-xxxx; and
- WHEREAS**, the Bureau of Indian Affairs has requested several changes to the Agreement prior to approving the new grant of easement to S.F.P.P and the Tribal Council and

S.F.P.P have agreed to make such changes to the Agreement, which are attached and incorporated hereto ("Restated and Amended Easement Agreement");

**WHEREAS**, the Tribal Council expressly concludes that the Restated and Amended Easement Agreement is in the best interest of the Tribe.

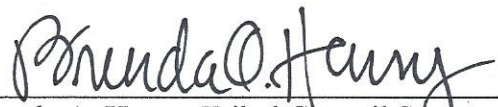
**NOW THEREFORE BE IT RESOLVED**, that the Pyramid Lake Paiute Tribal Council hereby approves the Restated and Amended Easement Agreement between the Pyramid Lake Paiute Tribe and S.F.P.P., LP; and

**BE IT FURTHER RESOLVED**, that the Pyramid Lake Paiute Tribal Council hereby consents to a grant of easement between the United States and S.F.P.P., LP, provided that the Restated and Amended Easement Agreement and its terms are expressly incorporated into such grant of easement; and

**BE IT FINALLY RESOLVED**, that the Tribal Council authorizes the Tribal Chairwoman to execute the Restated and Amended Easement Agreement, to take any and all actions necessary to implement the Restated and Amended Easement Agreement and the Tribe's obligations thereunder, and to take any other such actions necessary to accomplish, consummate, give effect to and enforce the Restated and Amended Easement Agreement.

#### **CERTIFICATION**

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom eight (8) constituting a quorum were present at a meeting duly held on the 5th day of August 2022, was adopted by the affirmative vote of seven (7) FOR and zero (0) AGAINST, with zero (0) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.



Brenda A. Henry, Tribal Council Secretary  
Pyramid Lake Paiute Tribal Council