



# KIOWA TRIBE

**P.O. Box 369 • Carnegie, Oklahoma • 73015**  
**Phone: (580) 654-6338 • Fax: (580) 654-1788**  
**OFFICE OF THE LEGISLATURE**

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## Kiowa Tribe Resolution Number KL-CY-2026-0XX

### **A RESOLUTION OF THE KIOWA TRIBE TO JOIN MOUNTAIN PLAINS INTER-TRIBAL COALITION AND APPROVE CO-MANAGEMENT AGREEMENT WITH STATE OF NEW MEXICO**

TNC is providing the following draft resolution language to join the Mountain Plains Inter-Tribal Coalition and approve the Co-Management Agreement with New Mexico as a starting place for interested Tribes to draft and pass their own resolutions. In an effort to provide as much context for this effort as possible, the following draft includes significant background information about the Elk Valley project. This background language is optional and Tribes are welcome to revise or omit as appropriate for their resolution processes.

The draft contains additional language that each Tribe's resolution must include in some form in order to give the Mountain Plains Inter-Tribal Coalition legal authority to carry out its purpose and to enter the Co-Management Agreement with the State of New Mexico. Specifically, this mandatory language is:

- a statement of the Tribe's legal authority and ability to:
  - enter the Mountain Plains Inter-Tribal Coalition, as described in the Mountain Plains Inter-Tribal Coalition Charter;
  - delegate authority for the use and management of the Dawson Elk Valley Ranch property to the Mountain Plains Inter-Tribal Coalition through the Tribe's designated representative; and
  - approve the Mountain Plains Inter-Tribal Coalition's entry into the Co-Management Agreement with the State of New Mexico
- a statement designating the Tribe's voting representative to the Mountain Plains Inter-Tribal Coalition and 1-3 alternatives who may attend and vote if the designated representative is unable to attend
- a statement affirming the Tribe's sovereign immunity

TNC respectfully asks that interested Tribes pass their resolution and send a copy to TNC, along with an executed signature page for the Mountain Plains Inter-Tribal Coalition Charter, **no later than September 18, 2026.**\* This will allow TNC to confirm the Tribes that have joined the Mountain Plains Inter-Tribal Coalition and confirm that the Mountain Plains Inter-Tribal Coalition has authority to enter the Co-Management Agreement with the State of New Mexico by September 30, 2026.

## **Statement of Authority**

WHEREAS, the Kiowa Tribe is a federally recognized Indian tribe governed by the Secretary of Interior Department of the United States, which has governmental authority set forth in Kiowa Tribe Constitution, including the authority to work collaboratively with other Tribes, Pueblos, and Nations; to negotiate with federal, state, and local governments; and to preserve and promote the general welfare and resources, including ancestral lands, of the Kiowa Tribe;

WHEREAS, the Kiowa Tribe Constitution, approved April 17, 2017, provides that the governing body of the Kiowa Tribe may exercise the powers and take the actions described in this Resolution;

WHEREAS, the Kiowa Tribe recognizes its ancestral and ongoing ties to the lands, waters, animals, plants, and cultural resources of northern New Mexico, and further recognizes that those ancestral ties are shared by many other federally recognized Tribes, Pueblos, and Nations; and

## **Project Background**

WHEREAS, The Nature Conservancy (TNC), a District of Columbia non-profit corporation, has acquired an approximately 50,000-acre property (Property) in northeastern New Mexico, which is part of the ancestral homelands of Kiowa Tribe; and

WHEREAS, TNC is working to coordinate a phased transfer of approximately 34,000 acres of the Property to the State of New Mexico (the State) using U.S. Forest Service Forest Legacy Funding. The State's Energy, Minerals, and Natural Resources Department–Forestry Division intends to own this State Parcel in fee, subject to a Co-Management Agreement between the State and the Mountain Plains Inter-Tribal Coalition, which will be comprised of multiple federally-recognized Tribal Nations; and

WHEREAS, in a future stage of this project, TNC intends to transfer the remaining approximately 16,000 acres directly to the Mountain Plains Inter-Tribal Coalition (Tribal Parcel), once the entity is legally established and in a financial and operational position to accept management of the Tribal Parcel. The Tribal Parcel will be transferred to the Mountain Plains Inter-Tribal Coalition or a related entity in fee, subject to a perpetual conservation easement or other similar restriction held by a qualified holder; and

WHEREAS, this endeavor requires creation of a tribal entity with key characteristics, including but not limited to equal representation for all interested Tribes in the coalition, the possibility for additional Tribes to join the tribal entity after its initial formation, the capacity to enter into an agreement with the State to co-manage the State Parcel, the ability to manage contracts, grants, staff and programs to carry out management activities on both the State Parcel and Tribal Parcel, and the protection of the sovereignty of each participating Tribe; and

WHEREAS, the Tribes who form the Mountain Plains Inter-Tribal Coalition intend to create a tribally-led, sovereign, and collaborative structure for the stewardship, governance, protection, restoration, use, and long-term care of the Property;

WHEREAS, the Kiowa Tribe Legislature has reviewed the Mountain Plains Inter-Tribal Coalition Charter and the Co-Management Agreement and believes the action taken by this resolution to be in the best interests of Kiowa Tribe.

### **Approval of the Mountain Plains Inter-Tribal Coalition Charter and intention to join**

NOW THEREFORE BE IT RESOLVED, that [INSERT TRIBE NAME] approves the Mountain Plains Inter-Tribal Coalition Charter, agrees to join the Mountain Plains Inter-Tribal Coalition, and delegates limited authority to the Mountain Plains Inter-Tribal Coalition for use and stewardship of the Property as described in the Mountain Plains Inter-Tribal Coalition Charter;

### **Designation of Tribal Representative and delegated authority**

BE IT FURTHER RESOLVED THAT Kiowa Tribe Legislature designates David B. Sullivan to be a voting representative to the Mountain Plains Inter-Tribal Coalition on behalf of Kiowa Tribe. The Kiowa Tribe Legislature designates decision-making authority on behalf of Kiowa Tribe to its designated representative for planning and stewardship decisions, as described in the Mountain Plains Inter-Tribal Coalition Charter. The designated representative shall not have delegated decision-making authority for decisions that require additional Kiowa Tribe Legislature approval, as described in the Mountain Plains Inter-Tribal Coalition Charter;

BE IT FURTHER RESOLVED THAT the Kiowa Tribe Legislature further designates \_\_\_\_\_ as alternatives who shall have the same designated authority as the aforementioned designated representative and shall attend Mountain Plains Inter-Tribal Coalition meetings and vote on behalf of Kiowa Tribe if the designated representative is unable to attend;

### **Approval of Co-Management Agreement**

BE IT FURTHER RESOLVED THAT the Kiowa Tribe agrees to enter the Co-Management Agreement with the State of New Mexico as a member of the Mountain Plains Inter-Tribal Coalition;

[Note: If a Tribe needs to approve this resolution before viewing the final Co-Management Agreement, it may want to add the following qualifying language to this sentence: “subject to Kiowa Tribe Legislature’s review and approval of the final Co-Management Agreement, which shall be confirmed in writing.” Alternatively, if the Tribal Council wants to delegate authority to its designated representative to undertake the final review of the Co-Management Agreement, the language could read “subject to the designated representative’s review and approval of the final Co-Management Agreement, which shall be confirmed in writing.”]

### **Protection of Sovereign Immunity**

BE IT FURTHER RESOLVED, that [INSERT TRIBE NAME] does not by this Resolution, by joining the Mountain Plains Inter-Tribal Coalition, or by appointing a voting representative to the Mountain Plains Inter-Tribal Coalition, waive, abridge, or limit Kiowa Tribe's sovereign immunity. If the Mountain Plains Inter-Tribal Coalition waives, abridges, or limits its delegated sovereign immunity in the future through the unanimous consent and approval of each member Tribe, this action in no way waives, abridges, or limits the retained sovereign immunity of any of the member Tribe.

BE IT FURTHER RESOLVED, that Kiowa Tribe does not by this Resolution consent to the jurisdiction of any court or tribunal to adjudicate or decide the merits of any claim that is brought against Kiowa Tribe, its programs, enterprises, committees, boards, officials, employees, agents, assigns, representatives, or any other person or entity enjoying the sovereign immunity of the Tribe.\*

[\*Note that this language would not necessarily prevent a party from raising a claim against the Tribe or the Mountain Plains Inter-Tribal Coalition in New Mexico state court, but could be useful evidence that the Tribe intended to preserve sovereign immunity and did not avail itself of state court jurisdiction.]

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#### C E R T I F I C A T I O N

The foregoing resolution KL-CY-2026-0XX was duly voted upon by the Legislature on \_\_\_\_\_, 2026, at a Legislative Regular Session \_\_\_\_-(), with a vote of () in favor and () opposed, () abstain, and () absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

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Michael Q. Primus II  
Speaker of the Legislature

LEGISLATURE - RESOLUTION NO. KL-CY-2026-0XX:

SPONSOR: Warren Queton, District 7  
CO-SPONSOR(S):

| LEGISLATORS                            | YES<br>Hàu | NO<br>Hàu:né | ABSTAIN<br>Háun á | ABSENT<br>Héngyádàu |
|----------------------------------------|------------|--------------|-------------------|---------------------|
| Ronnie Satepauhoodle<br>District 1     |            |              |                   |                     |
| Michael Q. Primus II<br>District 2     |            |              |                   |                     |
| Jolene Beartrack<br>District 3         |            |              |                   |                     |
| Cole Kickingbird-DeLaune<br>District 4 |            |              |                   |                     |
| Tiya Rosario<br>District 5             |            |              |                   |                     |
| Ben Wolf<br>District 6                 |            |              |                   |                     |
| Warren Queton<br>District 7            |            |              |                   |                     |

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#### DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2026-0XX was presented to the Chairman of the Kiowa Tribe on the \_\_\_\_ day of \_\_\_\_\_, 2026, pursuant to the Article VI, Section 8(a)(iv) of the Constitution of the Kiowa Tribe and will become effective after signature by the Chairman or veto override by the Legislature, and as otherwise required by the Constitution.

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Michael Q. Primus II  
Speaker of the Legislature

**CHAIRMAN’S ACTION:**

☐ APPROVED

☐ VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

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On this \_\_\_\_ day of \_\_\_\_\_, 2026.

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**David B. Sullivan**  
**Chairman of the Kiowa Tribe**

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Presented by the Chairman to the Legislature on the \_\_\_\_ day of \_\_\_\_\_, 2026.

**LEGISLATURE’S ACTION:**

**Override of Chairman’s veto:**

☐ YES

☐ NO

## CERTIFICATION

The foregoing resolution Legislative Override Order KLO-CY-2026-00X was duly voted upon by the Legislature on \_\_\_\_\_, 2026, at a Legislative Order Session ( ) with a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed, and \_\_\_\_\_ abstaining, and \_\_\_\_\_ absent. Pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

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**Michael Q. Primus II**  
**Speaker of the Legislature**

### Override Order KLO-CY-2026-00X

| <b>LEGISLATORS</b>                     | <b>YES<br/>Hàu</b> | <b>NO<br/>Hàu:né</b> | <b>ABSTAIN<br/>Háun á</b> | <b>ABSENT<br/>Héñgyádàu</b> |
|----------------------------------------|--------------------|----------------------|---------------------------|-----------------------------|
| Ronnie Satepauhoodle<br>District 1     |                    |                      |                           |                             |
| Michael Q. Primus II<br>District 2     |                    |                      |                           |                             |
| Jolene Beartrack<br>District 3         |                    |                      |                           |                             |
| Cole Kickingbird-DeLaune<br>District 4 |                    |                      |                           |                             |
| Tiya Rosario<br>District 5             |                    |                      |                           |                             |
| Ben Wolf<br>District 6                 |                    |                      |                           |                             |
| Warren Queton<br>District 7            |                    |                      |                           |                             |