

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

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934 and the authority under said Act; and

WHEREAS, The Constitution and Bylaws of the Three Affiliated generally authorized and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof, and

WHEREAS, The Three Affiliated Tribes is eligible to apply for a loan and grant from the United States Department of Agriculture, (USDA) Development, in the amounts of \$4,325,750, and \$3,539,250 respectively to be used for construction of selected water supply and distribution projects for the Fort Berthold Rural Water System of the Three Affiliated Tribes, the principal terms of which are that the loan is amortized over 40 years at an approximate annual interest rate of 4.75%; and

WHEREAS, This loan will be paid back from general funds of the Tribe as they become available; and

WHEREAS, This loan requires the Tribe to demonstrate the ability to identify and dedicate an amount of 10% of the annual loan payment to a loan reserve fund and an additional 10% of the annual loan payment to a emergency and extension fund, each such fund to remain the property of the Tribe and each such fund to be established and funded on an annual basis not to exceed 10 annual appropriations, or until the full amount of the loan is repaid to the USDA, and

WHEREAS, The Tribe agrees to a limited waiver of sovereign rights applicable only to the facilities funded by this project and only to the extend that loan obligations are in effect between the Tribe and the USDA, and

WHEREAS, In order to obtain these funds, the Tribe must submit a variety of forms required by the USDA, as per the attached, including:

1. Notice of Intent to File an Application
2. Copy of Notice of Intent to File an Application as it will appear in the newspaper
3. Evidence of Solicitation of Engineering Services

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4. Articles of Incorporation and Bylaws/Certificate of Incorporation/Organizational Certificate
5. Attorney's opinion that applicant is a duly organized body politic
6. NDRUS Bulletin 1780-2 – Fact Sheet
7. Intergovernmental Clearance
8. RD Instruction 1900-D Documentation
9. RD 442-3, Balance Sheet/Current Financial Statement
10. Last years financial audit
11. Test for credit: RUS Bulletin 1780-22, Water and Wastewater Eligibility
12. Exhibit A-1 of RD Instruction 1940-Q, Restrictions on Lobbying
13. Notice of Eligibility Determination
14. SF 424.2 – Application for Federal Assistance

WHEREAS, The Tribal Business Council has determined that, based on the interest rate and long-term payback of the loan, and in order to obtain the necessary funding for selected water supply and distribution projects for the Fort Berthold Rural Water System, it is in the Tribes' best interest to enter into and execute the aforementioned documents and Agreements with the USDA;

NOW, THEREFORE, BE IT RESOLVED That the Tribal Business Council hereby approves a loan and grant with the U.S. Department of Agriculture in the amount of \$4,325,750, and \$3,539,250 respectively, to be used for selected water supply and distribution projects for the Fort Berthold Rural Water System, the principal terms of which are that the loan is amortized over 40 years at an approximate annual interest rate of 4.75%, with the final loan documents subject to approval of the Tribal Business Council; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves the following loan documents necessary to apply for the loan from Rural Development:

1. Notice of Intent to File an Application
2. Copy of Notice of Intent to File an Application as it will appear in the newspaper
3. Evidence of Solicitation of Engineering Services
4. Articles of Incorporation and Bylaws/Certificate of Incorporation/Organizational Certificate

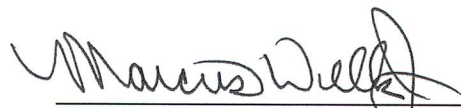
5. Attorney's opinion that applicant is a duly organized body politic
6. NDRUS Bulletin 1780-2 – Fact Sheet
7. Intergovernmental Clearance
8. RD Instruction 1900-D Documentation
9. RD 442-3, Balance Sheet/Current Financial Statement
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11. Test for credit: RUS Bulletin 1780-22, Water and Wastewater Eligibility
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13. Notice of Eligibility Determination
14. SF 424.2 – Application for Federal Assistance

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes the Chairman, Vice-Chairman, Secretary and Treasurer of the Tribal Business Council to execute the aforementioned documents, as may be necessary, on behalf of the Three Affiliated Tribes of the Fort Berthold Reservation, and to further execute such other documents as may be necessary to obtain the aforementioned loan.

CERTIFICATION

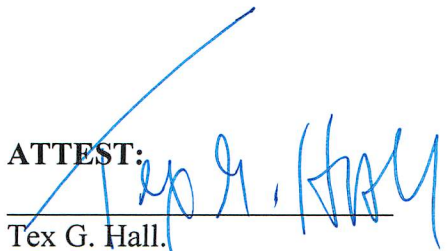
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 12th day of September 2002; that the foregoing Resolution was duly adopted at such Meeting by the Affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and said Resolution has not been rescinded or amended in any way.

Dated the 12th day of September 2002



Marcus Wells Jr.
Secretary, Tribal Business Council

ATTEST:



Tex G. Hall.
Chairman, Tribal Business Council