



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

A Resolution Entitled: "Tribal Business Council Approval of Fort Berthold Rural Water Programs' Water Depot Project."

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and
- WHEREAS,** The Constitution of the Three Affiliated Tribe generally 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 Tribes and of the enrolled members thereof; and
- WHEREAS,** Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and
- WHEREAS,** Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies; and
- WHEREAS,** Article VI, Section 3 of the Constitution grants the Tribal Business Council all legislative authority necessary for the purpose of exercising the jurisdiction granted by Article I of the Constitution; and
- WHEREAS,** Article VI, Section 5 (d) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to negotiate with Federal government on behalf of the Tribes; and
- WHEREAS,** The Tribe and Tribal Business Council has established the Fort Berthold Rural Water Program whose primary responsibility is to develop effective, efficient and safe, drinking water systems for the members of the Tribe on the Reservation; and
- WHEREAS,** The Fort Berthold Rural Water Program receives the majority of its annual funding to construct, operate and maintain water facilities for the members of the Tribe through the Dakota Water Resources Act pursuant to a PL 93-638 Indian Self-Determination Contract (hereinafter Contract) with the United States Bureau of Reclamation and an Annual Funding Agreement under said Contract; and
- WHEREAS,** The Fort Berthold Rural Water Program has developed a plan to have various water depots constructed on the reservation for the purpose of creating water resources and economic development for the Tribe and members on the Fort





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WHEREAS, The Fort Berthold Rural Water Program has developed a plan to have various water depots constructed on the reservation for the purpose of creating water resources and economic development for the Tribe and members on the Fort





Berthold Reservation and the Tribal Business Council approves of said plan and is seeking the Bureau of reclamations cooperation in pursuing this plan;

THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby requests that the Bureau of Reclamation to cooperate with and work with the Three Affiliated Tribes, the Fort Berthold Rural Water Program and any person as designated by the Tribe to ensure that the plan for water depots on the Reservation is successful; and

BE IT FINALLY RESOLVED, that nothing in this Resolution shall be construed to diminish divert, alter, or otherwise affect any inherent, treaty, statutory, or other rights of the Three Affiliated Tribes over the property or activities described herein, and the Three Affiliated Tribes expressly retains all rights and authority over property and activities described herein, including but not limited to legislative, regulatory, adjudicatory, and taxing powers.


CERTIFICATION

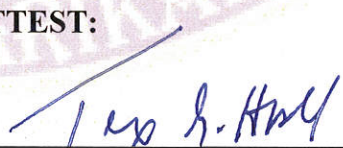
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14 day of September, 2011, 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 that said Resolution has not been rescinded or amended in any way.

Chairman Voting. Not Voting.

Dated this 14 day of September, 2011.

ATTEST:


Tribal Secretary V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman Tex G. Hall
Tribal Business Council
Three Affiliated Tribes





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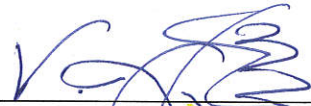
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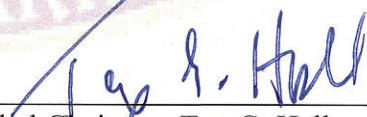
Chairman [] Voting. [] Not Voting

Dated this 14th day of September, 2011

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Tribal Business Council
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