



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

A Resolution Entitled: "Approval of Proposed Water Depot in Mandaree and Authorization to issue a Permit for said 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, Tribal Member Lyda Bears Tail and Daughters have entered into an Agreement with the Ames Water Depot to develop a n Industrial Water depot to sell water to the oil and gas industry on her land located at: S ¼ of Section 32, T149 N- R 94 in McKenzie County; and

WHEREAS, said Water Depot will be owned and operated by Ames through a Lease on the above described property and water for the depot will be supplied through an aquifer located below said property ; and

WHEREAS, The Tribal Business Council adopted Resolution 08-182 VJB which provides for authorization and a permitting process for drilling ground water on the Reservation; and

WHEREAS, Resolution 08-182 VJB gives authority to regulate ground water drilling and issue permits for such drilling; and

WHEREAS, Ms. Bearstail has made application to the Natural Resources Department for a ground water drilling permit ; and

WHEREAS, The Tribal Business Council finds it is in the best interests of the Tribe to support and approve the Water Depot Project between Ames Water Depot and Lyda Bearstail and direct the Natural Resources Department to issue a drilling permit for the proposed Water Depot in Accordance with Resolution 08-182- VJB.





NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes does hereby approve of the proposed Water Depot and directs the Natural Resource Department to issue a drilling permit for the project in accordance with Resolution 08-182 VJB.

BE IT FINALLY RESOLVED that the amount of water authorized to be drilled pursuant to said permit shall be set according to the same standards set by the State of North Dakota.


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, 5 were present at a Reg. 132 TBC Meeting thereof duly called, noticed, convened and held on the 28 day of November, 2011, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

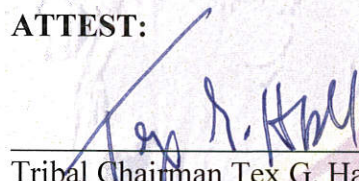
Chairman Voting. Not Voting.

Dated this 28th day of November, 2011.

ATTEST:



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



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

