



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

*A Resolution entitled, "Tribal Match to the State Water Commission for State of North Dakota Municipal, Rural and Industrial Water Development Program Funding for Area Two of the Twin Buttes 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,** The Fort Berthold Rural Water System (FBRW) is a division of the MHA Nation of the Fort Berthold Indian Reservation; and
- WHEREAS,** The FBRW has the responsibility for the development of a tribal water supply and distribution system for the benefit of all residents (including non-Indians) of the Fort Berthold Indian Reservation; and
- WHEREAS,** The Twin Buttes Segment (South Segment) is in need of a dependable water supply as many of the residents continue to have to haul water from the community of Twin Buttes, or rely upon a marginally suitable ground water supply for their basic household and domestic needs; and
- WHEREAS,** The FBRW has identified a rural distribution project which would use water from the existing tribally owned and operated water treatment plant at Twin Buttes; and
- WHEREAS,** The project consists of two phases: 1) the expansion of the existing Water Treatment Plant, and 2) the distribution portion of the project; and
- WHEREAS,** The FBRW is seeking a grant from the State of North Dakota Water Commission under funding provisions of the Municipal, Rural and Industrial water development program to fund the distribution portion of the project; and
- WHEREAS,** The total cost estimated cost of the project is approximately \$3.4 Million; and
- WHEREAS,** The FBRW has requested funding from the State Water Commission for 75% or \$2,493,150 of the estimated cost; and



**WHEREAS,** The FBRW is seeking matching funds from the MHA Nation estimated at 25% or approximately \$850,000 for the project; and

**WHEREAS,** The FBRW currently has a grant and loan application pending with the United States Department of Agriculture for this project which will, when approved, allow FBRW to access the tribal share of the funds needed for this project.

**NOW THEREFORE BE IT RESOLVED,** That the Business Council finds it in the best interest of the MHA Nation to seek funding, through FBRW, in the amount of approximately \$2,492,150 from the State of North Dakota Water Commission under its Municipal, Rural and Industrial water development program to fund the distribution portion of the project as stated above.

**BE IT FURTHER RESOLVED,** That the Business Council finds it in the best interest of the MHA Nation to authorize and appropriate approximately \$850,000 as matching funds for the distribution portion of the project as stated above.

**BE IT FURTHER RESOLVED,** That the Business Council hereby authorizes the use of the USDA loan and grant funds for this project should they become available and that such funds would constitute the MHA Nation's tribal match for this project as stated above.

**BE IT FINALLY RESOLVED,** that the Chairman is hereby authorized to take such further actions as are necessary to carry out the terms and intent of this Resolution.

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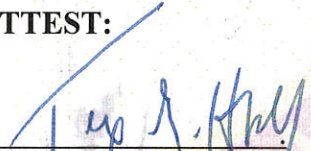
**CERTIFICATION**

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 Regular Meeting thereof duly called, noticed, convened and held on the 18<sup>th</sup> day of December, 2012, 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 18<sup>th</sup> day of December, 2012.

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

**ATTEST:**  
  
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Tribal Chairman, Tex Hall  
Tribal Business Council  
Three Affiliated Tribes