



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

***A Resolution Entitled “Investigation, Planning and Construction of a Four Bears Segment Treated Water Line and Raw Water Line and Depot”***

**WHEREAS,** The Mandan Hidatsa and Arikara Nation (“MHA Nation” or “Tribes”) having accepted the Indian Reorganization Act of June 18, 1934 (“IRA”), and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

**WHEREAS,** The Constitution and Bylaws of the Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interests of the welfare and benefit of the Tribes and of the enrolled members thereof; and

**WHEREAS,** Article III, Section 1 of the Constitution of the Nation provides that the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** Article VI, Section 5(1) of the Constitution of the Nation provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council; and

**WHEREAS,** Fort Berthold Rural Water (FBRW) operates a water supply system including treatment facilities and a rural water distribution line and other associated infrastructure throughout the Reservation for the benefit of the members of the Tribes; and

**WHEREAS,** The Nation’s Section 17 Corporation is engaged in purchasing excess water from FBRW and selling water to the oil and gas industry for the economic benefit of the MHA Nation; and

**WHEREAS,** There is currently a demand for raw water by oil and gas producers operating in and around the Four Bears Segment and the Section 17 Corporation has an opportunity to help supply the demand through the construction of a raw water line and depot from an existing intake in the Four Bears Segment; and

**WHEREAS,** The Four Bears Segment has current and future needs for a reliable supply of treated water for domestic, municipal and other authorized uses, which require increasing the existing pipeline capacity currently supplying the Four Bears water tower.



**NOW, THEREFORE BE IT RESOLVED,** That the Tribal Business Council authorizes; (1) the replacement of the existing finished water line serving the Four Bears water tower with a larger 10 inch pipeline, commencing at or above the existing lift station and going along highway 23 thence south to the existing Four Bears water tower, together with such booster upgrades as are necessary, in order to increase the capacity of the existing water tower in the Four Bears Segment, and (2) the construction of a new raw water line and water depot in the Four Bears lagoon area, the line to commence near the FBRW existing intake system in the Four Bears segment to the new water depot, to allow the Section 17 Corporation to help meet the oil and gas industries demand for raw water and to generate additional revenue through additional water sales for the benefit of the MHA Nation.

**BE IT FURTHER RESOLVED,** That the Tribal Business Council hereby authorizes FBRW the Section 17 Corporation to take such action as is necessary to complete the design and construction of the new water facilities authorized herein for the benefit of the Segment and the MHA Nation.

**BE IT FINALLY RESOLVED,** That the Tribal Business Council hereby authorizes the appropriation of an amount not to exceed \$3,000,000 from the General Fund, to be utilized to complete the construction of the water facilities authorized by this Resolution

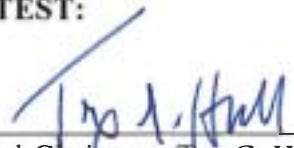
**CERTIFICATION**

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 9 day of May, 2013, 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 [ X ] Voting. [ ] Not Voting.

Dated this 9 day of May, 2013.

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

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