



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

*A Resolution entitled, "Amending Resolution No. 12-137-VJB Distribution of Net Revenue from Section 17 Corporation's Sale of Excess Water within the Exterior Boundaries of the Fort Berthold Indian Reservation"*

**WHEREAS,** The Mandan Hidatsa and Arikara Nation ("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 of the Nation 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, 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(c) of the Constitution of the Nation specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes for the Tribes; and

**WHEREAS,** The Business Council adopted Resolution No. 12-137-VJB which specified how revenue from the sale of excess water by the Section 17 Corporation would be divided and distributed and specifically delineated that the fifty (50) percent placed in the Tribal General Fund be used exclusively for the completion of the Fort Berthold Rural Water System; and

**WHEREAS,** The Fort Berthold Rural Water System will be completed without the need for any additional funds from the sale of excess water

**NOW THEREFORE BE IT RESOLVED,** the Tribal Business Committee hereby amends Resolution No. 12-137-VJB by striking the language "to the Tribal General fund, to be used exclusively for the completion of the Fort Berthold Rural Water System" from the first Resolved clause, and replacing it with new language such that the first resolved clause shall now read:

That all net revenue derived from the sale of excess water by the Section 17 Corporation shall be paid to the Tribal Treasurer. The Treasurer shall deposit fifty percent of the net revenue from the sale of excess water into a separate account to be called the "MHA Nation Water and Infrastructure Development Account" to be used



for authorized water and infrastructure development projects, and the remaining fifty percent shall be paid to the Segment where the water is extracted for delivery to the Section 17 Corporation.

**BE IT FURTHER RESOLVED**, that subject to this amendment, the remainder of Resolution No. 12-137-VJB shall remain in effect.

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

**CERTIFICATION**

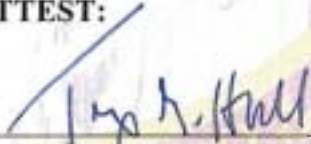
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Regular Meeting thereof duly 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 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 [ X ] Voting. [ ] Not Voting.

Dated this 9 day of May, 2013.

**ATTEST:**

  
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Tribal Secretary, W. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

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