



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

A Resolution entitled: ***“Request for Bureau of Indian Affairs Support the Three Affiliated Tribes Section 17 Corporation of Commercial & Industrial Water Sales”***

- 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 and By-laws of the Three Affiliated Tribes was adopted By the membership of the Tribes on May 15, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior, and
- WHEREAS,** Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Three Affiliated Tribes; and
- WHEREAS,** Section 5(a) of Article VI of the Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to manage all economic affairs and enterprises of the Three Affiliated Tribes in accordance with the Charter to be issued to them by the Secretary of the Interior; and
- WHEREAS,** Section 5(d) of Article VI of the Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to negotiate with the Federal, state and local governments on behalf of the Tribes, and to advise and consult with the representatives of the Interior Department on all activities of the Department that may affect the Fort Berthold Reservation; and
- WHEREAS,** The Tribes’ federally chartered Section 17 Corporation has been engaged in the commercial & industrial sale of water through its existing U.S. Bureau of Reclamation (“BOR”) waterlines that currently comprise its Rural Water System; and
- WHEREAS,** The proceeds of the Tribes’ Section 17 commercial & industrial water sales are capitalized to support, maintain and improve the current Rural Water System and this is deemed advantageous to the Tribes as current BOR funding levels continue to decline in the U.S. Federal Budget; and
- WHEREAS,** The Tribes’ Section 17 Corporation sale of water for commercial and industrial use is consistent with the federal Municipal, Rural and Industrial (“MR&I”) water



supply program which was intended to provide a clean, reliable water supply to residences, farms, schools, hospitals and industries; and

**WHEREAS,** All activities of the Tribes' Section 17 Corporation's commercial & industrial water sales through the existing and future BOR waterlines will be properly vetted through existing federal regulations including NEPA; and

**WHEREAS,** The Bureau of Indian Affairs ("BIA") as the responsible federal agency for processing and approving existing and proposed Rights of Way ("ROWS") that will encourage development of the Tribe's Rural Water System for the benefit of the Three Affiliated Tribes and the Fort Berthold Reservation; and

**WHEREAS,** The BIA can and must encourage the Tribes' development of its Rural Water System and its Section 17 Corporation by avoiding unnecessary delays in the processing and approving of ROWs that will cause irreparable harm to the overall development of the Tribes' infrastructure and improvement of the quality of life on the Fort Berthold Reservation.

**NOW THEREFORE BE IT RESOLVED,** The Tribal Business Council of the Three Affiliated Tribes formally requests the U.S. Department of the Interior by and through its responsible Agencies; the Bureaus of Indian Affairs and Reclamation to diligently and in a timely expedited manner advance the efforts of the Tribes and its Section 17 Corporation to develop its overall Rural Water System: and

**BE IT FURTHER RESOLVED,** The Bureau of Indian Affairs shall make every available effort in the timely processing of existing and proposed ROWs for the Tribes' Rural Water System for the benefit of municipal, rural and industrial uses; and

**BE IT FURTHER RESOLVED,** The Bureau of Reclamation shall make every available effort to assist the Tribes' in its maintenance and development of its Rural Water System through designation of its BOR Waterlines for the benefit of municipal, rural and industrial uses; and

**BE IT FINALLY RESOLVED,** The Bureaus of Indian Affairs and Reclamation shall promote and support the Tribes' Section 17 Corporation existing and future commercial & industrial water sales as realizing the overall intent of the MR&I program to provide a clean, reliable water supply to residences, farms, schools, hospitals and industries.




**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 13 day of June, 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  Voting.  Not Voting.

Dated this 13 day of June, 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