

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

WHEREAS, This Corporation is an Indian Chartered Corporation as defined by the Indian Reorganization Act of June 18, 1934 and authority is granted under said Act; and

WHEREAS, The Constitution and Corporate Charter of the Three Affiliated Tribes authorizes the Tribal Business Council of the Three Affiliated Tribes to engage in business enterprise; and

WHEREAS, All water arising on and flowing through the Fort Berthold Reservation belongs to the Three Affiliated Tribes; and

WHEREAS, All states along the Missouri River and its tributaries also claim control of water and are presently appropriating water for irrigation, industrial and etc; and

WHEREAS, The Tribe needs to know the present and futures water needs to serve as a base for water use planning and protection of the Tribes water rights; and

WHEREAS, The BIA by contract with a consulting engineering firm is completing the Phase I on a water inventory study funded under the Rights Protection Program; and

WHEREAS, Public Law 93-638 grants tribes to contract all or part of any BIA funded program; and

NOW THEREFORE BE IT RESOLVED, That the Three Affiliated Tribes complete the Phase II and III parts of the water inventory by contracting, through the Rights Protection Program from the BIA:

BE IT FURTHER RESOLVED, That the Indian Action Team be designated as the agency representing the Three Affiliated Tribes in monitoring, co-ordinating and implementing the Plan of Operations for Phase II and III of the water inventory; and

BE IT FURTHER RESOLVED, That the attached Plan of Operations be used as a guideline for the Operation of the Program.

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 11 members of whom 9 constituting a quorum were present at a Special meeting, thereof duly called, noticed, convened and held on the 7 day of MAY 1976; that the foregoing resolution was adopted at such meeting by the affirmative vote of 8 members, 0 members opposed, 0 abstention, 0 passed, and the said resolution has not been rescinded or amended in any way. Chairperson (voting) (Not voting).

Dated this 7 day of MAY 1976.

Arrestis J. Gillette  
Secretary, Tribal Business Council

ATTEST:

Rose Crow Shis Niji  
Chairperson, Tribal Business Council

6. STAFFING:

7. EVALUATION:

The evaluation criteria and control system will be integrated with the progress control. Work in progress will be evaluated against the study specifications and professional standards.

Draft reports of completed studies will be evaluated by the Tribe, BIA and others for completeness and adequacy of information prior to publication.

## PLAN OF OPERATIONS

1. OBJECTIVE: Through the operation of this program the Tribe shall develop a complete water resource report to accomplish the following:

- (a) To serve as a base for reservation development;
- (b) To assist the Tribal leaders in planning the development their reservation;
- (c) To provide the Tribe and the U.S. with information necessary to fulfill the trust responsibility for the protection and determination of the reservation's water rights;
- (d) To provide information necessary for the establishment of a tribal water code and system of monitoring the water resources.

2. (a) ORGANIZATION:

2. (b) METHODS & PROCEDURES:

The Tribe shall follow the phase study procedures established by the Bureau of Indian Affairs as follows:

- (1) Phase I- to dimension the water resource base geographically related to the reservation -this has been completed by a consulting engineering firm;
- (2) Phase II - to determine present and future reservation water requirements through comprehensive resource investigation.

3. Phase III to conduct preliminary investigations of projects and alternatives of requirements in Phase II in sufficient detail regarding feasibility to permit selection of programs and projects best suited to fulfill tribal needs.

The inventory requirements and specifications shall be developed prior to initiating any of the phase studies. All work will comply with generally accepted standards and procedures for the level of the study involved. The requirements and specifications shall be developed in consultation with the Bureau of Indian Affairs to insure that the information meets the standard necessary for the Bureau to fulfill its trust responsibility in regard to the protection of the Tribes water rights. Initially it is anticipated that consulting engineers will be used in the performance of the contract.

4. MEANS OF MEASURE:

Progress will be measured by progress reports and periodic meetings during the inventory study. Also, the Tribe shall publish the Phase I final report and the other phase studies as completed.

5. BUDGET:

All funds in the Rights Protection Program (3400-41) for Fiscal Year 1976 and thereafter as follows:

FY 1976 A04-01-3400-4121	\$44,700
A04-01-3400-4122	4,100
Need advance payment of	\$10,000