

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

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS, the Constitution and Bylaws of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities for the welfare and benefit of the tribes and tribal members; and
- WHEREAS, the Tribe owns an irrigation project capable of watering 80 acres of Hayland; and
- WHEREAS, proper management and care will realize an income of \$25,000 this year; and
- THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes' Tribal Business Council hereby authorizes expenditures not to exceed \$11,510.00 toward the operation and maintenance of the Tribal Irrigation Project;
- BE IT FURTHER RESOLVED, that Arnie Guimont shall act as Coordinator and the attached shall be the plan of operation for the 1980 growing season

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 7 constitutes a quorum, 11 were present at a Special Meeting, thereof duly called, noticed, convened, and held on the 29 day of May, 1980; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 8 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said resolution has not been rescinded or amended in any way.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.

Dated this 29 day of May, 1980.

SECRETARY,

Zellie Walker
Tribal Business Council

ATTEST:

CHAIRMAN,

Austin D. Billotte
Tribal Business Council

Sec. 3 The Three Affiliated Tribes shall have the same water rights in the lands hereby set aside as any Indian tribe has in waters flowing through its reservation.

Sec. 4 The Three Affiliated Tribes shall have the right to explore, develop, produce, and remove minerals from the lands hereby set aside, provided, that in so doing the Tribes shall not interfere with the operation and maintenance of the Garrison Dam and Reservoir project works.

Sec. 5 In the event that prior to approval of this Act any of the minerals in the lands hereby set aside are subject to any lease, permit, license, or contract issued or approved by the United States under the Mineral Leasing Act for Acquired Lands, approved August 7, 1947 (61 Stat. 913; 30 U.S.C. §§ 351-359, as amended, Act of August 4, 1976, P.L. 94-377, § 12, 90 Stat. 1090), such lease, permit, license, or contract shall continue in force until its natural termination date, but the Three Affiliated Tribes shall have the right to receive all rentals, royalties, and other payments accruing under such lease, permit, license, or contract after the approval of this Act.

Sec. 6 Nothing in this Act shall be deemed to give rise to a gratuitous offset allowable under the provisions of 25 U.S.C. §§ 70a or 475a.

Sec. 7 This Act may be called the Fort Berthold Restoration Act of 1981.

A bill to provide that certain lands acquired by the United States in connection with the Garrison Dam and Reservoir project are to be set aside in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, subject to a flowage easement in favor of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress, assembled,

Sec. 1 All lands described in Section 15 of Pub. L. 81-437, 63 Stat. 1026 (1949) (the "Taking Area"), acquired by the United States in connection with the Garrison Dam and Reservoir project, including all mineral interests in such lands, are hereby set aside in trust for the Three Affiliated Tribes of the Fort Berthold Reservation; provided, that the United States shall retain a flowage easement over such lands for the purposes of the Garrison Dam and Reservoir project.

Sec. 2 The lands hereby set aside for the Three Affiliated Tribes are hereby restored as part of the Fort Berthold Reservation. Federal, state, and tribal governments shall have authority to exercise jurisdiction over such lands or waters to the same extent as over any other land or waters within an Indian reservation held in trust by the United States for the benefit of an Indian tribe, subject to the paramount right of the United States to use such lands or waters for Garrison Dam and Reservoir project purposes without interference and subject to the public right of navigation (which public right shall not include the right to go upon said lands or waters for the purposes of hunting, fishing, or trapping without lawful authority or permission).