



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

A Resolution entitled, "Distribution of Net Revenue from Section 17 Corporation's Sale of Excess Water within the Exterior Boundaries of the Fort Berthold Indian Reservation"

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 of the Three Affiliated Tribes 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 of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article III, Section 2 of the Constitution creates geographical representative Segments within the Reservation; and

WHEREAS, The Three Affiliated Tribes' Section 17 Corporation operates under its corporate name "The Three Affiliated Tribes of the Fort Berthold Reservation" (the "Section 17 Corporation"); and

WHEREAS, The Section 17 Corporation is established to engage in business that will further the economic well-being of the Tribes and its members; and

WHEREAS, The Tribal Business Council, through Resolution 12-049-VJB, empowered the Section 17 Corporation to purchase excess water from Fort Berthold Rural Water and resell such water for industrial purposes and for other authorized purposes; and

WHEREAS, Resolution 12-049-VJB does not specify how the proceeds from the sale of excess water shall be distributed; and

WEHREAS, The Tribal Business Council, as the owner of the Section 17 Corporation, has determined that the net revenue generated from the sale of excess water by the Section 17 Corporation should be shared with the Segment where the water is delivered to the Section 17 Corporation from Fort Berthold Rural Water.



NOW THEREFORE BE IT RESOLVED, 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 to the Tribal General Fund, to be used exclusively for the completion of the Fort Berthold Rural Water system, 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 each Segment receiving revenue under this Resolution shall use such revenue for public purposes which benefit the members of such Segment, in accordance with a plan approved by the Tribal Business Council.

BE IT FURTHER RESOLVED, That the term “net revenue”, as used in this Resolution, is defined as that income left after all expenses, determined in accordance with generally accepted accounting principles, have been accrued in connection with the sale of water.

BE IT FINALLY RESOLVED, That the Chairman is hereby authorized to take such further actions as are necessary to carry out the terms and intent of this Resolution.

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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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 18th day of December, 2012, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 18th day of December, 2012.

ATTEST:



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



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