



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

***A Resolution Entitled, “Authorizing Fort Berthold Rural Water to Submit Project Applications for the North Dakota Water Development Plan.”***

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and
- WHEREAS,** The Constitution 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 MHA Nation and of the enrolled members thereof; and
- WHEREAS,** Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and
- WHEREAS,** The MHA Nation constructs, operates, maintains, and replaces (OM&R) the Fort Berthold Rural Water Supply (FBRWS) system under Indian Self-determination and Education Assistance Act contracts in order to provide safe drinking water throughout the Fort Berthold Indian Reservation (Reservation); and
- WHEREAS,** The North Dakota Department of Water Resources has opened the application period to submit water related infrastructure projects for the 2025-2027 biennium Water Development Plan; and
- WHEREAS,** Submitting projects to be included in the Water Development Plan does not require any commitments on behalf of the project sponsor, who in this case would be the Three Affiliated Tribes; and
- WHEREAS,** The North Dakota Department of Water Resources uses the project applications received to create the Water Development Plan which assists the State Legislature and the Water Commission in budgeting of the anticipated available funds.



**NOW, THEREFORE, BE IT RESOLVED**, that the Tribal Business Council of the MHA Nation hereby authorizes its Fort Berthold Rural Water program, on behalf of MHA Nation, to submit the following projects for consideration by the North Dakota Department of Water Resources to be included in the Water Development Plan:

- **Parshall – New Town Regionalization Project**
- **Parshall – White Shield Regionalization Project**
- **Four Bears Intake, Raw Water Line, and Water Treatment Plant**
- **Parshall Areas 3 & 4 Rural Expansion**
- **White Shield Areas 3 & 4 Rural Expansion; and**

**BE IT FURTHER RESOLVED**, that the MHA Nation shall continue to pursue all available state and federal funding to support the project and/or reimbursement of the actual Tribal funding expended; and

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


**CERTIFICATION**

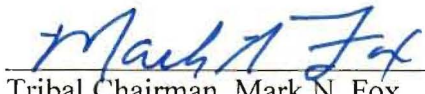
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 1<sup>st</sup> day of February, 2024, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members for, 0 members opposed, 0 members abstained, and 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman ( ) Voting, ( X ) Not Voting.

Dated this 1<sup>st</sup> day of February, 2024.

**ATTEST:**

  
 Tribal Secretary, Fred W. Fox  
 Tribal Business Council  
 Three Affiliated Tribes

  
 Tribal Chairman, Mark N. Fox  
 Tribal Business Council  
 Three Affiliated Tribes