EXHIBIT
DATE 2/17/05
HB 54D

Resolution No. 17-2001

Fort Belknap Indian Community

WHEREAS, the Fort Belknap Indian Community Council is the governing body of the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community, Fort Belknap Indian Reservation, Montana, by the authority of the Constitution and By-Laws of the Fort Belknap Tribes approved on the 13 day of December 1935, and

WHEREAS, under the Constitution and By-Laws of the Fort Belknap Indian Community, the Community Council is charged with the duty of protecting the health, security and general welfare of the Fort Belknap Indian Community, and

WHEREAS, the Fort Belknap Indian Community Council is responsible for overseeing the health and welfare of the Community, managing its assets to maximize their value and protecting all interests of the Tribes, where ever originating, and

WHEREAS, the Council, under the authority vested by the Constitution, By-laws and Charter, as duly adopted by the people of the Gros Ventre and Assiniboine Tribes, has entered into negotiations with the State of Montana and the United States of America to reach a compact for the quantification of reserved water rights on or near the Fort Belknap Indian Reservation, and

WHEREAS, the present group of elected Councilmen has followed in the footsteps of Council persons elected over the last fifteen (15) years who have concluded it is in the best interests of the Tribes and Community to participate in negotiations for the quantification of water rights, and

WHEREAS, the Council has the authority to appoint standing committees to conduct business on behalf of the Council, provided, the Council must approve any and all agreements/transactions by said standing Committee, and

WHEREAS, the Council has duly appointed a Water Policy Committee, made up of members of each Tribe, to conduct negotiations with the State of Montana and the United States of America to enter into a "Compact", quantifying the parties' respective water rights and for matters directly related to said quantification, and said Water Policy Committee has been in active negotiations with the State and federal representatives for nearly fifteen (15) years, and

WHEREAS, the State of Montana, in 1979, (Sec. 27, Ch. 697, L. 1979) established and authorized the Compact Commission to negotiate on behalf of the State of Montana with Tribes and the United States claiming water rights in Montana, and a team comprised of four Commission members have met and negotiated with representatives of the Council, for nearly fifteen (15) years, and

WHEREAS, the Council and State, in 1989, requested participation of the United States, which, in turn, appointed a federal negotiation team to work on Fort Belknap negotiations, through the United States Department of Interior, and said federal team has since actively participated with the Council and State negotiating teams, and

WHEREAS, the Council, State and Federal teams have reached a point of conclusion in the negotiation process and have recommended a Compact Agreement between the parties be entered to quantify water rights, water development and water management for the Fort Belknap Indian Reservation and other "trust" and "fee" lands of the Fort Belknap Indian Community, and

WHEREAS, the State of Montana Compact Commission, at its regularly scheduled meeting on December 6, 2000, approved the Fort Belknap Community Council/State of Montana/United States Water Compact Agreement, as attached hereto, on the condition that the Fort Belknap Community Council approve the Compact prior to the Compact being submitted to the Montana State Legislature in 2001, where said Compact would be considered for approval and action by the Montana State Legislature, and

WHEREAS, the Fort Belknap Community Council has reviewed this draft Water Compact Agreement, has conducted public meetings on Reservation thereon and has sought the opinion of various experts thereon, and

WHEREAS, the Council, recognizing the historical significance of this document, noting the significant development monies proposed thereby, having considered the increasing pressure on Tribal owned waters by off-reservation use, having considered the need to quantify rights for the protection of Tribal interests and having considered the alternatives of continued negotiations and/or litigation, in light of the lengthy negotiations which already have taken place, concludes this Compact is in the best interests of the people of the Gros Ventre and Assiniboine Tribes of Fort Belknap, and it is appropriate to recommend for approval this Compact to the people of the Gros Ventre and Assiniboine Tribes of Fort Belknap,

NOW, THEREFORE BE IT RESOLVED, that the Fort Belknap Indian Community Council does hereby approve the Fort Belknap Indian Community of the Gros Ventre and Assiniboine Tribes/State of Montana/ United States of America Water Compact Agreement, as attached hereto and herein incorporated by reference, PROVIDED, that nothing contained therein shall be construed as a waiver of claims and/or damages the Council may choose to bring, in separate negotiations and/or litigation, for damages arising from lost water flow and/or pollution arising from mining activities in the Little Rockies, and PROVIDED this approval is conditional upon the State of Montana approving this Compact and the requirements therein through its required methods, the United States obtaining approval of the Compact and the requirements therein through its required methods, and the people of the Gros Ventre and Assiniboine Tribes approving this Compact Agreement thereafter in a voting process to be called by the Council, and

BE IT FINALLY RESOLVED, that the Council Officers are hereby delegated the authority and responsibility to sign all documents necessary to effect this action.

ATTEST:

JOSEPH F. McCONNELL, President
Fort Belknap Community Council

DIANE DECELLES, Secretary-Treasurer
Fort Belknap Community Council

CERTIFICATION

I, the undersigned, as Secretary of the Fort Belknap Community Council of the Fort Belknap Indian Reservation, Montana, do hereby certify that the Fort Belknap Community Council is composed of 6 members, of

whom 6 members, constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, convened and held this 21 day of February, 19 2001, and that the foregoing Resolution of the Fort Belknap Community Council was duly adopted and approved by the affirmative vote of 6 for; Ø opposed; Ø not voting; Ø temporary absent; Ø absent; and that the said Resolution has not been rescinded in any way.

DATE: February 22, 2001

DIANE DECELLES, Secretary-Treasurer
Fort Belknap Community Council