

RESOLUTION

WHEREAS, the Tribes, Idaho, United States and the Committee of Nine Water Users have been involved in water negotiations for the past five years to determine the nature and extent of the Tribes' water rights for the Fort Hall Indian Reservation; and

WHEREAS, the Committee of Nine Water Users approved the agreement in May, the Idaho Water Board approved it for Idaho on Thursday, June 14, and the Water Policy Board will vote on approval of the agreement on Tuesday, June 19, 1990; and

WHEREAS, all parties must sign the agreement to prevent the United States from being forced by the McCarran Amendment, to litigate the tribes' water rights before a state court judge, by signing the agreement the tribes will stay in control of the decisions concerning tribal water rights; and

WHEREAS, we need Senator McClure to assist us with approval of the agreement in Congress, McClure is a powerful senator who can get congress to approve the water rights agreement and the \$22 million development fund for the Tribes, as called for in the agreement; and

WHEREAS, McClure retires at the end of this year which makes it crucial we get the agreement into congress now to have it acted on while McClure is in power; and

WHEREAS, we still have a long way to go with this agreement; after the agreement is signed the Idaho Legislature, the United States Congress and the tribal membership will still have to approve it; and

WHEREAS, the last page of the agreement states that it can never become law or go into effect until it is approved by the tribes' general membership. Even if Congress approves the agreement, it doesn't become law unless tribal members vote it to become law, but if the members reject the agreement it is out the door; and

WHEREAS, after review of the agreement on the reservation the membership will have the ultimate say. Our last step will be to take the agreement to the Idaho court in Twin Falls for a court order approving the agreement; and

WHEREAS, by signing the agreement now we avoid state court control and get it into Congress in time. This will save the agreement so that over the next few months tribal members can review it, discuss it and be educated on it. Tribal members will then decide if they want the agreement. The agreement can't be forced on the Tribes. Only the membership can decide to accept it. No one else can make that decision; now

THEREFORE BE IT RESOLVED BY THE BUSINESS COUNCIL OF THE SHOSHONE-BANNOCK TRIBES, that the Chairman of the Business Council is

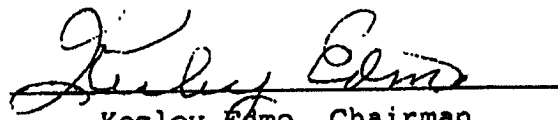
hereby authorized to sign the proposed water agreement on behalf of the Shoshone-Bannock Tribes; and

BE IT FURTHER RESOLVED, that the proposed water rights agreement begin the approval process through the Congress, Legislature and the Shoshone-Bannock Tribes' tribal membership.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended and under Article VI, Section I (a,c,l,q,r) of the Constitution and Bylaws of the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation, Idaho.

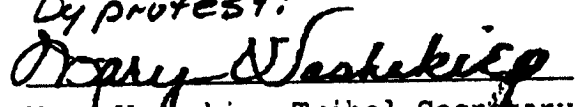
Dated this 15th day of June, 1990.

SEAL


Kesley Edmo, Chairman
Fort Hall Business Council

CERTIFICATION

I HEREBY CERTIFY that the foregoing resolution was passed while a quorum of the Business Council was present by a vote of 5 in favor, 1 opposed (MW), and 1 not voting (KE) on the date this bears.

By protest:

Mary Washakie, Tribal Secretary
Fort Hall Business Council

cc: Howard Funke, Tribal Attorney