



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
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

WHEREAS, The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to exercise all sovereign authority – legislative and judicial – within the scope of the jurisdiction recognized in Article I of the Constitution; and

WHEREAS, Article I of the Constitution of the Three Affiliated Tribes provides that the jurisdiction of the Tribes shall extend to all persons and to all lands within the exterior boundaries of the Fort Berthold Reservation; and

WHEREAS, the State of North Dakota has a 5% Gross Production Rate on some 3,300 oil and gas wells which produce over 30m barrels of oil per year; and

WHEREAS, the Three Affiliated Tribes' Gross Production Rate has been set at 1%, per Tribal Resolution #88-38-TL referring to Chapter 8, Section 804 on Oil and Gas wells within the reservation boundaries; and

WHEREAS, the Gross Production Tax Rate passed in 1998 was and is not sufficient to provide meaningful income from our estimated 125 producing oil wells within the boundaries of the Fort Berthold Reservation; and

NOW, THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes amend the Gross Production Tax Rate to 5% to withstand the current budget constraints and economy of today, retroactive to the fiscal year of 1997; and

BE IT FURTHER RESOLVED, that the Tax Commissioner, Marcus Wells, Sr., continue working with the North Dakota Industrial Commission, Oil and Gas Division to recover Gross Production Taxes collected on Oil and Gas wells within the boundaries of the Fort Berthold Reservation by the State of North Dakota, back to the fiscal year 1997.

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9th day of October, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 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 9th day of October, 2003.

Executive Secretary, Randy Phelan
Tribal Business Council

ATTEST:

Chairman, Tex G. Hall
Tribal Business Council

Year	Annual Average Daily Oil Production	Total Wells Producing Per Year	Average Oil Production/Day/Well	Average Oil Production/Year/Well	Annual Oil Production Totals
1951	72	1	72	26196	26196
1952	4393	89	49	18017	1603555
1953	14454	265	55	19909	5275831
1954	16507	446	37	13509	6024947
1955	30640	614	50	18214	11183607
1956	34947	791	44	16126	12755580
1957	36194	962	38	13732	13210633
1958	39102	1214	32	11756	14272060
1959	48957	1411	35	12664	17869422
1960	60256	1551	39	14180	21993603
1961	64868	1648	39	14367	23676981
1962	68975	1689	41	14906	25176013
1963	68567	1717	40	14576	25026862
1964	70481	1775	40	14493	25725429
1965	72176	1814	40	14523	26344307
1966	74314	1826	41	14855	27124428
1967	69352	1832	38	13817	25313448
1968	68599	1782	38	14051	25038753
1969	62209	1704	37	13325	22706378
1970	60291	1624	37	13551	22006300
1971	59327	1576	38	13740	21654201
1972	56505	1529	37	13489	20624158
1973	55435	1474	38	13727	20233812
1974	53859	1502	36	13088	19658695
1975	56035	1546	36	13229	20452740
1976	59524	1636	36	13280	21726094
1977	63761	1731	37	13445	23272588
1978	67977	1833	37	13536	24811728
1979	84744	2058	41	15030	30931383
1980	110812	2401	46	16846	40446550
1981	125774	2829	44	16227	45907342
1982	130244	3137	42	15154	47538921
1983	138969	3322	42	15269	50723673
1984	144270	3546	41	14850	52658396
1985	139576	3698	38	13776	50945412
1986	125087	3642	34	12536	45656861
1987	113323	3517	32	11761	41363032
1988	107846	3556	30	11070	39363927
1989	100675	3501	29	10496	36746439
1990	100612	3579	28	10261	36723443
1991	98354	3627	27	9898	35899235
1992	90144	3583	25	9183	32902721
1993	84726	3522	24	8781	30925059
1994	75872	3432	22	8069	27693359
1995	80370	3408	24	8608	29335094
1996	88493	3423	26	9436	32299904
1997	98184	3480	28	10298	35837096
1998	97437	3398	29	10466	35564453
1999	90081	3271	28	10052	32879435
2000	89626	3332	27	9818	32713619
2001	86830	3372	26	9399	31692888
2002	84385	3385	25	9099	30800344

199, 487, 835 bbl/e 1997-2002

$\div 6975 = 33,247, 972 \text{ bbl AV/YR}$