



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

*A Resolution entitled, "Approval of Oil and Gas Lease Between the Three Affiliated Tribes and Black Rock Resources LLC for Oil/Gas Development on Four Blocks of Land within the Fort Berthold 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,** The Fort Berthold Indian Reservation of the Three Affiliated Tribes (the "Tribe") comprises approximately 1,000,000 acres and had within it potentially significant oil and gas resources worth many hundreds of millions of dollars, as it lies within the generally accepted geologic formation known as the Williston Basin, a proven oil field since the early 1950's; and

**WHEREAS,** The Tribal Business Council received a proposal by Black Rock Resources, LLC of Denver, Colorado to develop oil and gas on the Fort Berthold Indian Reservation; and

**WHEREAS,** The Three Affiliated Tribes, exercising its rights as an Indian Nation, is actively seeking to develop its resources for the economic benefit of the Tribe and all of its members, in order to provide revenue to the Tribe and employment for tribal members; and

**WHEREAS,** Black Rock Resources has identified nine blocks of land for development (the first four of which are designated for immediate development); and

**WHEREAS,** The Tribal Business Council has accepted Black Rock Resources Proposal and has requested the Tribe's legal department to negotiate an oil and gas lease with Black Rock Resources that complies with the Indian Mineral Development Act of 1982; and

**WHEREAS,** The Tribe's legal department has negotiated said lease and this lease was presented to the Tribal Business Council on June 6, 2005; and

**WHEREAS,** The Tribal Business Council finds this lease is favorable and in the best interest of the Three Affiliated Tribes; and

**WHEREAS,** The Tribal Business Council desires to approve said lease.



06. **RESOLUTION NO. 05-100-NH, OIL LEASE BETWEEN BLACK ROCK RESOURCES INC. AND FORT BERTHOLD RESERVATION.** *Number is out of sequence because the Resolution was turned in after the Meeting of June 9, 2005.*

Councilman Frank Whitecalfe moved for approval to adopt a Resolution that adopts the Oil and Gas Lease with Black Rock Resources, LLC, with the amendments reflected in the agreement that was discussed and negotiated, included the governing law in construction and limited waiver of sovereign immunity. Councilman Spotted Bear seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

DISCUSSION: The Bureau of Indian Affairs, Superintendent has authority to request bids for an Oil Lease for allotted lands for without a directive from the Tribe.

07. **RESOLUTION NO. 05-101-NH DEVELOPMENT OF OIL AND GAS RESOURCES.** *Number is out of sequence because the Resolution was turned in after the Meeting of June 9, 2005.*

Councilman Whitecalfe moved for approval to authorize Steve Kelly, Legal Counsel, to draft a Resolution authorizing the Tribe to work with the Office of Energy and Resources out of Golden, Colorado regarding development of oil and gas resources on the Fort Berthold Reservation. Councilman Hale seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

08. **STERLING REED FINANCIAL REQUEST:**

Councilman Wolf moved for approval to grant \$500 financial assistance to Sterling Reed to subsidize his costs while attending an Internship in Washington, D.C., with the funds to be taken out of grants and donations. Councilman Packineau seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

09. **DOE GRANT #DE-FC-36-99GO10472 UTILITY SCALE WIND TURBINE DEMONSTRATION PROJECT**

Councilman Wells moved for approval to request concurrence from the Four Bears Community to reconsider the action taken on November 10, 2004 and keep at the original turbine site for the Utility Scale Wind Turbine Demonstration Project in the Four Bears area. Councilman Wolf seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.



**NOW THEREFORE BE IT RESOLVED**, The Tribal Business Council hereby approves of the Oil and Gas Lease between Black Rock Resources, LLC and the Three Affiliated Tribes and authorizes the Tribal Chairman to execute the same on behalf of the Tribe.

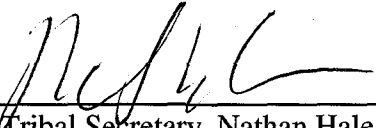
**NOW THEREFORE BE IT FINALLY RESOLVED**, the Tribal Business Council hereby requests that the Bureau of Indian Affairs expedite the approval of this lease agreement.

**CERTIFICATION**

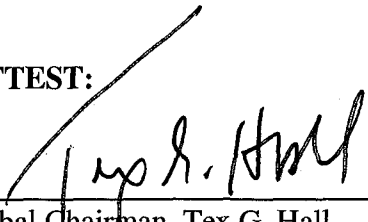
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Forth Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on June 6, 2005; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 6<sup>th</sup> day of June, 2005.

  
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Tribal Secretary, Nathan Hale  
Tribal Business Council  
Three Affiliated Tribes

ATTEST:

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