



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

A Resolution entitled, "Approval of Black Rock Resources LLC Indian Mineral Development Agreement as Amended."

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 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 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 Three Affiliated Tribes is actively seeking to develop its resources for the economic benefit of all of its members which will provide both increased revenue to individual members and increased employment for tribal members; and

WHEREAS, The Three Affiliated Tribes of and Black Rock Black Rock Resources, LLC ("Black Rock") entered into a Revised Oil and Gas Lease ("Lease") with the Tribes as Lessor and Black Rock as Lessee on June 30, 2005 pursuant to Resolution No. O5-100-NH; and

WHEREAS, The Lease is a minerals agreement under the Indian Mineral Development Act of 1982 and the Bureau of Indian Affairs ("BIA") regulations at 25 C.F.R. Part 225;

WHEREAS, An environmental assessment concerning the Lease was prepared under the National Environmental Policy Act and completed in October 2006 and, based on the environmental assessment, the Regional Director of the BIA executed a finding of no significant impact about the Lease on November 1, 2006; and

WHEREAS, The BIA, and the BIA's counsel at the Office of the Solicitor, Department of the Interior reviewed the Lease and requested that specific changes be made and the Tribe and Black Rock have made the requested changes and incorporated them into the Lease; and

WHEREAS, The Tribal Business Council finds:

1. The environmental assessment and finding of no significant impact meet the requirements of the National Environmental Policy Act;



- 2. The Lease contains assurances that mineral development operations shall be conducted with appropriate diligence;
- 3. The Lease provides for the payment of adequate royalties and other forms of economic return to the Tribes;
- 4. The Lease is in the best interest of the Tribes;
- 5. The Lease does not have adverse cultural, social, or environmental impacts sufficient to outweigh its expected benefits to the Tribes; and
- 6. The Lease complies with the requirements of 25 C.F.R. Part 225, and all other applicable regulations and the provisions of applicable Federal law.

WHEREAS, The Tribal Business Council desires to approve the Lease as amended.

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes hereby approves of the Indian Mineral Development Act Agreement with Black Rock Resources, LLC dated December 11, 2006 and the Letter Agreement dated December 4, 2006 attached to this Resolution.

BE IT FINALLY RESOLVED, That the Tribal Business Council hereby requests that the Bureau of Indian Affairs Regional Director approve the Black Rock IMDA and the attached Letter Agreement as soon as possible.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort 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 ^{Special} ~~Regular~~ Meeting thereof duly called, noticed, convened, and held on the 11th of December 2006; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 members, 2 members opposed, 1 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 11th day of December, 2006.

ATTEST:

Executive Secretary, Judy Brugh
Tribal Business Council
Three Affiliated Tribes

Tribal Chairman, Marcus Wells, Jr.
Tribal Business Council
Three Affiliated Tribes