



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

*A Resolution entitled, "Approval of Amendments to Dakota 3, LLC Indian Mineral Development Agreement."*

- 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,** Dakota 3, LLC entered into a an Oil and Gas Lease ("Lease") with the Tribes as Lessor and Dakota 3, LLC as Lessee on or about September 14, 2006 pursuant to Resolution No. 06-121-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; and
- WHEREAS,** Certain amendments were made to the lease at the request of the BIA; and
- WHEREAS,** The total acreage of Tribal minerals covered under the lease has been revised to 42,842 total acres; and
- WHEREAS,** The twelve percent working interest has been deleted from the agreement and replaced with an additional royalty of two percent effective beginning the sixth year of production of a well on the Leased Premises and will continue throughout the life of the lease thereafter; and
- WHEREAS,** The Tribal Business Council has reviewed the amendments; and
- WHEREAS,** The Tribal Business Council desires to approve of the amendments to the Lease.



**NOW THEREFORE BE IT RESOLVED**, The Tribal Business Council hereby approves of the amendments to the Indian Mineral Development Act Agreement with Dakota 3 LLC as reflected in the IMDA 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 amended Dakota 3 LLC IMDA 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, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the June 15 2007; 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 15 day of June, 2007.

**ATTEST:**

Executive Secretary, Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

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