



Resolution No. 07-071-BB

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

*A Resolution entitled, "Assignment of Interest of Dakota-3, LLC Indian Mineral Development Agreement to Dakota-3 E&P Company, LLC"*

**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 Three Affiliated Tribes has already passed Resolution No. 07-170 VJB approving the Indian Mineral Development Act (IMDA) Agreement between Dakota-3, LLC, and the Three Affiliated Tribes, subject to non-material amendments as may be required by the reviewing agencies and upon legal review; and

**WHEREAS,** The IMDA Agreement assigns all rights and interest in the Agreement to Dakota-3 E&P Company, LLC, a duly authorized company with the capability of performing all responsibilities of Dakota-3, LLC.

**NOW THEREFORE BE IT RESOLVED** that the Tribal Business Council of the Three Affiliated Tribes does hereby approve the assignment of the Indian Mineral Development Agreement to Dakota-3 E&P Company, LLC, with the understanding that this Assignment is subject to the approval by the Bureau of Indian Affairs, and that a separate form evidencing the Assignment is required to be completed by the parties to the IMDA Agreement; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Chairman, Vice-Chairman, Secretary and Treasurer of the Tribal Business Council of the Three Affiliated Tribes, or such of them as may be necessary, are hereby authorized to execute the herein described Assignment of the IMDA Agreement and Lease, in the form as required by the Bureau of Indian Affairs.

**NOW THEREFORE BE IT FINALLY RESOLVED** that the Tribal Business Council hereby requests that the BIA Regional Director review and approve the Assignment as described herein as soon as possible.



## 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, 5 were present at a Special Meeting thereof duly called, noticed, convened and held on the 26 day of September, 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 26 day of September 2007.

Barry L. Benson  
Secretary Pro Tem Barry Benson  
Tribal Business Council  
Three Affiliated Tribes

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