



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

A Resolution Entitled: *Approval of Disclaimer of Mineral Interest in E ½ of the SW ¼ of Section 2 of T151 N. R.94 W 5th P.M, McKenzie County (Allotment 301 15910). ”*

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities 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 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Article IX, Section 6 of the Constitution of the Three Affiliated Tribes authorizes the Tribal Business Council to acquire by purchase, exchange of tribal land, relinquishment or otherwise any lands or interests in land for and on behalf of the Tribes; and

WHEREAS, Pursuant to Article VI, Section 5 (i) of the Constitution the Tribal Business Council has the authority to make assignments and leases of tribal lands and otherwise manage tribal lands, interests in tribal lands and property upon such lands in conformity with Article IX of the Constitution; and

WHEREAS, in 1977 Joseph Wounded Face entered into a land exchange with the Three Affiliated Tribes pursuant to Resolution No. 77-91 dated February 3, 1971; and

WHEREAS, pursuant to the land exchange, Joseph Wounded Face traded Allotment No. 301-1591 described as the E ½ SW ¼ of Section 2 Township 148 North Range 94



West 5th P.M to the Three Affiliated Tribes in exchange for Allotment No. 11001A, described as the W ½ SE ¼ of Section 12, Township 148 North , Range 95 West, 5th P.M; and

WHEREAS, Resolution 77-91 provided that the exchange of lands was to be exclusive of mineral interests in both parties; and

WHEREAS, Joseph Wounded Face duly conveyed Allotment 301-1591 to the Three Affiliated Tribes pursuant to a trust deed on February 11th, 1977 said conveyance being subject to a prior reservation of mineral interest in Julia Hunts Along Wounded Face who maintained a life estate in the mineral interest to Allotment 301-1591 which in turn reverted to Joseph Wounded Face upon the death of Julia Hunts Along Wounded Face; however the original 1977 deed did not properly reserve those mineral interest to Joseph Wounded Face; and

WHEREAS, in order to correct and reserve the mineral interest reservation of Mr. Wounded Face, the Bureau of Indian Affairs recommended that Mr. Wounded Face issue a corrective deed to the Tribe which reserved the mineral interests to Mr. Wounded Face as contemplated by Resolution 77-91 which Mr. Wounded Face executed on February 11th, 1992 and which was approved by the Bureau of Indian Affairs but which the Tribe did not join on ; and

WHEREAS, the mineral rights to Allotment 301-1591 have been leased to Marathon Oil Company pursuant to and IMDA with Black Rock Resources, LLC and the attorney performing a title search of the property on behalf of Marathon Oil Company believes that the fact that the Tribe was not a party to the 1992 corrective deed presents a minor title defect that needs to be cured and has requested that the Tribal Council approve and execute a Disclaimer of Mineral Interest in Allotment 301-1591; and

WHEREAS, The Tribes Legal Department has researched this matter and is of the opinion that the mineral interest to Allotment 301-1591 rightfully belong to the heirs of Joseph Wounded Face and not the Tribes and has recommended that the Tribal Council approve the Disclaimer of Mineral interest; and

NOW, THEREFORE BE IT RESOLVED, that the in order to eliminate any question as to beneficial ownership of the oil, gas and other minerals in and under Allotment No. 1591, and to further the interest of the parties to the above-described land exchange, the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation does hereby forever disclaim any interest in the oil, gas and other minerals in and under Allotment No. 1591, described as the E1/2SW1/4 of Section 2, Township 151 North Range 94 West 5th P.M., McKenzie County, North Dakota.



BE IT FURTHER AND FINALLY RESOLVED, that the Tribal Business Council hereby approves the attached Disclaimer of Mineral interest in the above described property and authorizes Tribal Chairman Marcus Wells, Jr. and Tribal Secretary Judy Brugh to sign and execute said Disclaimer of Mineral Interest on behalf of the Tribes.

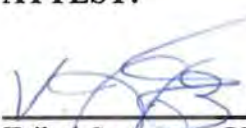
CERTIFICATION

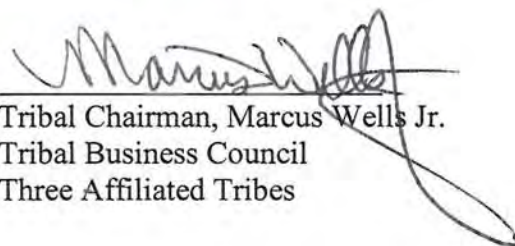
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 15th day of MAY 2008; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 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 15th day of MAY 2008.

ATTEST:


Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes


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