



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

A Resolution Entitled: “*Adoption of a Statutory Prohibition Governing the Assignment of Mineral Leases on the Fort Berthold Indian Reservation*”

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 VI, Section 3 of the Constitution grants the Tribal Business Council all necessary sovereign authority, both legislative and judicial for the purpose of exercising the jurisdiction granted by Article I of the Constitution; 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 1 of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council shall have authority to manage, lease and otherwise deal with Tribal lands and resources in accordance with law; and

WHEREAS, The Three Affiliated Tribes and individual mineral interest owners have entered into mineral leases with various entities for the development of oil and gas on the Fort Berthold Indian Reservation; and

WHEREAS, Certain of these developers have assigned and re-assigned these leases to other interested parties for monetary gain, either through royalty over-rides, money or both without the approval of or compensation to the mineral interest holders; and

WHEREAS; The assignments or “flipping” of these leases is a form of sub-leasing; and



WHEREAS, The Tribal Business Council has determined that to protect the interests of the individually owned and tribally owned mineral interests it should enact a resolution to address the practice of assigning or “flipping” of mineral leases and prohibit such assignments for future mineral leases.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes in accordance with the power vested in it by the Tribal Constitution hereby adopts a statutory prohibition prohibiting the assignment of all future of mineral leases without the express written approval of the Lessee which shall apply to all trust lands and to tribally owned fee lands within the exterior boundaries of the Fort Berthold Indian Reservation; and

BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby requests that the Bureau of Indian Affairs, Fort Berthold Agency, enforce this prohibition on all future mineral leases on the Fort Berthold Reservation by inserting non-assignment clauses into said leases.

BE IT FINALLY RESOLVED, that the effective date of this ordinance shall be the date it is enacted by the Tribal Business Council of the Three Affiliated 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 Special Meeting thereof duly called, noticed, convened, and held on the 27th 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.

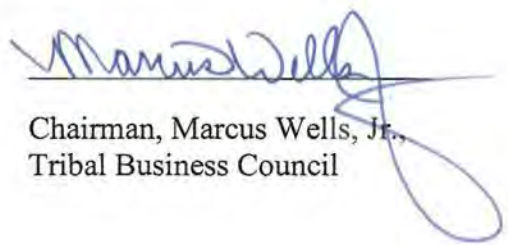
Chairman [] voting. [] not voting.

Dated this 27th day of May, 2008.

ATTEST:



Secretary, V. Judy Brugh
Tribal Business Council



Chairman, Marcus Wells, Jr.
Tribal Business Council