



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

*A Resolution entitled, "Amendment to Tribal Resolution approved August 1, 2008 - Approval of Oil & Gas Leases with Stephens Energy Company LLC, for 280 Acres for Oil and Gas Development on the Fort Berthold Reservation."*

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 Fort Berthold Indian Reservation of the Three Affiliated Tribes (the "Tribe") comprises approximately 1,000,000 acres and has within it potentially significant oil and gas resources as the Reservation 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 issues leases pursuant to the Act of May 11, 1938 (25 U.S.C. Sections 396a et.seq.) and regulations thereto, including 25 CFR Part 211 (2006); and

WHEREAS, The Three Affiliated Tribes is actively seeking to develop its resources for the economic benefit of the Tribe and all of its members, in order to provide revenue to the Tribe and employment for tribal members; and

WHEREAS, Stephens Energy Company LLC desires to lease the following tracts of tribal mineral acreage:

**Legal Description**

Township 151 North, Range 92 West, 5th P.M.

Section 28: S $\frac{1}{2}$ SW $\frac{1}{4}$  - 80 acres

Section 32: SE $\frac{1}{4}$ SE $\frac{1}{4}$  - 40 acres

Section 33: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$  - 80 acres

Township 150 North, Range 92 West, 5th P.M.

Section 10: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  - 80 acres

WHEREAS, the terms offered by Stephens Oil are a bonus of \$500.00 per acres, 20.5% royalty, \$2.50 rental and a five-year term; and

WHEREAS, Stephens Oil hereby requests the Tribe waive its assignment provision due to the tracts desired are scattered and are not contiguous; and

*As Amended w/ clause commitment to Drill & Produce the Well  
Drill 3 year drilling*





**NOW THEREFORE BE IT RESOLVED**, The Tribal Business accepts Stephens Energy, LLC's to lease said minerals and authorizes the Tribal Chairman to execute an oil and gas lease or leases as necessary on behalf of the Tribe for the lands and under the terms described above.

**BE IT FURTHER RESOLVED**, the Tribal Business Council hereby waives the tribal assignment a/k/a "anti-flipping" provision specifically for the above named tracts only; and

**BE IT THEREFORE FINALLY RESOLVED**, the Tribal Business Council hereby requests that the Bureau of Indian Affairs expedite the approval of said lease(s).

**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, 6 were present at a Special Meeting thereof duly called, noticed, convened, and held on the January 14<sup>th</sup> 2009; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 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 14<sup>th</sup> day of January, 2009.

**ATTEST:**

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

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Tribal Chairman, Marcus Levings  
Tribal Business Council  
Three Affiliated Tribes

Needs to  
be Amended