



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

**A Resolution entitled: “Approval to leases 20 acres of Lands located in Mountrail County to Dakota-3 E&P Company, LLC, 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 Constitution of the Three Affiliated Tribe generally 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 III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other tribal agencies and tribal officials on the Reservation; and

**WHEREAS,** Article IX, Section 5(i) of the Constitution specifically authorizes and empowers the Tribal Business Council of the Tribe to make assignments and leases of Tribal lands and otherwise to manage tribal lands, interests in Tribal lands, and property upon such lands, in conformity with Article IX of the Constitution; and

**WHEREAS,** Article IX of the Constitution specifically authorizes and empowers the Tribal Business Council to manage and lease or otherwise deal with tribal lands and resources in accordance with law; and

**WHEREAS,** the Fort Berthold Reservation 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 geologic formation that has been developed since the early 1950’s; and

**WHEREAS,** The Three Affiliated Tribes, exercising its rights as an Indian Nation, 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,** The Three Affiliated Tribes has been approached by Dakota-3 E&P Company, LLC, for oil and gas development on the Fort Berthold Reservation in the Township 150N Range 92W sections 13 containing 20 acres total located in Mountrail County.

**WHEREAS,** the Tribal Business Council now desires to enter into a straight Tribal Oil and Gas Lease Agreement with Dakota-3 E&P Company, LLC to lease 20 tribal mineral acres within the Fort Berthold Reservation, for oil and gas development on the Fort Berthold Reservation, for the consideration of One Thousand-two hundred and 00/dollars (\$1,200.00) per acre bonus, Twenty Two and a half percent (22.5%) royalty and Three dollars and no/cents (\$3.00) per acre rental for a Five (5) year lease,

**NOW THEREFORE BE IT RESOLVED,** The Three Affiliated Tribes hereby approves of entering into a straight Tribal Oil and Gas Lease Agreement with Dakota-3 E&P Company, LLC to include the following stipulations:

1. The Amount of the royalty payments shall be Twenty Two and a half percent (22.5%).
2. The bonus paid per acre shall be One Thousand-Two Hundred 00/dollars and no cents (\$1,200.00).
3. The initial term of the lease shall be Five (5) year with an annual delayed rental of Three dollars and no/cents (\$3.00) per acre for lands
4. The amount of land to be available for lease is acknowledged to be approximately 20 acres in the following township and section.

T150N-R92W section 13 containing 20 acres

5. The mineral lease shall be substantially in the same form as the BIA Oil and Gas mining Lease.

**NOW THEREFORE BE IT RESOLVED,** the Tribal Business Council approves the lease of the aforementioned 20 acres Dakota-3 E&P Company, LLC to, for the terms and conditions described in the Resolution and designates the Tribal Oil and Gas Department finalize a straight Tribal Oil and Gas Lease(s) with Dakota-3 E&P Company, LLC consistent with this resolution.

**FUTHER BE IT FINALLY RESOVLED,** that the Chairman of the Tribal Business Council is hereby authorized to execute a finalized straight Tribal Oil and Gas lease Agreement(s) on behalf of the Three Affiliated Tribes and that either the Vice-Chairman, Secretary or Treasurer may sign as a co-signatory on said Agreement.







**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 Regular Meeting thereof duly called, noticed, convened and held on the 12<sup>th</sup> day of October, 2010; 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 12<sup>th</sup> day of October, 2010.

ATTEST:

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

Tribal Chairman, Marcus D. Levings.  
Tribal Business Council  
Three Affiliated Tribes

