



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

*A Resolution entitled, "Approval of Consents for Certain Rights-of-Way on Tribal Land."*

- WHEREAS,** This Mandan Hidatsa and Arikara Nation (the "MHA 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 under said Act, and
- WHEREAS,** Pursuant to Article III, Section 1 of its Constitution and By-Laws, the Tribal Business Council is the governing body of the MHA Nation; and
- WHEREAS,** Pursuant to Article VI, Section 5(1) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Council, its Agencies and Officials; and
- WHEREAS,** The Tribal Business Council has authority to engage in activities on behalf of and for the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS,** Article IX Sections 1 and 3 of the Constitution provides that the Tribal Business Council has the authority to manage and lease or otherwise deal with tribal lands and resources; and
- WHEREAS,** Pursuant to the General Right of Way Act, 25 U.S.C. §§ 323-328 and 25 CFR Part 169, the Secretary of the Interior, acting through the Bureau of Indian Affairs is required to obtain the prior written consent of an Indian tribe before granting a right-of-way or easement on tribal lands; and
- WHEREAS,** On April 10, 2014, the Tribal Business Council passed Resolution No. 14-071-VJB approving the "MHA Nation Application for Rights of Way and Use of Right of Way"; and
- WHEREAS,** On May 28, 2014, the Tribal Business Council passed Resolution No. 14-089-VJB approving the "MHA Nation Pipeline Right-of-Way Terms and Conditions" which includes the establishment of new Right of Way Fees ("ROW fees"); and
- WHEREAS,** The MHA Nation Energy Division reviewed, processed and fully vetted requests for the MHA Nation's consent to approve certain Rights-of-Way, detailed below; and
- WHEREAS,** On April 15, 2015, at a duly held meeting of the Natural Resources Committee, the MHA Nation Energy Division presented a list of fully vetted requests for the



MHA Nation’s consents to approve certain Rights-of-Way, detailed below; and each request was approved by the Natural Resources Committee; and

**WHEREAS**, The Tribal Business Council finds it appropriate to authorize and consent to the Rights-of-Way described herein; and

**NOW THEREFORE BE IT RESOLVED**, the Business Council hereby grants consent to Rights of Way Across the following tribal lands, but only subject to the respective Company’s agreement to and execution of the Terms and Conditions and payment of ROW fees, approved and authorized in Resolution No. 14-089-VJB:

<b>COMPANY</b>	<b>PROJECT/LOCATION</b>	<b>PURPOSE</b>
HRC OPERATING LLC	BONITA PAD – ALLOTMENT T1120A, 100% TRIBAL TRUST, T148N-R94W, SECS 35, 36	Adding three wells
MARATHON OIL CO.	LUN WELL PAD – ALLOTMENT T1042A, 2195, T151N-R94W, SECS 14, 15, 22	Temporary Water Line
SHD OIL & GAS, LLC	SIMBA PAD FACILITIES – ALLOTMENT 353A-D, 100% TRIBAL TRUST, T150N-R90W, SEC 31	Wellpad facilities
SHD OIL & GAS, LLC	WOLF PAD (MULTI USE CORRIDOR) – ALLOTMENT T3055, 100% TRIBAL TRUST, T150N-R91W, SEC 12	New Wellpad
TARGA BADLANDS, LLC	WEST MYRMIDON LATERAL E1 PROJECT: 2 TRACTS ALLOTMENT T547A-D: 100% TRIBAL TRUST, T152N-R93W, SEC 17-MCKENZIE COUNTY; FEE PROPERTY LOCATED IN T152N-R93W, SEC 17, MCKENZIE COUNTY: 100% TRIBAL OWNERSHIP	Gathering Line
XTO ENERGY	FBIR NELLIE OLD MOUSE – ALLOTMENT 768A, 63% TRIBAL TRUST, T148N-R92W, SEC 13, DUNN COUNTY	New Wellpad



**BE IT FINALLY RESOLVED**, that the Chairman is hereby authorized to execute the consents to the Rights-of-Way listed and approved in this Resolution and to take such further actions as are necessary to carry out the terms and intent of this Resolution.






**CERTIFICATION**

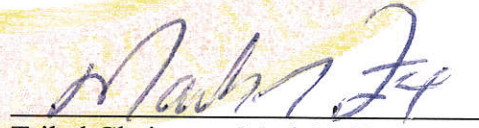
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 16<sup>th</sup> day of April, 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 1 members opposed, 1 members abstained,     members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [  ] Voting. [  ] Not Voting.

Dated this 16th day of April, 2015.

**ATTEST:**

  
Tribal Secretary, L. Kenneth Hall  
Tribal Business Council

  
Tribal Chairman, Mark N. Fox  
Tribal Business Council