



**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 consents to approve certain Rights-of-Way, detailed below; 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>
WPX WILLISTON LLC	WOLF'S BAY ROAD - T1083A, PTS T1083A	Access Road, Pipeline, Utilities, PTS- Well site, Access Road, Pipeline and Utilities
WPX WILLISTON LLC	OMAHA WOMAN - T1719, T1795,1610, 819A, PTS T1719,T1795,1610,819A	Access road, Pipeline, Utilities, Well site, PTS- Pipeline and Utilities
WPX WILLISTON LLC	RUBY PARSHALL BIRD UNIT - T990A-D	Well pad, Access Road, Pipeline, Utilities
WPX WILLISTON LLC	JOSEPH EAGLE 2-19, 19-18 - T755A-D	Well pad, Access Road, Pipeline, Utilities, Fiber optics, above ground appurtenances
WPX WILLISTON LLC	MANDAREE WARRIOR - 695A,843A,1918	Utility & Pad expansion
WPX WILLISTON LLC	NORTHERN JOHN ELK, HELENA RUTH GRAN - 1875,1877,1876,1880-A,1829,1830	Well's and Utility
Targa Badlands LLC	HURONS LONG PROJECT - 2 TRACTS: ALLOTMENT T1011A-B: 100% TRIBAL TRUST, T151N-R94W, SEC 27, MCKENZIE COUNTY; ALLOTMENT T1011A-C: 100% TRIBAL TRUST, T151N-R94W, SEC 27-MCKENZIE COUNTY	Gathering Pipeline
Targa Badlands LLC	BUTTERFLIES TURTLES PROJECT – ALLOTMENTS 550A, 89% TRIBAL TRUST; 530A, 44% TRIBAL TRUST; T152N-R94W, SEC 32, MCKENZIE COUNTY	Gathering Pipeline
WPX WILLISTON LLC	MAGGIE OLD DOG TO MANDAREE WARRIOR -	Temp Water Line



	T751A, 1789	
WPX WILLISTON LLC	NORTH MABEL - 1002A,T1922	Well Pad, Well Bore, Access road, Pipelines and above ground appurtenances
ENTERPLUS RESOURCES	BUGS PAD - T2246,T 3081-A, 1774	Access Road, Utilities, Fiber Optics and Above ground appurtenances
QEP ENERGY COMPANY	5-4 E Well Pad - T5260	Road , Multi use corridor
HALCON WILLISTON 1, LLC	HURON/LONGS freshwater and Produced water pi - T1011A-C	Pipelines, Utilities and Access Road,
SDH OIL & GAS, LLC	MOOSE 6-10-TFI, 6-9-MB1, 6-8-TF2, 6-7-MB2, 6-6-TF1, 6-5-MB1 - T497-A-A	Pipeline, Utilities Fiber Optics and Above Ground Appurtenances
Crestwood	KOG TSB 13-22-16-1H, Tract 857A-78% Tribal, T149N-R92W-Sec 22, Dunn Co.	Gathering Line
Crestwood	Arrow Phase 1A Northern, 3 Tracts, 1083A-85% Tribal, T150N-R94W-Sec 35, McKenzie Co., T1725-100% Tribal, T150N-R94W-Sec 25, McKenzie Co., T1788-100% Tribal, T150N-R94W-Sec 36, McKenzie Co.	Extension Reroute
Crestwood	Halcon Sherman, Tract 1132A-34% Tribal, T148N-R94W-Sec 18, Dunn Co.	Gathering Line
ONEOK	Anton CDP - T437A-A	Pipeline
ONEOK	Rufus Pad CDP - T437A-A	Pipeline

**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





**Resolution No. 15-102-LKH**

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 11<sup>th</sup> day of **June**, 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 1 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ X ] Voting. [ ] Not Voting.

Dated this 11<sup>th</sup> day of June, 2015.

**ATTEST:**

  
Tribal Secretary, L. Kenneth Hall  
Tribal Business Council

  
Tribal Chairman, Mark N. Fox  
Tribal Business Council