



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

A Resolution entitled, “Consent to Right-of-Way across Tribal land Submitted by HRC Operating, LLC for the Windom Pipeline Project.”

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, 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 the Constitution and By-Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; 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, 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, Leases and Rights of Way (ROWs) across tribal trust land require the consent of the Tribal Business Council pursuant to federal and tribal law; and

WHEREAS, Applications for Rights of Way on Tribal Land are subject to the requirements of tribal law, including Resolution No. 14-071-VJB (MHA Nation Application for Rights of Way and Use of Right of Way), Resolution No. 14-089-VJB (MHA Nation Pipeline Right-of-Way Terms and Conditions), and Resolution No. 15-045-LKH (Establishing a Procedure for the Approval of Leases, Rights of Way, Setback Variances and Permissions to Survey on Tribal Land); and

WHEREAS, The applications for ROW(s), submitted by HRC Operating, LLC, (“HRC”) described herein have been reviewed and recommended for approval in accordance with the MHA Nation’s approved procedure for authorizing ROWs on tribal land; and

WHEREAS, On November 16, 2015, at a duly held meeting of the Natural Resources Committee, the MHA Nation Energy Division recommended for approval HRC’s ROW request for the Windom Pipeline Project, and the Natural Resources Committee approved HRC’s ROW request and forwarded it to the Tribal Business Council for final action.



WHEREAS, The Tribal Business Council finds it appropriate to authorize and consent to the Right-of-Way described herein.

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby grants consent to a Right-of-Way Across the following tribal lands, but only subject to HRC's agreement to and execution of the MHA Right-of-Way Application and applicable Terms and Conditions and payment of ROW fees, approved and authorized in Resolution No. 14-089-VJB:

- HRC Operating, LLC for the Windom Pipeline project – a 571.39 foot in length and 100' in width pipeline ROW, for up to four pipelines, across certain tribal lands in Allotment T 1120A, consisting of 100% tribal interests, in Section 36, Township 148 North, Range 94 West, Dunn County, North Dakota, as more particularly described in Appendix A.1.

BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to execute such documents and take such further actions as are necessary to carry out the terms and intent of this Resolution.

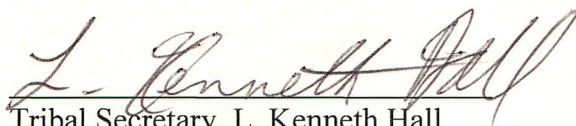
CERTIFICATION

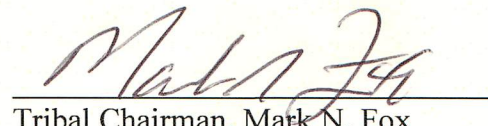
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a **Special** Meeting thereof duly called, noticed, convened and held on the 2nd day of December, 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. Not Voting.

Dated this 19th day of January, 2015.

ATTEST:


Tribal Secretary, L. Kenneth Hall
Tribal Business Council


Tribal Chairman, Mark N. Fox
Tribal Business Council



APPENDIX A.1

< Attach: (1) Application Form, (2) Approval Form signed by Department Head and Chairman of NRC per Resolution 15-045-LKH, (3) signed ROW terms and Conditions per Resolution No. 14-089-VJB, (4) map, and (5) other necessary information >



APPENDIX A.2

<Attach same information listed in Appendix A.1 for Each separate Applicant >

REPEAT AS NEEDED FOR EACH APPLICANT, LISTING APPENDIX A.3, A.4,
ETC.ON SEPARATE PAGES WITH ATTAHMENTS