



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

***A Resolution entitled, "Consent to a Right-of-Way across Tribal land Submitted by SHD Oil and Gas, LLC for the Hawk Pad."***

**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 a ROW consent submitted by SHD Oil and Gas, LLC ("SHD") for the Hawk Pad, 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 December 16, 2015, at a duly held meeting of the Natural Resources Committee, the MHA Nation Energy Division recommended for approval for SHD's ROW consent request for the Hawk Pad, and the Natural Resources Committee approved QEP's ROW consent request for the Hawk Pad, and forwarded the matter to the Tribal Business Council for final action; and



**WHEREAS,** The Tribal Business Council finds it appropriate to authorize the ROW consent described herein.

**NOW THEREFORE BE IT RESOLVED,** the Tribal Business Council hereby consents to the following ROW consent, subject to SHD Oil and Gas, LLC's agreement to and execution of the Terms and Conditions and payment of ROW fees pursuant to Resolution No. 14-089-VJB:

- SHD Oil and Gas, LLC for a well pad, production pad, access road, utilities, fiber optic, and flowlines, across certain tribal lands in Allotment No. 242A with Tribal interest of .5833333333% in Section 18, Township 150N, Range 90W, as more particularly described as the HAWK PAD 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.

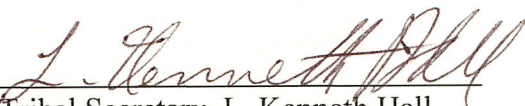
**CERTIFICATION**

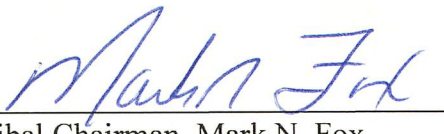
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a **Regular** Meeting thereof duly called, noticed, convened and held on the 14<sup>th</sup> day of **January**, 2016, 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, 2016.

**ATTEST:**

  
Tribal Secretary, L. Kenneth Hall  
Tribal Business Council

  
Tribal Chairman, Mark N. Fox  
Tribal Business Council