



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

*A Resolution entitled, "Technical Correction to Resolution No. 15-102-LKH, Relating to a Right-of-Way granted for Enerplus's Bugs Pad."*

**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**, On June 11, 2015, the Tribal Council passed Resolution No. 15-102-LKH entitled "Approval of Consents for Certain Rights-of-Way on Tribal Land" for Enerplus Resources (USA) Corporation's ("Enerplus") Bugs Pad located on Section 11, Township 150N, Range 94W; Allotment T2246 (100% tribal interest); and

**WHEREAS**, In processing Enerplus's right-of-way ("ROW") application for the Bugs Pad, the Bureau of Indian Affairs informed Enerplus that neither its application nor the supporting Resolution No. 15-102-LKH specifically contained the term "well pad" and therefore, the BIA would not approve said ROW application for this use; and

**WHEREAS**, Enerplus has requested two technical corrections to Resolution No. 15-102-LKH: (1) on page 3, row 3, column 1, change "Enterplus" to "Enerplus"; and (2) on page 3, row 3, column 3, add "Well Pad," before the word "Access"; and

**WHEREAS**, On May 4, 2016, at a duly held meeting between of the Natural Resources Committee, the MHA Nation Energy Division recommended for the approval of Enerplus's request for these technical corrections to Resolution No. 15-102-LKH.

**NOW THEREFORE BE IT RESOLVED**, that the Tribal Business Council hereby approves two technical corrections to Resolution No. 15-102-LKH as follows: (1) on page 3, row 3, column 1, change "Enterplus" to "Enerplus"; and (2) on page 3, row 3, column 3, add "Well Pad," before the word "Access."

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



**CERTIFICATION**

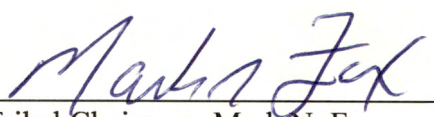
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9<sup>th</sup> day of June, 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 9<sup>th</sup> day of June, 2016.

**ATTEST:**

  
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Acting Tribal Secretary, Cory Spotted Bear  
Tribal Business Council

  
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Tribal Chairman, Mark N. Fox  
Tribal Business Council

