



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

*A Resolution entitled, "Technical Correction to Resolution No. 16-229-LKH entitled,
"Consent to Approval of a Right-of-Way across Tribal land for the Hidatsa North 14-23 Pad
Project Submitted by WPX Energy Williston, LLC."*

- 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 ("ROWS") on Tribal Land are subject to the requirements of tribal law, including Resolution No. 13-109-VJB (Establishment of the Three Affiliated Tribes Standardized Minimum Rates for Oil and Gas Lease Bonus, Royalties and Road and Pipeline Easements), 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,** WPX Energy Williston, LLC ("WPX") submitted a ROW application for the Hidatsa North 14-23 Pad Project for a well pad, eight (8) wellbores, an access road, utilities, fiber optics and above ground appurtenances, and pipeline & above ground appurtenances, temporary above-ground fresh water lines, connecting flowline & above ground appurtenances, across tribal tract T203A-A, with 100% tribal interest, in Section 11, Township 150 North, Range 93 West, in Mountrail County, North Dakota, as more particularly described in Appendix A.1.; and



Resolution No. 16-245-LKH

WHEREAS, On September 22, 2016, the Tribal Business Council passed Resolution No. 16-229-LKH approving WPX's ROW Application for the Hidatsa North 13-23 Well Pad, described herein, and consenting to approval of a ROW for such purpose; and

WHEREAS, Following approval by the Tribal Business Council, a typographical error was found in the "Now Therefore Be It Resolved Clause" in Resolution No. 16-229-LKH, in the description of the Hidatsa North 14-23 Well Pad, and this Resolution seeks to correct said mistake, as follows:

Change: "in Allotments T407A-B and T407A-A, with 100% tribal interest, in Section 12, Township 150 North, Range 93 West, in Mountrail County, North Dakota."

To: "across tribal tract T203A-A, with 100% tribal interest, in Section 11, Township 150 North, Range 93 West, in Mountrail County, North Dakota."

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby amends the "Now Therefore Be it Resolved" clause in Resolution No. 16 -229-LKH, as follows:

Change: "in Allotments T407A-B and T407A-A, with 100% tribal interest, in Section 12, Township 150 North, Range 93 West, in Mountrail County, North Dakota."

To: "across tribal tract T203A-A, with 100% tribal interest, in Section 11, Township 150 North, Range 93 West, in Mountrail County, North Dakota."

BE IT FINALLY RESOLVED, that the Chairman is hereby 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 Continuation Meeting thereof duly called, noticed, convened and held on the 7th day of October, 2016, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 [X] Voting. [] Not Voting.

Dated this 7th day of October, 2016.

ATTEST:

Tribal Secretary, L. Kenneth Hall
Tribal Business Council
Three Affiliated Tribes

Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes