



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

A Resolution entitled, “Consent to Approval of a Right-of-Way across Tribal land for the Tipi V 14-1X Project submitted by Targa Badlands 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, Targa Badlands LLC (“Targa”) submitted a ROW application for the Tipi V 14-1X project to install up to four (4) pipelines, oil and/or gas pipelines up to 12 inches in diameter across 0.936 acres (0.281 acres – permanent; and 0.655 acres – temporary) of tribal land in Allotment T1092A-C (100% tribal interest), in Section 1, Township 150 North, Range 95 West, in McKenzie County, North Dakota as more particularly described in Appendix A.1.; and



WHEREAS, The ROW application, submitted by Targa for the Tipi V 14-1X project, described above, has been reviewed and recommended for approval by the MHA Natural Resources Department and the MHA Nation Energy Division in accordance with the MHA Nation’s approved procedure for authorizing ROWs on Tribal Land; and

WHEREAS, On November 15, 2016, at a duly held meeting of the Natural Resources Committee (“NRC”), the MHA Nation Energy Division recommended for approval of Targa’s ROW application and consent request for the Tipi V 14-1X project, more fully described herein, and in the attached Appendix A.1., and the NRC approved Targa’s application and forwarded it to the Tribal Business Council for final action.

NOW THEREFORE BE IT RESOLVED, Subject to Targa Badlands LLC’s agreement to the execution of the MHA Right-of-Way Application and Terms and Conditions, as listed therein, and payment of ROW fees, the Tribal Business Council hereby approves the following ROW application, attached as Appendix A.1, and ROW consent, as follows:

- Targa Badlands LLC – Tipi V 14-1X project - to install up to four (4) pipelines, oil and/or gas pipelines up to 12 inches in diameter across 0.936 acres (0.281 acres – permanent; and 0.655 acres – temporary) of tribal land in Allotment T1092A-C (100% tribal interest), in Section 1, Township 150 North, Range 95 West, in McKenzie County, North Dakota.

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 Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 22nd day of November 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 22nd day of November 2016.

ATTEST:

Tribal Secretary, Fred Fox
Tribal Business Council
Three Affiliated Tribes

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



APPENDIX A.1

For a pipeline easement 100' in width (30' permanent plus 70' temporary).

Easement shall allow for the installation of up to four (4) oil and/or gas pipelines, up to 12 inches in diameter, and associated above- and below-ground appurtenances, associated infrastructure, and pipeline markers as required by law.

Oil and/or gas pipelines are to be constructed of steel or any other material approved by the MHA Nation.

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

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