



**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 Helis Linseth Loop 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 Helis Linseth Loop project to install up to four (4) pipelines, oil and/or gas pipelines up to 12 inches in diameter, across certain tracts of tribal land in Allotment 819A (0.3450360081% tribal interest) Allotment 1610 (0.2524434156% tribal interest), and Allotment T1795 (100% tribal interest), in Section 24, Township 149 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 Helis Linseth Loop 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 Helis Linseth Loop 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 – Helis Linseth Loop project - to install up to four (4) pipelines, oil and/or gas pipelines up to 12 inches in diameter, across certain tracts of tribal land in Allotment 819A (0.3450360081% tribal interest) Allotment 1610 (0.2524434156% tribal interest), and Allotment T1795 (100% tribal interest), in Section 24, Township 149 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 22<sup>nd</sup> 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 22<sup>nd</sup> day of November 2016.

**ATTEST:**

Handwritten signature of Fred Fox in black ink.

Tribal Secretary, Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

Handwritten signature of Mark N. Fox in black ink.

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

TARGA BADLANDS LLC  
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