



RESCINDED
DATE 10/10/2019
NEW RES# 19-266-FWF

Resolution No. 17-024-FWF

**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 The Bear Ghost 31-4H 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 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,** Targa Badlands, LLC (“Targa”) submitted a ROW application for the Bear Ghost 31-4H Project, to install up to four (4) Pipelines, for oil and/or gas pipelines, up to 12” in diameter, across Allotment 1069A (.7666666667% tribal interest), located in the Section 4 and Section 33, Township 147 North (Sec. 4) and Township 148 North (Sec. 33), Range 94 West, McKenzie County, North Dakota, more particularly described in Appendix A.1.; and
- WHEREAS,** The ROW application, submitted by Targa, more particularly described in Appendix A.1., 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 January 4, 2017, at a duly held meeting of the Natural Resources Committee ("NRC"), the MHA Nation Energy Division recommended approval of Targa's ROW application for the Bear Ghost 31-4H 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, and payment of ROW fees, the Tribal Business Council hereby approves the following ROW application, attached as Appendix A.1, as follows:

- TARGA BADLANDS LLC' - to install up to four (4) Pipelines, for oil and/or gas pipelines, up to 12" in diameter, across Allotment 1069A (.7666666667% tribal interest), located in the Section 4 and Section 33, Township 147 North (Sec. 4) and Township 148 North (Sec. 33), Range 94 West, 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.



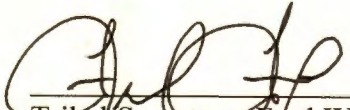
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold 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 8th day of February, 2017, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

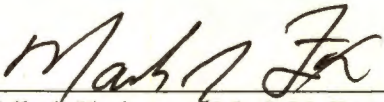
Chairman [X] Voting. [] Not Voting.

Dated this 8th day of February, 2017.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council



Tribal Chairman, Mark N. Fox
Tribal Business Council



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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