



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

A Resolution entitled, “Consent to Modification of a Right-of-Way across Tribal land for the Moccasin Creek 13-34-28-2H Project Submitted by Whiting Oil and Gas Corporation.”

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, Whiting Oil & Gas Corporation (“Whiting”) submitted a ROW application for a modification to ROW FBOG100001, granted by the Bureau of Indian Affairs on October 1, 2009, to add 1 additional well with no additional disturbance to Moccasin Creek 13-34-28-2H well pad, across certain tribal tracts in Allotment T1969 with 100% tribal interest, Township 148 North, Range 93 West, Section 34 in Dunn County, North Dakota as more particularly described in Appendix A.1.; and

WHEREAS, The ROW application, submitted by Whiting for the Moccasin Creek 13-34-28-2H 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, The projected compensation to the MHA Nation for this ROW application is \$5,000; and

WHEREAS, On January 4, 2017, at a duly held meeting of the Natural Resources Committee ("NRC"), the MHA Energy Division recommended for approval Whiting's ROW application regarding the Moccasin Creek 13-34-28-2H Pad, and the NRC approved Whiting's ROW consent request and forwarded it to the Tribal Business Council for final action; and

NOW THEREFORE BE IT RESOLVED, Subject to Whiting Oil & Gas Corporation'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:

- Whiting Oil and Gas Corporation - for a modification to ROW FBOG100001, to add one (1) additional well with no additional disturbance to Moccasin Creek 13-34-28-2H well pad, across certain tribal tracts in Allotment T1969 with 100% tribal interest, located in Township 148 North, Range 93 West, Section 34 in Dunn County, North Dakota; and

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.

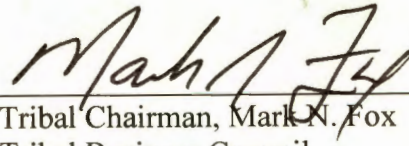
Chairman [X] Voting. [] Not Voting.

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

< 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 >