



**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 that is .248% Percent Tribal Interest to a Tract for the Van Hook Gathering System Southwest Expansion 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 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,** By Resolution No. 16-227-LKH dated September 22, 2016, the Tribal Business Council approved a ROW application submitted by WPX Energy Williston, LLC (“WPX”) for the Van Hook Gathering System Southwest Expansion Project for utilities, fiber optics and above appurtenances, pipeline & above ground appurtenances, temporary above-ground fresh water lines, connecting flowline & above ground appurtenances, across certain tribal tracts 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, as more particularly described in Appendix A.1.; and



WHEREAS, Subsequent to said approval by the Tribal Business Council, the Bureau of Indian Affairs (“BIA”), found 0.002480187 undivided tribal interest on a tract in Allotment 496A, in Section 12, Township 150 North, Range 93 West, in Mountrail County, North Dakota, that WPX missed and left out of the project, prior to consideration and approval by the MHA Nation Energy Division and the Tribal Business Council; and

WHEREAS, The projected compensation to the MHA Nation for this ROW application is approximately \$500.00; and

WHEREAS, On January 30, 2017, at a duly held meeting of the Natural Resources Committee (“NRC”), the MHA Nation Energy Division recommended for approval of WPX’s ROW application and consent to add allotment 496A that is 0.002480187 undivided tribal interest to the Van Hook Gathering System Southwest Expansion Project, in Section 12, Township 150 North, Range 93 West, in Mountrail County, North Dakota, and the NRC approved WPX’s ROW request and forwarded it to the Tribal Business Council for final action.

NOW THEREFORE BE IT RESOLVED, Subject to WPX Energy Williston, 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:

- WPX Energy Williston, LLC – to add Allotment 496A that is 0.002480187 undivided tribal interest, in Section 12, Township 150 North, Range 93 West, in Mountrail County, North Dakota, to the Van Hook Gathering System Southwest Expansion Project, previously approved by Resolution 16-227-LKH for Pipeline & Above Ground Appurtenances, Temporary Above Ground Fresh Water Line, Connecting Flowlines & Above Ground Appurtenances, Utilities, Fiber Optics & Above Ground Appurtenances, across certain tribal tracts 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.

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

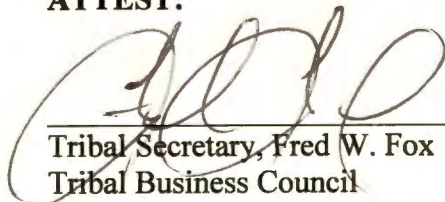
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular

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.

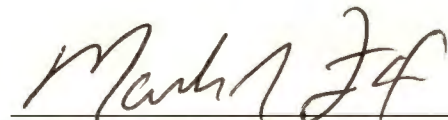
Chairman [X] Voting. [] Not Voting.

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 >