



**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 for the Jones Road
Pipeline Project Submitted by Marathon Oil Company.”**

- WHEREAS,** This Mandan Hidatsa and Arikara Nation (the "MHA Nation"), having accepted the Indian Reorganization Act of June 18, 1934 and 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 its Constitution and By-Laws, the Tribal Business Council is the governing body of the MHA Nation; 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,** The Tribal Business Council has authority to engage in activities on behalf of and for the welfare and benefit of the Tribes and of the enrolled members thereof; 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. 14-071VJB (MHA Nation Pipeline Right-of-Way Terms and Conditions), and Resolution No. 15-0450LKH (Establishing a Procedure for the Approval of Leases, Rights of Way, Setback Variances and Permissions to Survey on Tribal Land); and
- WHEREAS,** Marathon Oil Company (“Marathon”) submitted an application for the Jones Road Pipeline Project, requesting a thirty foot (30’) in width pipeline right-of-way, for up to four (4) pipelines for oil, gas, produced water, and petroleum byproducts, across those Tribal Allotments listed in the below:

LOCATION:

Township 151 North, Range 94 West, of the 5th P.M., McKenzie County, ND, in .
the following Allotments:



- (1) 1774: SE of Section 28,
- (2) T1011A-C: NW of Section 27,
- (3) T1009A: SW and N2SE of Section 22
- (4) T2195: NE of Section 22
- (5) T1042A: SW of Section 14
- (6) 1010A; NWSW of Section 27

ACRES OF DISTURBANCE:

Allotment	Linear Feet	Linear Rods	Right-of-Way acreage
1774	3,195	193.68	2.20
T1011A-C	3,542.48	214.70	2.44
T1009	2,893.84	175.38	1.99
T2195	2,908.22	176.26	2.00
T1042A	473.89	28.72	0.33
1010A	209.43	12.69	0.14
Total	13,222.86'		9.10

WHEREAS, The application for the Jones Road Pipeline Project is submitted as a new ROW authorization, and will be located adjacent to Marathon's access road ROW No. FBOG100124; and

WHEREAS, The projected compensation to the MHA Nation for this ROW application is \$46,510.00; and

WHEREAS, The current ROW application, submitted by Marathon for the Jones Road Pipeline Right of Way Project, described herein 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 March 1, 2016, at a duly held meeting between of the Natural Resources Committee ("NRC"), the MHA Nation Energy Division recommended approval of Marathon's Jones Road Pipeline Project ROW application and consent request, and the NRC forwarded the matter to the Tribal Business Council for final action.

NOW THEREFORE BE IT RESOLVED, Subject to Marathon Oil Company'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 Exhibit A, and ROW consent, as follows:

- Marathon Oil Company – the Jones Road Pipeline for a thirty foot (30') in width pipeline right-of-way, for up to four (4) pipelines for oil, gas, produced water, and petroleum byproducts, across those Tribal Allotments listed in the below:

LOCATION:

Township 151 North, Range 94 West, of the 5th P.M., McKenzie County, ND, in the following Allotments:

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Total			9.10

BE IT FINALLY RESOLVED, that the Chairman is hereby to take such further actions as are necessary to carry out the terms and intent of this Resolution.



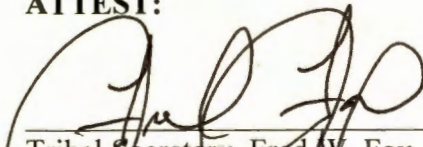
CERTIFICATION

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 March, 2017, 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.

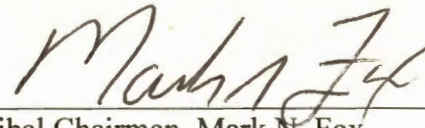
Chairman [X] Voting. [] Not Voting.

Dated this 8th day of March, 2017.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council



Tribal Chairman, Mark N. Fox
Tribal Business Council