



**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 Mandaree 7 SESW Pad Project Submitted by EOG Resources, Inc.*”

- 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. 17-117-FWF, 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,** EOG Resources, Inc. (“EOG”) submitted a ROW application for the Mandaree 7 SESW Pad Project for a Well Pad, three (3) well bores, access road, above ground pipelines, connecting flowlines, utilities, fiber optics, temp water line & above ground appurtenances, across certain Tribal tracts in Allotment 823A (0.0555824481 Tribal interest), in Section 7, Township 149 North, Range 94 West, and Allotment 868A (0.019398975 Tribal interest), in Section 18, Township 149 North, Range 94 West, in McKenzie County, North Dakota as more particularly described in Appendix A.1.; and



WHEREAS, The total acreage of the Mandaree 7 SESW Pad Project is 16.164 acres encompassing 6.728 acres for the Pad, 7.947 acres for the access road (consisting of 2,349.50 feet with a 150 foot width) and 1.489 acres for the pipeline (consisting of 2,162.63 feet with a 30 foot width) on Allotment 868A and Allotment 823A; and

WHEREAS, The projected compensation to the MHA Nation for this ROW application is a onetime payment of \$3,098.68; and

WHEREAS, The ROW application, submitted by EOG for the Mandaree 7 SESW 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 August 2, 2017, at a duly held meeting of the Natural Resources Committee ("NRC"), the MHA Nation Energy Division recommended approval of EOG's ROW application and consent request for the Mandaree 7 SESW Pad Project, more fully described herein, and in the attached Appendix A.1., and the NRC approved EOG's application and forwarded it to the Tribal Business Council for final action.

NOW THEREFORE BE IT RESOLVED, Subject to EOG Resources, Inc.'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:

- EOG Resources, Inc. – the Mandaree 7 SESW Pad Project, for a Well Pad, three (3) well bores, access road, above ground pipelines, connecting flowlines, utilities, fiber optics, temp water line & above ground appurtenances, across certain Tribal tracts in Allotment 823A (0.0555824481 Tribal interest), in Section 7, Township 149 North, Range 94 West, and Allotment 868A (0.019398975 Tribal interest), in Section 18, Township 149 North, Range 94 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 Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened and held on the 29th day of August, 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 29th day of August, 2017.

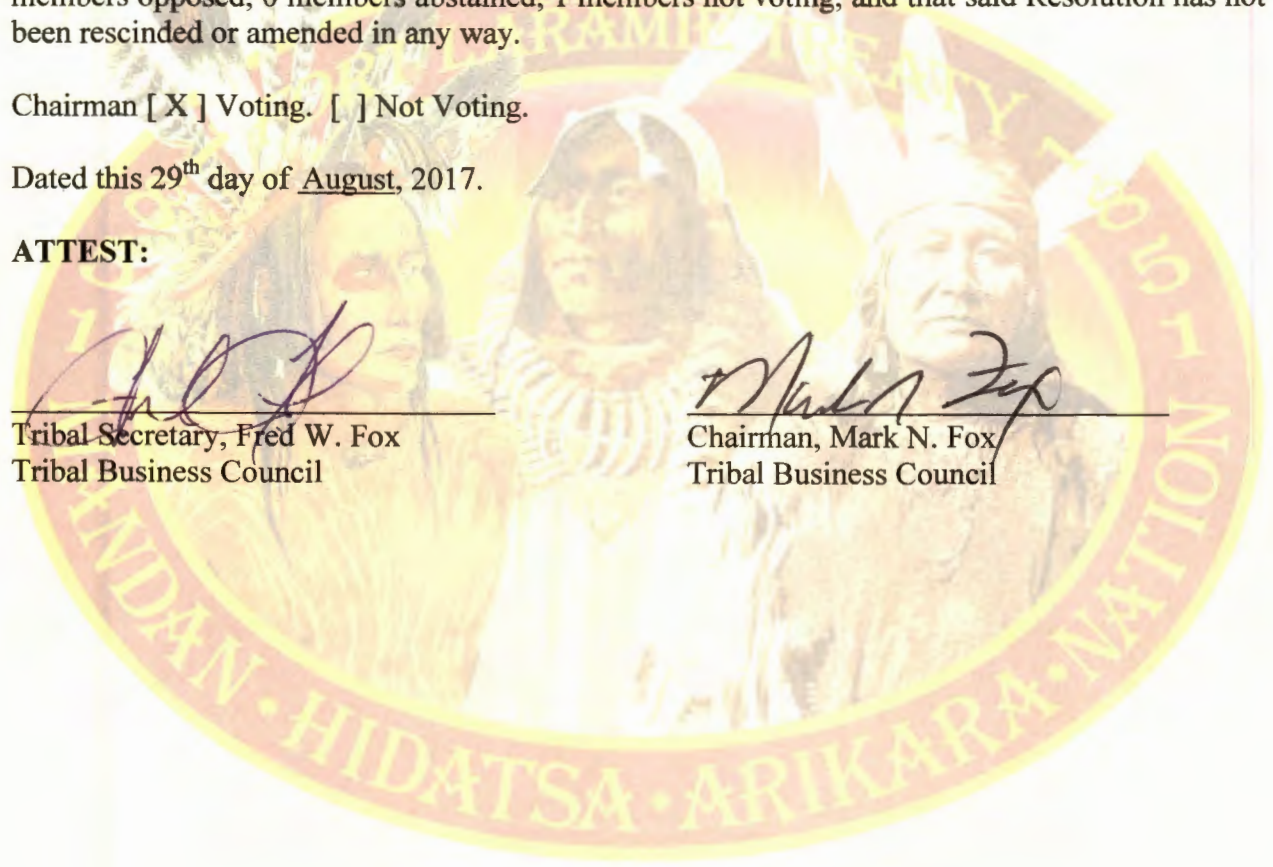
ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council



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 >

