



**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 Fort Berthold 148-95-22D-15-2H, 3H, 6H, 7H, 8H, 10H and Fort Berthold 148-95-27A-34-6H, 7H, 9H, 10H well pad expansion Project Submitted by HRC Operating, 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. 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,** HRC Operating, LLC (“HRC”) submitted a ROW application for the Fort Berthold 148-95-22D-15-2H, 3H, 6H, 7H, 8H, 10H and Fort Berthold 148-95-27A-34-6H, 7H, 9H, 10H Well Pad Expansion Project, for ten (10) wells, across certain tribal tracts in Allotments 2248 (35% tribal interest), in Section 22 and 27, Township 148 North, Range 95 West, in Dunn County, North Dakota as more particularly described in Appendix A.1.; and



WHEREAS, The projected compensation to the MHA Nation for this ROW application is \$23,130.10; and

WHEREAS, The ROW application, submitted by HRC for the Fort Berthold 148-95-22D-15-2H, 3H, 6H, 7H, 8H, 10H and Fort Berthold 148-95-27A-34-6H, 7H, 9H, 10H Well Pad Expansion 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 May 5, 2017 the MHA Nation Environmental Division issued HRC a \$25,000.00 citation stemming from a November 2016 spill on the Belford Pad which breached containment structures and which has not been fully remediated; 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 HRC's ROW application and consent request for the HRC Belford Pad Project, more fully described herein, and in the attached Appendix A.1., and the NRC approved HRC's application and forwarded it to the Tribal Business Council for final action, subject to HRC's payment of the \$25,000.00 fine described above, and its compliance with a tribal remediation plan.

NOW THEREFORE BE IT RESOLVED, Subject to HRC Operating, LLC 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:

- HRC Operating, LLC – the Fort Berthold 148-95-22D-15-2H, 3H, 6H, 7H, 8H, 10H and Fort Berthold 148-95-27A-34-6H, 7H, 9H, 10H Well Pad Expansion Project, for 10 wells, across certain tribal tracts in Allotments 2248, with 35% tribal interest, in Section 27, Township 148 North, Range 95 West, in Dunn County, North Dakota.

BE IT FURTHER RESOLVED, the Tribal Business Council hereby approves HRC's ROW Application for the Bedford Well Pad Expansion Project subject to HRC's payment of the \$25,000.00 fine issued by the Environmental Division and HRC's continued cooperation to adhere to tribal remediation requirements.

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.



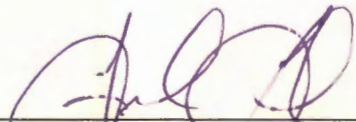
CERTIFICATION

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 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

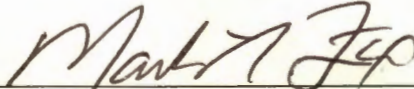
Chairman [X] Voting. [] Not Voting.

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 >