



**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  
Tipi V Pipeline Project Submitted by QEP Energy Company.”**

**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,** QEP Energy Company submitted a ROW application for the **Tipi V Pipeline** to construct and install up to four (4) pipelines carrying oil, gas and water below ground connecting new production from previously approved facilities to existing pipeline infrastructure, including at least one steel flowline carrying oil, gas and water, one steel pipeline carrying gas, and one flexsteel pipeline carrying water across certain Tribal tracts in **Allotment 1131A-A** (49.96% Tribal interest) in Section 24, Township 150 North, Range 95 West, in McKenzie County, North Dakota; and in **Allotment 1713** (5.06% Tribal interest) in Section 24, Township



150 North, Range 95 West, in McKenzie County, North Dakota, as more particularly described in Appendix A.1.; and

**WHEREAS,** The total acreage of the **Tipi V Pipeline** Project is 3.99 acres (2.793 acres for temporary disturbance and 1.197 acres for “permanent” disturbance) consisting of 1737.77 feet; and

**WHEREAS,** The ROW application, submitted by QEP Energy Company for the **Tipi V Pipeline** 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 \$2,288.67; and

**WHEREAS,** On August 30, 2017, at a duly held meeting of the Natural Resources Committee (“NRC”), the MHA Nation Energy Division recommended approval of QEP Energy Company’s ROW application and consent request for the **Tipi V Pipeline** Project, more fully described herein, and in the attached Appendix A.1., and the NRC approved QEP Energy Company’s application and forwarded it to the Tribal Business Council for final action.

**NOW THEREFORE BE IT RESOLVED,** Subject to QEP Energy 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 Appendix A.1, and ROW consent, as follows:

- QEP Energy Company – the **Tipi V Pipeline** Project, to construct and install up to four (4) pipelines carrying oil, gas and water below ground connecting new production from previously approved facilities to existing pipeline infrastructure, including at least one steel flowline carrying oil, gas and water, one steel pipeline carrying gas, and one flexsteel pipeline carrying water across certain Tribal tracts in **Allotment 1131A-A** (49.96% Tribal interest) in Section 24, Township 150 North, Range 95 West, in McKenzie County, North Dakota; and in **Allotment 1713** (5.06% Tribal interest) in Section 24, Township 150 North, Range 95 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

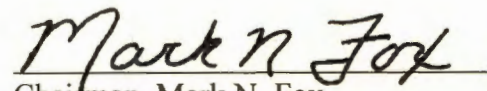
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (5) members of whom five (5) constitute a quorum, 5 were present at a regular Tribal Business Council Meeting thereof duly called, noticed, convened and held on the 15<sup>th</sup> day of September, 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 15<sup>th</sup> day of September, 2017.

  
Acting Secretary, Cory Spotted Bear  
Tribal Business Council

ATTEST:

  
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 >