



**RESOLUTION OF THE GOVERNING BODY OF THE
THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution entitled, “*Approval of Amended Global Settlement Agreement with Targa Badlands, LLC.*”

- 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,** Pursuant to the General Right of Way Act, 25 U.S.C. §§ 323-328 and 25 CFR Part 169, the Secretary of the Interior, acting through the Bureau of Indian Affairs is required to obtain the prior written consent of an Indian tribe before granting a right-of-way or easement on tribal lands; and
- WHEREAS,** On May 13, 2015, Targa Badlands, LLC (“Targa”) made a presentation and proposal to the Natural Resources Committee for a Global Settlement Agreement covering 39.838 acres of tribally owned land on the Fort Berthold Indian Reservation for a total compensation of \$2,535,421.98 for a twenty (20) year term; and
- WHEREAS,** The Energy Division negotiated the attached Global Settlement Agreement with Targa consistent with “MHA Nation Pipeline Right-of-Way Terms and Conditions” approved by the Tribal Business Council on May 28, 2014 via Resolution No. 14-089-VJB; and



Resolution No. 17-258-FWF

WHEREAS, Targa filled out the attached “MHA Nation Application for Rights of Way and Use of Right of Way” pursuant to Resolution No. 14-071-VJB passed by the Tribal Business Council on April 10, 2014; and

WHEREAS, the Natural Resources Committee recommended approval of the terms of the Global Settlement Agreement with Targa; and

WHEREAS, The Tribal Business Council approved the Global Settlement Agreement on May 28, 2015, with Resolution No. 15-080-LKH; and

WHEREAS, Subsequent to approval of the Global Settlement Agreement, Targa plans for pipeline construction on the original 39.838 acres have changed due to re-routes and producer drilling decisions, and therefore, only 15.119 acres under the original Global Settlement Agreement were applied for; and

WHEREAS, Targa desires to continue to request consent from the Tribal Business Council for the remaining 24.719 acres under the same terms and conditions of the original Global Settlement Agreement; and

WHEREAS, Targa and The Energy Division have agreed to the attached Amended Global Settlement Agreement relating to the remaining 24.719 acres and consistent with “MHA Nation Pipeline Right-of-Way Terms and Conditions” approved by the Tribal Business Council on May 28, 2014 via Resolution No. 14-089-VJB; and

WHEREAS, On October 10, 2017, at a duly held meeting of the Natural Resources Committee (“NRC”), the MHA Nation Energy Division recommended approval of the Amended Global Settlement Agreement with Targa, and the NRC approved the amended agreement and forwarded it to the Tribal Business Council for final action.

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby agrees to and approves the attached Amended Global Settlement Agreement with Targa Badlands LLC.

BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to execute the attached Amended Global Settlement Agreement with Targa Badlands, LLC, and 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 11th day of October, 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 11th day of October, 2017.

ATTEST:

Tribal Secretary, Fred W. Fox
Tribal Business Council

Tribal Chairman, Mark N. Fox
Tribal Business Council