



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

***A Resolution entitled, "Approval of Modification to BIA ROW No. FBOG100573 to Add Four Wells to the Missouri Pad, Fort Berthold 152-94-14D-11-3H, and Fort Berthold 152-94-14D-11-4H, Submitted by Bruin E&P 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,** On September 19, 2012, the Bureau of Indian Affairs ("BIA") granted to Petro-Hunt, LLC ("Petro-Hunt"), BIA ROW No. FBOG100573 for a Well Location and Access Road for the Missouri Pad, Fort Berthold 152-94-14D-11-3H and Fort Berthold 152-94-14D-11-4H, in Allotment 592A (08.68421053% Tribal interest), in the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 14, Township 152 North, Range 94 West, in McKenzie County, North Dakota as more particularly described in Appendix A.1.; and



- WHEREAS,** BIA ROW No. FBOG100573 is limited to and more particularly described to be an Access Road 141.39 feet in length and 100 feet in width for a total of .32 acres, and a Well Pad 350 feet by 565 feet for a total of 7.01 disturbed well pad acres, both totaling 7.33 total acres; and
- WHEREAS,** By Merger dated November 27, 2012, Petro-Hunt, L.L.C. merged into Halcón Williston I, LLC and Halcón Williston I, LLC was the remaining entity following such merger; and
- WHEREAS,** By Merger dated November 27, 2012, Pillar Energy L.L.C. merged into Halcón Williston II, LLC and Halcón Williston II, LLC was the remaining entity following such merger; and
- WHEREAS,** Effective as of June 1, 2017, Bruin Williston Holdings, LLC acquired the referenced Missouri Well Pad pursuant to that certain Agreement of Sale and Purchase by and among Halcón Energy Properties, Inc., Halcón Operating Co., Inc., HRC Operating, LLC and HRC Energy, LLC, as Sellers, Halcón Williston I, LLC and Halcón Williston II, LLC, as Companies, and Bruin Williston Holdings, LLC, as Purchaser, and Halcón Resources Corporation (for limited purposes), as amended (the "Agreement"); and
- WHEREAS,** In connection with the Agreement, Bruin Williston Holdings, LLC acquired Halcón Williston I, LLC and Halcón Williston II, LLC and changed the name of such entities to Bruin Williston I, LLC and Bruin Williston II, LLC and Bruin E&P Operating, LLC became the operating entity for any assets owned by the Bruin Williston I, LLC and Bruin Williston II, LLC; and
- WHEREAS,** Bruin E&P Operating, LLC submitted an application to modify ROW No. FBOG100573 to add four (4) wells to the Missouri Pad, Fort Berthold 152-94-14D-11-3H and Fort Berthold 152-94-14D-11-4H, across Allotment 592A (08.68421053% Tribal interest), in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 152 North, Range 94 West, in McKenzie County, North Dakota as more particularly described in Appendix A.1.; and
- WHEREAS,** The ROW application submitted by Bruin, described herein, adds and additional 0.929 acre disturbance to BIA ROW No. FBOG; and
- WHEREAS,** The ROW application, submitted by Bruin E&P Operating, LLC to modify ROW No. FBOG100573 to add four (4) wells to the Missouri Pad, 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,** The projected compensation to the MHA Nation for this ROW modification application is \$2,055.55 and

**WHEREAS,** On April 4, 2018, at a duly held meeting of the Natural Resources Committee (“NRC”), the MHA Nation Energy Division recommended approval of Bruin E&P Operating, LLC’s ROW application and consent request to modify BIA ROW No. 100573 to add four (4) wells to the Missouri Pad, more fully described herein, and the NRC approved Bruin E&P Operating, LLC’s application and forwarded it to the Tribal Business Council for final action.

**NOW THEREFORE BE IT RESOLVED,** Subject to Bruin E&P Operating, LLC’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, as follows:

- Bruin E&P Operating, LLC – Modification to ROW No. FBOG, to add four (4) wells to the Missouri Pad, Fort Berthold 152-94-14D-11-3H and Fort Berthold 152-94-14D-11-4H, adding 0.929 acre disturbance, across Allotment 592A (08.68421053 % Tribal interest), in the SW¼ SE¼ SE¼ of Section 14, Township 152 North, Range 94 West, in McKenzie County, North Dakota.

**BE IT FURTHER RESOLVED,** In accordance with the MHA Nation Standard Terms and Conditions for Right-of-Ways, the ROW application to modify BIA ROW No. FBOG101023, to add four (4) wells to the Missouri Pad, Fort Berthold 152-94-14D-11-3H and Fort Berthold 152-94-14D-11-4H, remains subject to the twenty (20) year term.

**BE IT FURTHER RESOLVED,** The MHA Nation Standard Terms and Conditions for Right-of-Ways, to be executed by Bruin E&P Operating, LLC and the MHA Nation Energy Division, constitutes a written agreement as part of the MHA Nation’s consent to the grant of the ROW modification, and therefore, as provided in 25 CFR §169.107(a), the Tribal Business Council requests Bureau of Indian Affairs to incorporate these terms and conditions into the ROW modification to add four (4) wells to the Missouri Pad, Fort Berthold 152-94-14D-11-3H and Fort Berthold 152-94-14D-11-4H.

**BE IT FURTHER RESOLVED,** The Tribal Business Council retains the authority, as well as the delegation of authority to the MHA Nation Energy Division and other Tribal departments, to issue fines and set conditions to address and resolve ROW trespass, abandonment, non-use, and other violations, including violations of applicable MHA Nation Standard ROW Terms and Conditions and pertinent Tribal Council Resolutions, and further requests the Bureau of Indian Affairs to defer to these remedies, in accordance with the intent and notice provisions in 25 CFR §169.403(a).



**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**

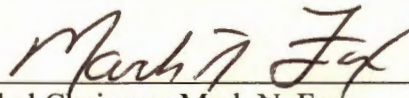
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 15<sup>th</sup> day of August, 2018, 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 August, 2018.

**ATTEST:**

  
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Tribal Secretary Fred W. Fox  
Tribal Business Council  
Three Affiliated Tribes

  
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Tribal Chairman Mark N. Fox  
Tribal Business Council  
Three Affiliated Tribes



**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 >