



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

A Resolution entitled, “Consent for Assignment of a Right-of-Way across Tribal land (Tract 1007A) from Whiting Oil and Gas Corporation to RimRock Oil & Gas Williston, LLC”

WHEREAS, The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and

WHEREAS, Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and

WHEREAS, The Constitution authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the MHA Nation and of the enrolled members thereof; and

WHEREAS, Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business 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. 13-109-VJB (Establishing Standardized Minimum Rates for Oil and Gas Lease Bonus, Royalties and Road and Pipeline Easements), 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), Resolution No. 17-117-FWF (Approval of Fee Structure), and Resolution Nos. 18-212-FWF and 21-082-FWF (Amending Fee Structure); and

WHEREAS, On October 4, 2016, Whiting Oil and Gas Corporation submitted a ROW application for the “Approval of consent to construct the MC MHA 14-11H Well



Pad” (the “MC MHA ROW”), which was approved by the Tribal Business Council on October 19, 2016; and

WHEREAS, RimRock Oil & Gas Williston, LLC has submitted an application to assign the MC MHA ROW to RimRock Oil & Gas Williston, LLC; and

WHEREAS, The ROW for this application consists of 6.81 acres on Allotment 1007A consisting of 0.6487603306% tribal interest.

WHEREAS, The ROW assignment request, described above, has been reviewed and recommended for approval in accordance with the MHA Nation’s approved procedure for authorizing ROWs on Tribal Land.

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby approves the following ROW assignment:

- Assignment from Whiting Oil and Gas Corporation to RimRock Oil & Gas Williston, LLC – of the MC MHA ROW, across Tribal Tract 1007A located in Section 11, Township 147 North, Range 93 West, in Dunn County, North Dakota.

BE IT FURTHER RESOLVED, that the assignee shall be subject to all applicable terms and conditions of the MC MHA ROW.

BE IT FURTHER RESOLVED, The Tribe does not consent to waive any bond, insurance, or alternative form of security.

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 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 FURTHER RESOLVED, That the term of the MC MHA ROW is not extended and shall be calculated from the date it was granted to the original applicant.

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.

[THIS SPACE INTENTIONALLY LEFT BLANK. CERTIFICATION FOLLOWS.]




CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 15th day of December, 2021; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 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 15th day of December, 2021.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council



Chairman, Mark N. Fox
Tribal Business Council