



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

Resolution entitled, “*Amending Resolution 21-149-FWF.*”

WHEREAS, The Mandan Hidatsa and Arikara Nation (the “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 Tribes; 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, Pursuant to the Indian Mineral Development Act of 1982 (“IMDA”), on January 7, 2008, the MHA Nation and Dakota-3, LLC, a North Dakota limited liability company, entered into Oil and Gas Lease Contract No. 7420A49001 (The “Oil and Gas Lease”); and

WHEREAS, On January 17, 2008, the Bureau of Indian Affairs (“BIA”) approved the Oil and Gas Lease, and the Consent to Assignment of Oil and Gas Lease form Dakota-3 to Dakota 3 E&P Company, LLC, a Delaware limited liability company, dated effective as of February 1, 2008; and

WHEREAS, On January 29, 2008, the BIA approved the assignment of the Oil and Gas Lease by Dakota-3 to WPX Energy Williston, LLC (“WPX”); and

WHEREAS, On September 10, 2008, the BIA approved a First Amendment to the Oil and Gas Lease; and

WHEREAS, Pursuant to Resolution 21-149-FWF the Tribal Business Council authorized a second amendment to the Oil and Gas Lease adding an additional 937.97 acres, more or less, within the Missouri riverbed to the Oil and Gas Lease; and

WHEREAS, The BIA has since recorded the MHA Nation’s trust title on the Big Missouri River tracts in April 2022, which includes the riverbed acreage added to the Oil and Gas



Lease, and which identified the actual acreage in the tracts as being 956.88 acres more or less; and

WHEREAS, The tracts are identified as MT 5599 (243.35 acres), MT 5600 (188.49 acres), MT 5601 (205.23 acres), MT 5602 (119.38 acres) and MT 5619 (200.43 acres) for a total acreage of 956.88 acres.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council hereby amends Resolution No. 21-149-FWF by removing the reference to 937.97 acres and replacing it with 956.88 acres.

BE IT FINALLY RESOLVED, That all other provisions of Resolution 21-149-FWF remain in full force and effect.

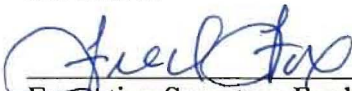
CERTIFICATION

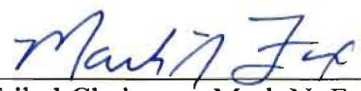
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 27th day of June, 2022, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 member not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. Not Voting.

Dated this 27th day of June, 2022.

ATTEST:


Executive Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes


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