



**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 (Allotments 871A) submitted by Arrow Pipeline, LLC”

WHEREAS, The Tribal Ownership identified herein is based on the most current Title Status Report issued by the United States Department of Interior, Bureau of Indian Affairs. If Tribal Ownership changes before the Bureau of Indian Affairs issues the Grant of Right of Way, the Bureau of Indian Affairs and Arrow Pipeline, LLC shall use the Tribal Ownership interest at the time the Grant of Right of Way is issued, and Arrow Pipeline, LLC agrees to pay the Tribal Ownership interest at the time of issuance.

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 Resolutions No. 18-212-FWF and 21-082-FWF (Amending Fee Structure); and

WHEREAS, Arrow Pipeline, LLC submitted a ROW application for RACING WELL CONNECT consisting of 1 Produced Water Pipeline and 1 50’ x 50’ surface sites, Temporary Construction Workspace of 0.271 Acres and 0.116 Permanent Acres Across Allotments Across Allotments 871A (32.38%) in Section 36 in T149N, R93W, Dunn County; North Dakota including the right of ingress and egress along the existing roads; and

WHEREAS, The ROW application, has been reviewed and recommended for approval in accordance with the MHA Nation’s approved procedure for authorizing ROWs on Tribal Land; and

WHEREAS, The Tribal Ownership identified herein is based on the most current Title Status Report issued by the United States Department of Interior, Bureau of Indian Affairs. If Tribal Ownership changes before the Bureau of Indian Affairs issues the Grant of Right of Way, the Bureau of Indian Affairs and Arrow Pipeline, LLC shall use the Tribal Ownership interest at the time the Grant of Right of Way is issued, and



Arrow Pipeline, LLC agrees to pay the Tribal Ownership interest at the time of issuance; and

NOW THEREFORE BE IT RESOLVED, Subject to the MHA Nation Standard Terms and Conditions for Right-of-Ways, and payment of applicable ROW fees, the Tribal Business Council hereby approves the ROW application, attached as Appendix A.1, and consents to the following Racing Well Connect for Arrow Pipeline, LLC consisting of:

- 1 pipeline and 1 50' x 50' surface sites being Temporary Construction Workspace of 0.271 Acres and 0.116 Permanent Acres.
- For a total disturbance of 0.387 acres on Tribal Interest.

Across Allotments 871A (32.38%) in Section 36 all in T149N, R93W, Dunn County; North Dakota.

BE IT FURTHER RESOLVED, the ROW shall have a 20-year term, from the date of the BIA's grant of the 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 MHA Nation Standard Terms and Conditions for Right-of-Ways are incorporated into this consent to the grant of the ROW, and therefore, as provided in 25 CFR §169.107(a), the Tribal Business Council requests the Bureau of Indian Affairs to incorporate these terms and conditions into the ROW grant.

BE IT FURTHER RESOLVED, The MHA Nation retains the authority 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 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.



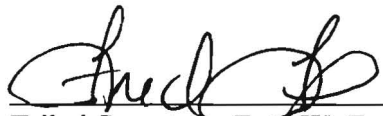
CERTIFICATION

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 8th day of February, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 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 8th day of February, 2023.

ATTEST:



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



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