



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

A Resolution Entitled, “*Authorizing Execution of Letter of Credit for the Plaza Pipeline Purchase*”

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, Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and

WHEREAS, Thunder Butte Petroleum Services, Inc. (TBPS), a wholly owned tribal company, is negotiating the purchase of the Plaza Pipeline from North Dakota Pipeline Company, LLC; and

WHEREAS, Acquisition of the pipeline will enhance the MHA Nation’s ability to develop its energy resources; and

WHEREAS, The proposed agreement requires a letter of credit in the amount of five million dollars (\$5,000,000) with a term of four years to secure the seller against environmental risk obligations brought to the seller that are not otherwise resolved and satisfied by TBPS.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council authorizes, subject to legal review, the execution of a letter of credit for the Plaza Pipeline purchase in an amount five million dollars (\$5,000,000) with a term of four years to secure against environmental risk obligations.

BE IT FURTHER RESOLVED, that the Tribal Chairman or an authorized officer of TBPS shall have the authority to execute the letter of credit.



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 8th day of March, 2023; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] voting. [X] not voting.

Dated this 8th day of March, 2023.

ATTEST:

Tribal Secretary, Fred W. Fox
Tribal Business Council

Tribal Chairman, Mark N. Fox
Tribal Business Council