



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

**A Resolution Entitled, “*Authorizing First Amendment to Gap Midstream Pipeline Operation Contract*”**

**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,** 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,** Pursuant to Resolution No 22-135-FWF, the MHA Nation executed an agreement with Gap Midstream, LLC (Gap Midstream) to operate a Pipeline that the Tribe purchased from Cenex Pipeline, LLC; and

**WHEREAS,** The Tribe is interested in exploring whether the pipeline is capable of carrying natural gas and requires a technical analysis in order to make this determination; and

**WHEREAS,** Gap Midstream proposed conducting an analysis of the technical capability of the line to transport natural gas for a cost not to exceed \$10,000.00; and

**WHEREAS,** The Tribal Business Council believes it is in the best interest of the MHA Nation to amend the Operator Pipeline Maintenance Contract Between the Three Affiliated Tribes and Gap Midstream LLC to facilitate Gap Midstream conducting this technical analysis to determine whether the pipeline is capable of transporting natural gas.

**NOW THEREFORE BE IT RESOLVED,** The Tribal Business Council hereby approves and authorizes the Chairman to sign, subject to legal review, the attached First



Amendment to the Operator Pipeline Maintenance Contract Between the Three Affiliated Tribes and Gap Midstream LLC (Attachment A) to facilitate Gap Midstream conducting a natural gas capability analysis for a cost not to exceed \$10,000.00.

**BE IT FINALLY RESOLVED**, The Chairman of the Tribal Business Council is authorized to execute such documents and take such actions as are necessary to carry out the terms and intent of this Resolution.

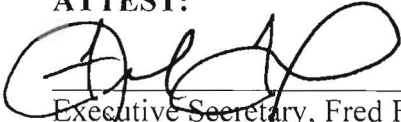
**CERTIFICATION**


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 9<sup>th</sup> day of November, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ X ] Voting. [ ] Not Voting.

Dated this 9<sup>th</sup> day of November, 2023.

**ATTEST:**

  
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Executive Secretary, Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

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