



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

A Resolution Entitled, “*Authorizing Purchase of Mineral Interests*”

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, On November 20, 2023 the MHA Nation received a letter from the Bureau of Indian Affairs (BIA) dated November 14, 2023 giving the MHA Nation notice of tribal member James Voigt’s application for a trust-to-fee sale of his undivided mineral interests in Allotment No. 301 M 1871 for a purchase price of \$2,500,000.00 and providing the MHA Nation 60 days to communicate the Tribe’s interest in purchasing the property; and

WHEREAS, If the MHA Nation does not communicate its interest in purchasing the property, the BIA will continue to process Mr. Voigt’s trust-to-fee land sale application; and

WHEREAS, The Tribal Business Council believes it is in the best interest of the MHA Nation to purchase Mr. Voigt’s minerals for development to generate revenue that will benefit of the MHA Nation and its members.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council hereby authorizes the MHA Nation to purchase James Voigt’s undivided mineral interests in Allotment No. 301 M 1871 containing 240 acres more or less in Township 147 North, Range 94 West in Dunn County, North Dakota for \$2.5 million.



BE IT FURTHER RESOLVED, The Tribal Business Council authorizes the Tribal Chairman to execute a letter expressing the MHA Nation’s interest in purchasing such mineral interests for submission to the BIA within the required 60-day timeframe.

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.

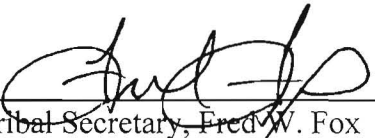
CERTIFICATION

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 10th day of January, 2024, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

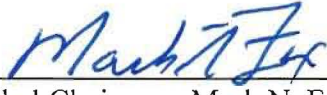
Chairman Voting. Not Voting.

Dated this 10th day of January, 2024.

ATTEST:



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



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



MANDAN, HIDATSA & ARIKARA NATION

Three Affiliated Tribes * Fort Berthold Indian Reservation
307 5th Avenue, New Town, North Dakota 58763
Tribal Business Council

Office of the Chairman
Mark N. Fox

Michelle Morrison
Acting Superintendent
Fort Berthold Agency
Bureau of Indian Affairs
P.O. Box 370
New Town, North Dakota 58763

January 10, 2023

Acting Superintendent:

On November 20, 2023, the Mandan, Hidatsa, and Arikara (MHA) Nation received a letter regarding an application “for a negotiated trust-to-fee sale” submitted by tribal member, James Voigt, regarding his undivided mineral interest in Allotment No. 301 M 1871. *See* Letter from Darrel Laducer to Chairman Mark N. Fox, at 1 (Nov. 14, 2023). This trust-to-fee sale is for all minerals in Allotment No. 301 M 1871 containing 240 acres in Township 147 North, Range 94 West in Dunn County, North Dakota for a purchase price of \$2,500,000.00. *Id.* This letter explains that the MHA Nation “may match the purchase offer contained in the trust-to-fee conveyance application” and if the MHA Nation were interested in matching the price and purchasing the property it may communicate that interest pursuant to “a written response” submitted “within 60-days from the date of th[e] letter.” *Id.*

Please accept this response letter as notice of the MHA Nation’s interest in purchasing Mr. Voigt’s undivided mineral interests in allotment 301 M 1871 for \$2,500,000.00.

Should you have any questions regarding the MHA Nation’s interest in purchasing these minerals please contact the MHA Nation’s Chief Executive Officer, Stella Berquist at sberquist@mhanation.com, cc’ing the MHA Nation’s Legal Counsel, John Fredericks III at jf3law.com.

Sincerely,

Mark N. Fox, MHA Nation Chairman