



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

*A Resolution entitled, “Approving Oil and Gas Agreement with WPX Energy Williston LLC.”*

**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,** Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; 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,** The Tribe has engaged in negotiations with WPX Energy Williston LLC (“WPX”) regarding an oil and gas agreement covering approximately 357.32 tribal mineral acres in Township 147N Range 92W; and

**WHEREAS,** After extensive negotiation, WPX has agreed to an Oil and Gas Agreement which provides that the Tribe will be a working interest owner in the development of 4 units in the Twin Buttes Area for the drilling and completion of approximately 42 wells, with the following economic terms; (1) a bonus of five thousand dollars (\$5,000) per net mineral acre, (2) WPX paying 100% of the costs to drill, complete and equip the wells (well costs), and (3) Upon recoupment of 100% of the well costs plus 25% for the costs of the capital, the Nation will receive 8/8ths of net proceeds of oil and gas production, being the difference between gross production and the usual and reasonable costs of production and operation.



**NOW THEREFORE BE IT RESOLVED**, Subject to legal review, the Chairman is hereby authorized to negotiate and execute an Oil and Gas Agreement pursuant to the Indian Mineral Development Act that contains the foregoing economic terms, to approve any non-material revisions deemed necessary to obtain approval of the Agreement by the Bureau of Indian Affairs, and to take such further action as is necessary to carry out the terms and intent of this Resolution.


**CERTIFICATION**

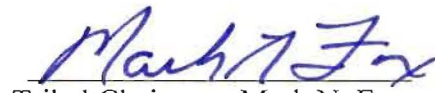
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 7<sup>th</sup> day of May, 2024, 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 [ ] Voting. [ X ] Not Voting.

Dated this 7<sup>th</sup> day of May, 2024.

**ATTEST:**

  
Executive Secretary Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

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