

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

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and authority under said Act; and
- WHEREAS, The Constitution and By-laws of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities for the welfare and benefit of the Tribe and tribal members; and
- WHEREAS, The Three Affiliated Tribes owns a significant amount of surface acreage within the boundaries of the Fort Berthold Reservation; and
- WHEREAS, Oil companies have expressed interest in the use of certain tribal lands for drilling well site and access road development; and
- WHEREAS, The Tribes may wish to negotiate the fees to be paid to them for the development and use of their lands and must appoint an authorized negotiator to insure and best protect the interests of the Tribes; and
- WHEREAS, It is agreed that the Chairman of the Tribal Business Council is knowledgeable in the development area and would act in the best interests of the Tribes,

NOW THEREFORE BE IT RESOLVED, That the Chairman and Secretary of the Three Affiliated Tribes Tribal Business Council be invested with the authority to negotiate these fees for Tribal lands with the respective oil companies and sign the "agreement for Well Site and Access Road Preparation and Use" document as the official representative of the Three Affiliated Tribes.

C E R T I F I C A T I O N

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 11 members of whom 7 constitute a quorum, were present at a Special meeting, thereof duly called, noticed, convened and held on the 5 day of August, 1980; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 11 members, 0 members opposed, 0 members abstained, 0 members not voting, and that the said resolution has not been rescinded or amended in any way.

Chairman (voting) (~~not voting~~)

Dated this 5 day of August, 1980


SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:


CHAIRMAN, TRIBAL BUSINESS COUNCIL

AGREEMENT FOR WELL SITE AND ACCESS ROAD PREPARATION
AND USE

By and Between

and the

THREE AFFILIATED TRIBES
of the
FORT BERTHOLD RESERVATION

On this date, _____, _____, 19____, the _____
(day) (month) (Oil Company)
and the Three Affiliated Tribes of the Fort Berthold Reservation agree to the
following:

The _____ hereby agrees to pay a fee of _____
(Oil Company)
dollars (\$ _____) per rod for access road construction and use to be paid
to the Three Affiliated Tribes, surface owner, located on and through the below
described lands:

And has further agreed to pay a fee of _____ dollars
(\$ _____) per _____ acre drill site for development and use to be
paid to the Three Affiliated Tribes, surface owner, located on the below described
lands:

And agrees to comply with the following conditions:

- 1) If any extraneous construction or development outside of the above described site and/or outside of the access road must be done, additional negotiations will be accomplished with the Three Affiliated Tribes prior to any actual construction or development, and
- 2) If the site is further developed for production or for any other purpose beyond the drilling activity, renegotiations with the Three Affiliated Tribes must be made prior to any such further development, and
- 3) All conditions and requirements as set out under the Bureau of Indian Affairs and Tribal Construction Regulations and Reclamation Plan must be complied with and adhered to, and
- 4) If at any time, the Oil Company is found to be in noncompliance with any condition set out within this agreement, this agreement will be terminated immediately upon the majority decision of the Three Affiliated Tribes Tribal Business Council.

The undersigned does hereby agree to pay the above fees and meet the conditions as set out within this agreement.

Name of Oil Company

Signature of Authorized Officer

Date

WITNESS:

The _____ has agreed to the above fees and conditions as witnessed by the signature of the Authorized Officer and the terms are hereby found to be to the satisfaction of the Three Affiliated Tribes. Therefore approval for well site development and use and access road preparation and use is hereby granted by the Three Affiliated Tribes and the Bureau of Indian Affairs to the _____
(Oil Company)

Chairman, Tribal Business Council

Three Affiliated Tribes of the
Fort Berthold Reservation

Date

Superintendent, Fort Berthold Agency
Bureau of Indian Affairs

Date