

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 is under said Act; and
- WHEREAS, The Constitution and By-laws of the Three Affiliated Tribes charge the Tribal Business Council of the Three Affiliated Tribes to protect and preserve the property, wildlife and natural resources of the Tribes, and
- WHEREAS, The Bureau of Mines of the Department of the Interior completed a Phase II field evaluation to correlate and map lignite deposits on the reservation; and
- WHEREAS, The Bureau of Mines at the request of the Bureau of Indian Affairs has recommended a drilling program, known as a "Phase III," to delineate areas of minable lignite, to provide reserve estimates, and to develop mine plans; and
- WHEREAS, The Phase III study will require the permission of the Three Affiliated Tribes for field personnel of the Bureau of Mines and their contractors to have access to drilling sites and to drill; and
- WHEREAS, The Bureau of Mines has agreed to provide the Tribal Business Council with reports that include all data collected and their interpretation;

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council, governing body of the Three Affiliated Tribes, hereby approves the Phase III drilling program as set forth above and grants permission to personnel of the Bureau of Mines and their contractors to conduct that program subject to the following conditions:

1. The period of the project and the period of permission to enter the reservation for that purpose shall begin on the date of this resolution's approval and shall continue until the Bureau of Mines has completed the agreed upon Phase III study.
2. The Bureau of Mines or its contractor will plug all drill holes and remove all refuse from the drill sites.
3. The Bureau of Mines agrees to provide reports, including all data collected and their interpretation.

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby requests that the Bureau of Mines conduct said Phase III study as set forth above and hereby grants permission for Bureau of Mines personnel and their contractors to enter the reservation going to and from the study areas.

BE IT FURTHER RESOLVED, that at the conclusion of the Phase III study, the Three Affiliated Tribes of the Fort Berthold Reservation and the Bureau of Indian Affairs will have exclusive rights to all resulting reports. The Bureau of Mines will direct all inquiries for information pertaining to the study to the Tribal Business Council.

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

It is hereby certified that the foregoing resolution of the Tribal Business Council, governing body of the Three Affiliated Tribes, composed of 11 members of whom 7 constituting a quorum were present at a meeting duly held on MAY 14, 1982, was adopted by the affirmative vote of 6 for and 1 against, pursuant to authority contained in the Constitution and By-laws of the Three Affiliated Tribes.

Austin H. Dierker

Chairman, Tribal
Business Council

Attest

[Signature]
Secretary, Tribal
Business Council

PROPOSED WORK PLAN

I. Need for Work

During a Phase II investigation of the Fort Berthold Indian Reservation, small tracts of Tribally-owned surface and coal rights were given cursory examination to determine their potential for small-scale development for local use. Several of these areas were drilled on a reconnaissance basis and appear to have a high development potential.

II. Description of Work

1. Conduct detailed surface mapping, drilling, logging, and coring to permit reliable engineering estimates of tonnage and quality of lignite on tracts of Tribally-owned surface and coal.
 - a) Utilize Tribal input to develop a priority listing of sites that would best meet the needs and provide optimum benefits to the Tribe.
 - b) Evaluate three sites and delineate areas of minable lignite.
 - (1) Drill and log 25-35 holes totaling approximately 3,000 feet, numbers dependent on the specific areas drilled.
 - (2) Analyze approximately 30 samples for Btu, proximate analyses, and sulfur content.
2. Provide both planar and cross-sectional maps showing lignite and overburden thicknesses in minable areas. Supply lignite reserve estimates. Develop mine plans to maximize development potential and minimize any possible adverse environmental impact of mining.
3. Duration of Project
 - (1) Work described is part of an overall 2-year study. Subject to this agreement, the Bureau of Mines will complete this aspect of work during the first year--fieldwork to be completed in approximately one month's time.
 - (2) A report, with maps, describing results of the first year's study will be completed by September 30, 1982.

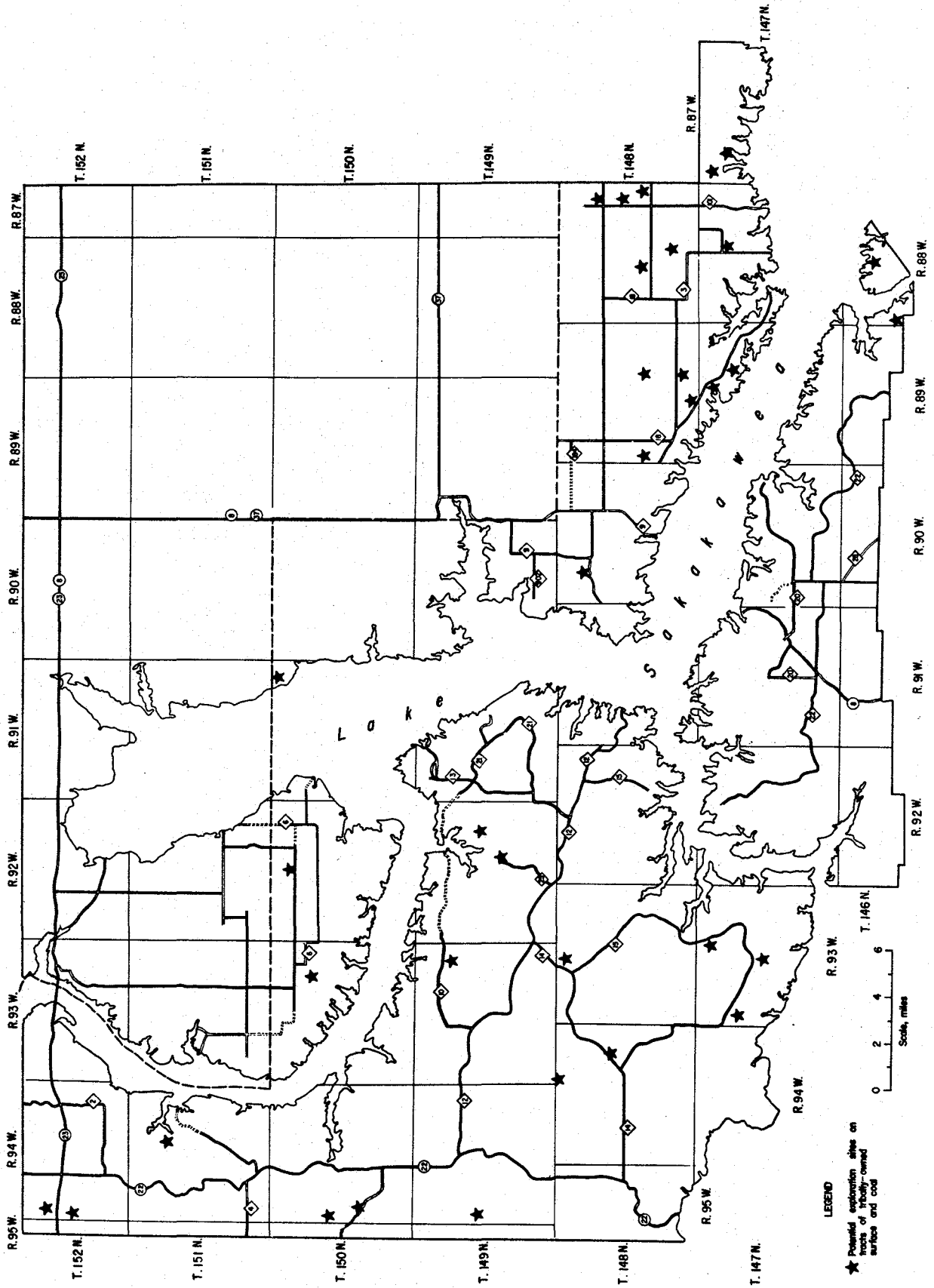


FIGURE 7. - Potential lignite prospect sites.