



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

A Resolution entitled, “*Approval of a Temporary Surface-Use Permit Agreement across Tribal Land (T 5480) Submitted by Marathon Oil Company.*”

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, The Tribal Business Council has the authority to grant temporary surface-use permit agreements across Tribal trust lands; and

WHEREAS, Marathon Oil Company submitted a Temporary Surface-Use Permit Agreement application for the Deep Creek USA Well Pad temporary above-ground water lines, which is 49.59 feet in length, 15 feet in width, and 0.020 acres in size, across Tribal tract 310-T5480, in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 148 North, Range 96 West of the 5th P.M., Dunn County, ND, with 100% Tribal interest; and

WHEREAS, The Temporary Surface-Use Permit Agreement application for the Deep Creek USA Well Pad, described above, has been reviewed and recommended for approval.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council hereby authorizes and approves the attached Temporary Surface-Use Permit Agreement as follows:



- Marathon Oil Company – for the Deep Creek USA Well Pad temporary above-ground water lines, which is 49.59 feet in length, 15 feet in width, and 0.020 acres in size, across Tribal tract 310-T5480, in the NW¼NW¼ of Section 13, Township 148 North, Range 96 West of the 5th P.M., Dunn County, ND, with 100% Tribal interest.

BE IT FINALLY RESOLVED, That the Chairman is hereby authorized to execute the attached Temporary Surface-Use Permit Agreement and take such further 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 6th day of October, 2021, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 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 [X] Voting. [] Not Voting.

Dated this 6th day of October, 2021.

ATTEST:


 Tribal Secretary, Fred W. Fox
 Tribal Business Council


 Chairman, Mark N. Fox
 Tribal Business Council