



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

A Resolution Entitled: “Streamlining Mineral Unitization Request Process ”

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, The Indian Mineral Development Act of 1982 (IMDA) allows the Tribe to enter into agreements for the development of its mineral resources; and

WHEREAS, Any unitization or communitization of mineral resources under an IMDA agreement must be approved by the Tribe; and

WHEREAS, The current process for approving a unitization or communitization request is time consuming and delays the operations of industry partners; and

WHEREAS, The Tribe formed the Energy Department to streamline development, assist industry partners, and otherwise empower the Tribe to develop its minerals; and

WHEREAS, A streamlined process must be developed for the processing of unitization or communitization request.

NOW, THEREFORE BE IT RESOLVED, The Energy Department shall review all requests for unitization or communitization.

BE IT FURTHER IT RESOLVED, The Energy Department shall create a form upon which all necessary information to review a unitization or communitization request can be placed.

BE IT FURTHER RESOLVED, The Energy Department shall confirm that all the information provided by the industry partner is correct and if it is not correct assist the industry partner in correcting the form.



BE IT FURTHER RESOLVED, Upon completion of the form and verification of information the Energy Department shall review the request and make a determination on whether to support or deny the unitization or communitization request.

BE IT FURTHER RESOLVED, The request and the decision of the Energy Department shall be forwarded to the Tribal Business Council.

BE IT FURTHER RESOLVED, The Tribal Chairman is authorized to make the final and binding decision to approve or deny the request for unitization or communitization upon approval by the Tribal Business Council.

BE IT FURTHER RESOLVED, The Tribal Chairman shall have the authority to execute all necessary documents to consent to a unitization or communitization request.

BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to execute such documents 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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 12th day of October, 2022, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 [X] Voting. [] Not Voting.

Dated this 12th day of October, 2022.

ATTEST:

Executive Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes

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