



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

A Resolution entitled, “Approving IMDA Lease with Marathon Oil Company In Township 152N Range 93W and Township 151N Range 93W.”

- 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 Marathon Oil Company regarding an oil and gas lease covering approximately 1,658.01 tribal mineral acres in Township 152N Range 93W and Township 151N Range 93W; and
- WHEREAS,** Marathon has agreed to the terms of an Indian Mineral Development Act lease (“the Lease”) attached as **Exhibit A**, which provides for a bonus of ten thousand dollars (\$10,000) per net mineral acre, a twenty-two percent (22%) royalty rate, plus an additional one-time past production lump sum payment of three million dollars (\$3,000,000) on the leased premises.
- NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council finds the terms of the Lease acceptable and hereby approves the attached Lease.



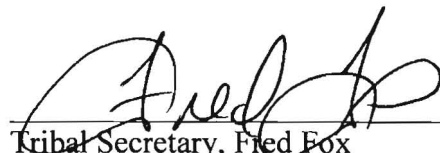
BE IT FURTHER RESOLVED, that the Chairman is hereby authorized to execute the Lease, to approve any non-material revisions deemed necessary to obtain approval of the Lease by the Bureau of Indian Affairs, and to take such further action as is necessary to carry out the terms and intent of this Resolution.

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 13th day of April, 2023, 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. Not Voting.

Dated this 13th day of April, 2023



Tribal Secretary, Fred Fox
Tribal Business Council
Three Affiliated Tribes



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