



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

A Resolution Entitled, “*Approving Oil and Gas Agreement With Marathon Energy*”

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (the “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,** 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 III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the Tribes; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes of the Nation; 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,** Through Resolution No. 23-164-FWF the Tribe approved an IMDA lease in favor of Lario for 168.26 Acres (Lario IMDA); and
- WHEREAS,** The Lario IMDA provides for a preexisting production payment which covers production on the leased premises from the date of first production until November 3, 2020; and
- WHEREAS,** The Lario IMDA becomes effective on the first day of the month following the date of approval by the BIA; and
- WHEREAS,** Because there is preexisting production on the leased premises, an agreement with Marathon Oil Company, the operator of the unit within which the leased premises are located, is required in order to ensure payment for production from November 3, 2020 until the effective date of the Lario IMDA.
- NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council approves the attached Oil and Gas Agreement with Marathon Oil Company.



BE IT FINALLY RESOLVED, That the Chairman is hereby authorized to execute the Oil and Gas Agreement, and to agree to such non material amendments as are required in order to obtain federal approval.


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 13th day of September, 2018, 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 [] Voting. [X] Not Voting.

Dated this 13th day of September, 2023.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council
Three Affiliated Tribes



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