



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

**A Resolution entitled, “*Authorizing a Partial Lease Assignment of Lease# 7420A42643 to Bastion Funding I, LLC*”**

**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,** On September 13<sup>th</sup>, 2023 D.W. Slate LLC, submitted an application for the assignment of three wellbores associated with Lease # 7420A42643 to Bastion Funding I, LLC, described as follows:

- CCU Badger 1-D-MBH API#33025031950000
- CCU Badger 1-C-TFH API# 33025031940000
- CCU Badger 1-B-MBH API# 33025031930000

**WHEREAS,** The request to assign the three wellbores has been presented to the MHA Nation Energy Committee and has been forwarded to the Tribal Business Council for action.



**NOW THEREFORE BE IT RESOLVED**, that the Tribal Business Council hereby authorizes the assignment of the three wellbores from D.W. Slate LLC to Bastion Funding I, LLC.

**BE IT FURTHER RESOLVED**, The MHA Nation does not waive, and hereby expressly reserves, any legal rights, defenses or claims it has against D.W. Slate, LLC or its predecessors in interest arising out of any of the Leases, including any claims or defenses against any rights claimed by the lessee or assignee thereunder.

**BE IT FURTHER RESOLVED**, The Assignee of the wellbores shall take the interest subject to any existing rights defenses or claims held by the MHA Nation.

**BE IT FURTHER RESOLVED**, The Assignee shall be subject to all applicable terms and conditions of the Leases.

**BE IT FURTHER RESOLVED**, The Tribe does not consent to waive any bond, insurance, or alternative form of security.

**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 13<sup>th</sup> day of September, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ ] Voting. [ X ] Not Voting.

Dated this 13<sup>th</sup> 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