



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

A Resolution Entitled, “*Authorizing and Approving Tribal Oil and Gas Lease Assignments*”

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(l) 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, Oil and Gas Lease No. 7420A42367 between the MHA Nation and Simray Production Company L.P. dated February 17, 2010, authorized through Resolution No. 10-022-VJB and approved by the Secretary of the U.S. Department of the Interior or their designee was assigned on multiple occasions with the approval of the U.S. Department of the Interior; and

WHEREAS, The Bureau of Indian Affairs cannot locate certain tribal consents necessary for these assignments, which prevents the Bureau of Indian Affairs from timely processing related Communitization Agreements (CAs) and which delays the payment of royalties to the affected mineral owners; and

WHEREAS, The Tribal Business Council believes it is in the best interest of the Tribe to provide the required tribal consent for these assignments.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council hereby approves the following assignments to Lease No. 740A42367 that were previously approved by the U.S. Department of the Interior:

1. Assignment of 100% lease interest from Simray Production Company, L.P. to Enerplus Resources (USA) Corporation dated July 6, 2010 and approved by the U.S. Department of the Interior on March 7, 2011.



- 2. Assignment of 100% lease interest from Enerplus Resources (USA) Corporation to Dakota-3 E&P Company, LLC dated August 16, 2011 and approved by the U.S. Department of the Interior on January 12, 2012.

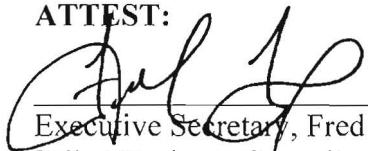
BE IT FINALLY RESOLVED, The Chairman of the Tribal Business Council is authorized to execute such documents and take such actions as are necessary to carry out the terms and intent of this Resolution.

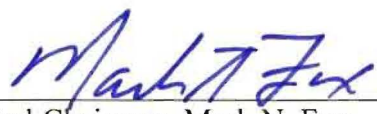
CERTIFICATION

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 9th day of November, 2023, 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 9th day of November, 2023.

ATTEST:


 Executive Secretary, Fred Fox
 Tribal Business Council
 Three Affiliated Tribes


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