



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

A Resolution Entitled, “*Authorizing and Approving Communitization Agreements*”

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, All Communitization Agreements (CAs) that implicate tribal minerals require the approval of the Tribal Business Council; and

WHEREAS, Pursuant to Resolution No. 22-248-FWF the Tribal Business Council directed the MHA Nation Energy Department to review all requested CAs implicating tribal minerals and make a determination regarding whether to support or deny requested communitization; and

WHEREAS, The Energy Department completed their review of CA Agreements NDMT106319440 and NDMT106319271 on November 21, 2023, as reflected in Attachments A and B, and has recommended that they both be approved.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council hereby adopts the recommendation of the Energy Department and authorizes and approves the following CAs described below:

- NDMT106319440 in Township 150 North, Range 93 West, Sections 27, 28, 33 & 34, in Mountrail and Dunn Counties, North Dakota.
- NDMT106319271 in Township 150 North, Range 93 West, Sections 27 and 28, in Mountrail and Dunn Counties, North Dakota.



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 Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting there of duly called, noticed, convened, and held on the 7th day of December, 2023; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 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 7th day of December, 2023.

ATTEST:


Tribal Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes


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

CA Checklist

E/C Date: 11/29/2023 TBC Date: _____

Company Submitting Request: WPX Energy

Submittal Date: 11/21/2023

Communitized Area Operator: WPX Energy Williston LLC

CA Agreement #: NDMT106319440

CA Effective Date: December 1, 2023

Overlapping Unit (Y/N): Yes

Overlapping Base CA's: NDM 102723, NDMT 106319271

CA Acres Committed: 2560.00

Legal Description of Lands Committed per CA Document:

Township 150N, Range 93W

Sections 27, 28, 33 & 34: All

Mountrail and Dunn Counties, ND

Initial Well Name from CA: Bull Moose 28-27HEL

NDIC File No.: 39728

API#: 33-025-04672-00-00

Spud Date: 07/31/2023

Completion Date: Drilling

Tribal Tract(s) Included in CA: Need Base CA's to identify tribal lands

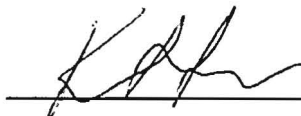
Lease Number(s) Committed to CA:

Tribal Interest in CA: 75% including Riverbed leased under second amendment to IMDA 7420A49001.

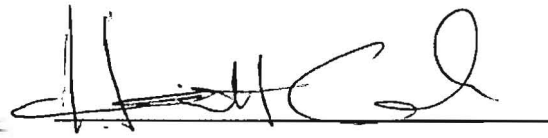
Any Unleased Lands in CA:

If Initial well is producing are any payments being made: Need copies of the Base CA's to verify tribal interest.

MHA Energy Recommendation:



MHA Energy Director



MHA Energy Realty

CA Checklist

E/C Date: 11/29/2023 TBC Date: _____

Company Submitting Request: WPX Energy Williston Submittal Date: 11/14/2023
Communitized Area Operator: WPX Energy Williston

CA Agreement #: NDMT106319271 CA Effective Date: 12/1/2023

Overlapping Unit (Y/N): No

Overlapping Base CA's:

CA Acres Committed: 1,280 acres

Legal Description of Lands Committed per CA Document:

Township: T150N, Range: 93W

Sections : All of 27 and 28

Mountrail and Dunn Counties, ND

Initial Well Name from CA: North John Elk 28-27 HW

NDIC File No: 39697 API#: 33025046600000

Spud Date: 6/19/2023 Completion Date: Confidential

Tribal Tract(s) Included in CA: MT1935, MT5007, MT1661-B, MT1949, MT5006, T5601, T5602

Lease Number(s) Committed to CA: 7420A49001, 7420A42818, 7420A49733

Tribal Interest in CA: 920 ACRES, 71.875%

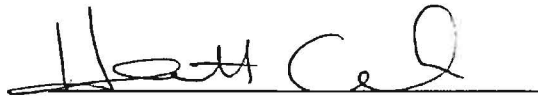
Any Unleased Lands in CA: No

If Initial well is producing are any payments being made:

MHA Energy Recommendation:



MHA Energy Director



MHA Energy Realty