



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

A Resolution entitled, "Approving Oil and Gas Development Agreement with Marathon Oil Corporation (AKA Conoco Phillips) for a portion of the Little Missouri Riverbed."

- 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,** 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 MHA Nation has engaged in negotiations with Conoco Phillips, also operating as Marathon Oil Corporation, regarding an oil and gas development agreement covering approximately 101 tribal mineral acres under the Little Missouri River in Sections 21, 22, and 23, Township 147N Range 94W, as more particularly described in the legal description attached hereto, and
- WHEREAS,** The Tribal Business Council finds it acceptable to enter into an Oil and Gas Agreement pursuant to the Indian Mineral Development Act which provides the following economic terms: (1) for existing production of oil and gas through the date of execution of the IMDA, payment to the MHA Nation of 100 percent of the gross revenue earned from oil and gas production for any wells previously drilled and completed, less usual and reasonable costs of drilling completing and maintaining the wells; (2) for production on and after the date of execution of the IMDA, payment to the MHA Nation of 100 percent of the gross revenue earned from oil and gas production, less reasonable costs of drilling completing and maintaining the wells.



BE IT FINALLY RESOLVED, That the Tribal Business Council hereby authorizes, the Chairman, subject to legal review, to negotiate and execute an Oil and Gas Agreement pursuant to the Indian Mineral Development Act that contains the foregoing economic terms, to approve any non-material revisions deemed necessary to obtain approval of the Agreement 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 7th day of May, 2026, 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 [X] Voting. [] Not Voting.

Dated this 7th day of May, 2026.

ATTEST:



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



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