



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

A Resolution Entitled, “*Ratifying Executive Action No. 2026-15 and Authorizing Execution of a Limited Authorization to Proceed with Interchange Energy 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, The MHA Nation had an urgent need to enter into a Limited Authorization to Proceed with Interchange Energy LLC to engage in preliminary services for the future construction of an approximately 3MW Photovoltaic DC Solar System for the benefit of the NE Segment (the “Project”); and

WHEREAS, In order to promptly respond to the time sensitive need, on June 30, 2026, the Tribal Business Council approved Executive Action No. 2026-15, which authorized execution of the Limited Authorization to Proceed.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council hereby ratifies Executive Action No. 2026-15 and authorizes execution of a Limited Authorization to Proceed with Interchange Energy LLC with regard to preliminary services for a Solar Project intended to offset energy consumption in 7-8 Tribal buildings in the NE Segment. Such services shall be performed and products provided shall meet or exceed all business and industry standards. They shall include: Engineering and design development, Site investigations and constructability reviews, Permitting and regulatory coordination, Project scheduling and construction planning, Procurement activities necessary to preserve pricing, availability, manufacturing allocations, and tax credit eligibility, Construction of inverter pads as well as installation of some ground mount materials, and Other reasonable pre-construction services necessary to advance the Project. The Limited Authorization to Proceed shall be for an amount not to exceed \$500,000.00.

BE IT FURTHER RESOLVED, That the Limited Authorization to Proceed with Interchange Energy LLC is for certain preliminary services in advance of what shall eventually



become a construction contract to complete the Project which shall have a Project budget not to exceed Six Million Dollars (\$6,000,000), and to be paid over two (2) fiscal years, FY2027 and FY2028.

BE IT FURTHER RESOLVED, That the Tribal Business Council hereby authorizes application for a Federal Investment Tax Credit in the amount of Three Million Dollars (\$3,000,000) for the Project pursuant to Section 6417 of the Internal Revenue Code. The Tribal Business Council further acknowledges that the execution of any future construction contract with Interchange Energy LLC for completion of the Project shall be expressly contingent upon the Tribe's receipt of such tax credit or other satisfactory funding, as determined by the Tribe.

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.

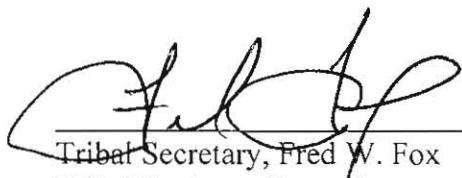
CERTIFICATION

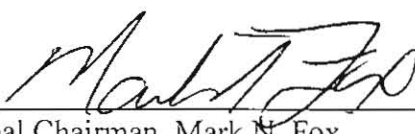
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 8th day of July, 2026, 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 ☒ Voting. ☐ Not Voting.

Dated this 8th day of July, 2026.

ATTEST:


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


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