



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

*A Resolution entitled, "Amendment to Resolution No. 26-079-FWF entitled
"Consent to Modification of a Right-of-Way across Tribal land (T991A, T1810
& 2143) for the Twin Buttes Gathering System Project Submitted by Devon
Energy Williston, L.L.C."*

- 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,** Applications for Rights-of-Way ("ROWS") on Tribal Land are subject to the requirements of tribal law, including Resolution No. 13-109-VJB (Establishing Standardized Minimum Rates for Oil and Gas Lease Bonus, Royalties and Road and Pipeline Easements), Resolution No. 14-071-VJB (MHA Nation Application for Rights-of-Way and Use of Right-of-Way), Resolution No. 14-089-VJB (MHA Nation Pipeline Right-of-Way Terms and Conditions), and Resolution No. 15-045-LKH (Establishing a Procedure for the Approval of Leases, Rights-of-Way, Setback Variances and Permissions to Survey on Tribal Land), Resolution No. 17-117-FWF (Approval of Fee Structure), and Resolution No. 18-212-FWF and 21-082-FWF (Amending Fee Structure); and



WHEREAS, Devon Energy Williston, L.L.C. submitted a ROW application to modify the Twin Buttes Gathering System Project, across certain Tribal tracts in Allotments T991A, T1810 & 2143 (100% Tribal Interest in allotments T991A, T1810 & 55.5555556% Tribal Interest in allotment 2143), located in Sections 25, 26 & 36, of Township 147 North, Range 92 West, in Dunn County, North Dakota as more particularly described in Appendix A.1.; and

WHEREAS, The ROW for this application consists of Pipeline, and Above-Ground Appurtenances; and

WHEREAS, The ROW for this application amends the route through Allotments T991A, T1810 & 2143; and

WHEREAS, Devon Energy Williston, L.L.C. requests a partial assignment of the Crude portion of the pipeline to Black Diamond Investment Group, LLC, the Water portion of the pipeline to Henry Hill Oil Services LLC, and the Gas portion of the pipeline to ONEOK Rockies Midstream, LLC; and

WHEREAS, The ROW application and assignment request, described above, has been reviewed and recommended for approval in accordance with the MHA Nation's procedure for authorizing ROWs on Tribal Land; and

WHEREAS, Tribal Business Council passed Resolution No. 26-079-FWF entitled "Consent to Modification of a Right-of-Way across Tribal land (T991A, T1810 & 2143) for the Twin Buttes Gathering System Project on April 8, 2026; and

WHEREAS, After approval of Resolution No. 26-079-FWF Devon Energy Williston, L.L.C. realized the stated disturbance amounts stated for allotments T991A, T1810 and 2143 were incorrect; and

WHEREAS, Devon Energy Williston, L.L.C. hereby submits this application to amend the disturbance amounts for the aforementioned allotments to the corrected acreage.

NOW THEREFORE BE IT RESOLVED, Subject to the MHA Nation Standard Terms and Conditions for Right-of-Ways, and payment of applicable ROW fees, the Tribal Business Council hereby approves the amended ROW application, attached as Appendix A.1, and consents to the following ROW:

- Devon Energy Williston, L.L.C. - Twin Buttes Gathering System Project:
 - A Pipeline(s) ROW in allotment T991A being 4,845.30' in length, 3.34 permanent acres and 7.79 temporary acres.
 - A Pipeline(s) ROW in allotment T1810 being 1,887.04' in length, 1.29 permanent acres and 3.02 temporary acres.



- A Pipeline(s) ROW in allotment 2143 being 4,500.83' in length, 3.10 permanent acres and 7.23 temporary acres.

Across certain tribal tracts in Allotments T991A, T1810 & 2143 in Sections 25, 26 & 36, of Township 147 North, Range 92 West, in Dunn County, North Dakota, with 100% Tribal Interest in allotments T991A, T1810 & 55.55555556% Tribal Interest in allotment 2143.

BE IT FURTHER RESOLVED, This Resolution amends 26-079-FWF in relation to the disturbance amounts.

BE IT FURTHER RESOLVED, the ROW shall have a 20 year term.

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

BE IT FURTHER RESOLVED, The MHA Nation Standard Terms and Conditions for Rights-of-Way are incorporated into this consent to approval of the ROW, and therefore, as provided in 25 CFR §169.107(a), the Tribal Business Council requests the Bureau of Indian Affairs to incorporate these terms and conditions into the grant of the ROW.

BE IT FURTHER RESOLVED, The Tribe retains the authority to issue fines and set conditions to address and resolve ROW trespass, abandonment, non-use, and other violations, including violations of the applicable MHA Nation Standard Terms and Conditions for Rights-of-Way, and further requests the Bureau of Indian Affairs to defer to these remedies, in accordance with the intent and notice provisions, as provided in 25 CFR §169.403(a).

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.

[Remainder of Page Left Blank, Certification Follows]



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 19th day of August, 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 ☒ Voting. ☐ Not Voting.

Dated this 19th day of August, 2026.

ATTEST:



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



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