



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

A Resolution Entitled, "Amending Resolution 08-128-VJB and Approving A Settlement Agreement with EOG Resources and Lime Rock Resources "

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, On 8/1/2008, the Tribal Business Council approved Resolution 08-128-VJB which leased tract TM 679A (described as Township 150N Range 94W Section 31: E/2 (320 acres)) for a term of 1 year to Sundance Energy, Inc. (Sundance); and

WHEREAS, Resolution 08-128-VJB also leased Tract TM 707A-A (described as Township 149N Range 94W Section 4: E/2NE/4 (79.73 acres)) to Sundance for a term of 5 years; and

WHEREAS, On 9/11/2008, the BIA approved Oil and Gas Lease 7420A41831 for Tract MT 679A (679A Lease)) for a term of 5 years; and

WHEREAS, On 9/11/2008, the BIA approved Oil and Gas Lease 7420A41830 for Tract MT 707A-A (707A-A Lease) for a term of 5 years; and

WHEREAS, On 4/01/2009, Sundance signed an assignment to EOG Resources, Inc. (EOG) for 90% of its interest in the 679A Lease and the 707A-A Lease (collectively Leases); and

WHEREAS, On 9/1/2013, Sundance signed an assignment of the remaining 10% interest in the Leases to NRP Oil and Gas, LLC (NRP); and

WHEREAS, On 4/1/2016, NRP signed an assignment of the same interest to Lime Rock Resources (Lime Rock); and

WHEREAS, The assignments of the Leases were invalid without the consent of the Tribe; and



WHEREAS, The discrepancy in the 1-year term approved by the Tribe for Lease 679A and the 5-year term granted by the BIA makes the Lease potentially invalid; and

WHEREAS, EOG and Lime Rock request that the Tribal Business Council amend Resolution 08-128-VJB to consent to a 5-year term for the 679A Lease; and

WHEREAS, EOG and Lime Rock request that the Tribal Business Council amend Resolution 08-128-VJB to change the legal description for the 707A-A Lease to Township 149N Range 94W Section 4: Lot 1, E/2SE/4, SE/4NE/4 (159.73 Acres); and

WHEREAS, EOG and Lime Rock request that the Tribal Business Council consent to the assignments of the Leases; and

WHEREAS, EOG and Lime Rock desire to fully and finally resolve all issues and disputes concerning the validity of the Leases and their assignments; and

WHEREAS, EOG and Lime Rock have proposed a Settlement Agreement to fully resolve this matter.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council approves the Settlement Agreement.

BE IT FURTHER RESOLVED, That the Tribal Business Council hereby amends Resolution 08-128-VJB to consent to a 5-year term for Lease MT 679A.

BE IT FURTHER RESOLVED, That the Tribal Business Council amends Resolution 08-128-VJB to change the legal description for the MT 707A-A Lease to Township 149N Range 94W Section 4: Lot 1, E/2SE/4, SE/4NE/4 (159.73 Acres) .

BE IT FURTHER RESOLVED, That the Tribal Business Council hereby consents to the assignments of the Leases from Sundance Energy, Inc. to EOG Resources and NRP Oil and Gas LLC, and from NRP Oil and Gas LLC to Lime Rock Resources.

BE IT FURTHER RESOLVED, That the Tribal Business Council hereby consents to the assignment of Lease 7420A41830 (allotment MT 707A) from EOG Resources and Lime Rock Resources to Missouri River Resources.

BE IT FINALLY RESOLVED, That the Chairman is hereby authorized to execute the Settlement Agreement and Assignments, and to agree to such nonmaterial amendments as are required in order to obtain federal approval. The Chairman is authorized to 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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 10th day of January, 2024, 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 Voting. Not Voting.

Dated this 10th day of January, 2024.

ATTEST:



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



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