



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

A Resolution Entitled, “*Approving Letter of Intent with eClave LLC for Development and Operation of a Data Center on FBIR.*”

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 VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and

WHEREAS, eClave is an energy-infrastructure company that develops tier 0 data centers and modular natural-gas microgrids—turning under-utilized or flared gas into low-cost, high-uptime power for intensive computing; and

WHEREAS, eClave has presented a non binding Letter of Intent for the development and operation of a Tier 0-1 data center that would utilize electricity generated by methane gas with both to be provided by the Tribe; and

WHEREAS, The Tribe would benefit from development and operation of a data center on FBIR by eClave LLC through the receipt of monthly lease income, plus a percentage of gross revenue generated by the data center, the sale of natural gas to support the power facility and the sale of electricity generated by natural gas produced on the Reservation.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council hereby approves the attached non binding Letter of Intent between eClave LLC and the Tribe for development and operation of a Tier 0-1 data center on tribal land.



BE IT FINALLY RESOLVED, That the Chairman is hereby authorized, subject to legal review, to execute the Letter of Intent and 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 14th day of July, 2025, 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 14th day of July, 2025.

ATTEST:



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



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