



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
NATURAL RESOURCES COMMITTEE  
RESUMED AUGUST 30, 2011**

**CALL TO ORDER:**

On August 30, 2011, the Committee Chairman Arnold Strahs reconvened the Natural Resources Meeting from July 26, 2011.

**ROLL CALL:**

Present: Committee Chairman, Councilman Arnold Strahs, Councilwoman V. Judy Brugh, and Councilman Scott Eagle. A quorum was established with three members present.

**01. SUNDRE SAND AND GRAVEL AGREEMENT:**

Sundre Sand & Gravel, Inc. a corporation in Minot North Dakota is proposing to purchase clay, sand, and gravel material from the Gravel Pit owned by the Four Bears Segment of the Three Affiliated Tribes. It was discussed by the committee that it is hard to find good quality gravel and that the first responsibility is to our enrolled members. Other gravel pits located on the reservation were discussed but are private ownership. The Representative for Four Bears Area informed the group she is working on a proposal with a consultant and a Construction Company who are enrolled members, to build a lagoon for the Thunder Butte Sub-division in lieu of funding they would receive gravel. She will discuss this proposal with them and the Natural Resource Administrator who will then contact the Sundre Inc.

In reference to the Fru-Con Building —Beaver Creek Construction was given a Notice to Vacate at the end of October with the understanding that TAT Roads Department will occupy the premises. Beaver Creek proposed to purchase but money suggested wasn't feasible.

**02. TRIBAL HOMESITE LEASE APPLICATION: *Ed Fox Presenter***

Councilman Frank Whitecalfe moved to approve a blanket lease for the following Tribal Home Site Lease Applicants: **1. Waylon Young Bird**, Home site Mandaree area west of Pow-wow Section 11, Township trying to stay away from Pow-wow grounds coming out of the of the Housing area. Names are hard to understand print them put them away of development

*Recommendation or if they are looking Waylon good home site out of the way maybe the TBC wouldn't want to approve. As far as NRD they are all good. **Cletus Foote Lucky Mound area.** SW of Earth lodges they are on top of the ridge. Careful when we start giving home sites out they are tribal is a ¼ of a mile from the main road, close to a water source. ½ mile off the road and it's on the oil field road and he's got permission right of way Darrel Quail has to cross his land to get to Forest Mandan is tabled.*

**3. Judy Yesslith**, her maiden name is Conklin and wants a lot on top of Dakota Drive and at one time it was leased to Alyce Spotted Bear and now it's given to Heath Knight. Heath wants a site at Van Hook. She's called me up and I don't know exactly where it's at. I heard there was a squabble and now it's vacant tried to get it leased out two or three times. Those that didn't want it I don't want to get into a

*It's on the west side as long as its empty and labeled. 4. Eldora Mossett, Ellie Twin Buttes I believe the trailer is already there and she just need the approval. 5. Leslie Crowsheart, Lester Crows Hearts daughter that's going down towards Clark Creek where Charlie Moran and Joy Chapin has their home site it's a good homesite and there's three of them there now a little village there. Looks like Lester but I think her name is Lisa. 6. Ethel Reeves, she requested to be in Bakersfield there's room in that area. Didn't somebody have to lease at two lots to have a septic area. It'll be 21/2 areas and that's enough room for a septic. 7. Garrett, Tyler, Justin Whitecalfe, 310A-C in Lucky*

Mound (10 acres) for the three gentlemen there. These are homesites one big homesites I believe they are going to be in the same area. I went through Mervin on that and he recommended that spot. Water and power, electricity.

**8. Roberta Krueger:** Because of the situation out there she wants to move to Van Hook, She be there somewhere 123 acres there. Negotiate that When we have people on fee lands our taxes go up and been very kind to tribal members for \$50 a year doesn't pay for \$1500 taxes raise anything under fee land because our taxes are getting really high. When they have attach to Real Estate to modify leases to have them pay for taxes. We may have to do that with some of the houses that are on agriculture lots as we are losing money on the lots. Richard Mayer this is a 25 year lease with an option to renew another 25 years lease. They all have an option when they renew **9.** Another individual Monica McKenzie-Johnson: to transfer lease from Thunder Butte to Van Hook area. Ed Fox marked off a lot for her and has to get her new description approve through the committee and we'll get her new description on the new contract. It's got to be just a modification of the contract—

to approve all leases except for Forest Mandan's lease is tabled until it is sized and inspected.

Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**WAYLON YOUNG BIRD –TRIBAL HOME SITE LEASE:**

I, hereby apply to lease, for a purpose of a home site, the following described Tribal land, for a period of twenty-five (25) years, beginning January 1, 20\_\_\_ and ending December 31st, 20\_\_\_\_.ALLOT. NO. T694A, described as **NE1/4- NE1/4 -NE ¼** Sec. **11**, Twp. **149 N**, Rge. **94 W**, Fifth Principal Meridian, North Dakota containing **2.5** acres or feet (specify) for **25** years @ **\$25.00** per (circle one) month or **year**(s).

**THUNDER BUTTE SUB-DIVISION:**

The infrastructure of the Subdivision of Thunder Butte was discussed by the members: Jason Wold put up septic tanks for approximately 11 to 13 septic tanks for the lots in the Thunder Butte area. In doing inspecting the mobile home it was discovered people are not living in the FEMA trailers nor are the families who moved their trailers out there, occupying them. Natural Resources Administrator requested permission to give eviction notices to those not occupying their lots. The tenants who are living out there needing septic tanks; they're trailers will be moved to the lots that have them.”

The tenant needs to be responsible for demolishing or moving their trailer out of the sub-division. It was further discussed if the TAT staff did touch trailer they could be held liable. The best recommendation was to take the concern to tribal court and go through the process to have them considered abandoned then the tribe can have them crushed. Whereas that code at on the legal process it was passed 7 or 8 years ago. If they are abandoned and left sanitation codes and when you start getting rodents and snake

It was consensus of the committee to have the Natural Resource Staff draft a policy addressing the Demolition of Abandoned Trailer Homes Policy— burn or bury equipment as such.

Some of the members who received FEMA Trailers are leasing them out at \$1000 a month. The person who got the lot is living in a trailer in town. The directive is that trailers are not to be leased out until they are paid for in full. If they are, then Lawrence Baker needs to contact them and tell them they no longer have the lease for the trailer and lot and find out who is responsible. Once they purchase them they can do anything they want.



As additional consideration, I propose to place the following improvements on the land claiming no right of removal on the expiration of the lease: **Water, sewer, electricity**. The following improvements will be placed on the land with the right to remove them within ninety (90) days after the expiration of the lease or as soon thereafter as the weather permits House, Out building.

DISCUSSION: On the application process an option to renew for 25 years was discussed. Joy Chapin was told by Realty that her home site was not approved. She was under the assumption that it was and was moving forward with It was determined that her lease in Clarks Creek is a modification. Her basement is poured but she doesn't have her paperwork to complete the infrastructure. The modification can be approved at the next meeting.

The Natural Resources Committee sent the completed lease applications to the Bureau of Indian Affairs, for the Superintendent signature, but are still waiting. The staff person responsible for the paper trail was following all of those leases which the Bureau was questioning because of the inaccuracies of descriptions. The Natural Resources Department then received it and made copies of original letters dated. They can provide an original copy if need be.

Some of the elderly ladies have houses sitting on land that don't have a bureau leases. Several concerns about oil and gas that haven't been done Mr. Silk and some of those BIA people were supposed to be here and they were not available and give them a call and ask them to come over.

**MOTION: Councilman Whitecalfe moved to do a blanket lease for the following names listed below. Councilwoman V. Judy Brugh seconded the motion.**

**TRIBAL HOMESITE LEASE – RICHARD E. MAYER:**

I, hereby apply to lease, for a purpose of a home site, the following described Tribal land, for a period of twenty-five (25) years, beginning January 1, 2011 and ending December 31st, 2035 .Allot. No. T3183, described as S1/2SE SE1//4 NW1/4SE1/4, Section 22 Twp 152 N., Rge 92., W, Fifth Principal Meridian, North Dakota containing 5.0 acres for 25 years @ 25.00 per year, with an option of 25 more years.

**Hazel Felix:** Home site lease Allot. No. T696A-C described as W/W1/2 NE1/4 NE1/4SE1/4, Section 11, Twp. 149, N., Rge., 94 W, Fifth Principal Meridian, North Dakota containing \_\_\_\_\_ acres or feet (specify) for 25 years @ \$50.00 per (circle one) month.

This lot is located in the Mandaree area and was originally leased out to a Finley guy who never did complete his lease but moved his home on the lot. His mother Hazel Felix is now applying for that particular lot that has abandoned trailers north of lot. They want to get rid of trailers so the Tribal Housing Division will go through the court process and declare it abandoned as well as the non-running vehicles before she moves on to the lot.

**Danette Hunts Along:**

**Home site Allot.** No. T531A-A described as Lot 21, E1/2Sw1/4NE1/4NE1/4 NW, Section 29 Twp.152 Rge., 94, W, Fifth Principal Meridian, North Dakota containing \_\_\_\_\_ acres or feet (specify) for 10 years @ \$50.00 per (circle one) month. Where did this land description come from? She would rather have the FEMA Trailer because it is new and Anna White would have to move her trailer as she is not living in there. She never lived in there. No equipment so we end up moving it anyway. Get permission from her and get somebody to move the trailer to the land field.

**Jolene Gonzales:**

Home site lease for the purpose of a home site Allot No. T711A, described as S1/2 SW1/4 SE1/4, Section 2, Twp. 149, N Rge. 94 W. Fifth Principal Meridian, North Dakota containing 2.50 acres for 25 years @ \$25.00 per year. This tribal member is requesting a lot adjacent to where her parents' home is and won't block access road. He jumped the gun last time and its not going to block an access.

**Donita Hale:**

Allot No. T694A described as SW SW SW NE, Section 11, Twp.149, N., Rge.94 W. Fifth Principal Meridian, North Dakota containing 1 Lot for 25 years @ \$50.00 per month. This is located East of the Pow-wow grounds west of the Mandaree store by four houses. This tribal member is requesting a lot east of the Pow-wow grounds, where she will place a home. She will be the fourth house and she's on a good homesite. The next one is Donita Hale and this was doubled.

**AMBER YOUNG BEAR:** Mandaree East of the Pow-wow grounds I believe she's got a house she supposed to get it off the land and I hope that I went to Legal. It did go through the court. He uncle said she would have to move it off his land

Allot. No. T694A, described as within NE1/4 NE1/4, Section 11 Twp 149 N.Rge. 94 W. Fifth Principal Meridian North Dakota containing 2.50 for 25 years @ \$25.00 per year.

**VOTE: 3 Ayes. Motion carried.**

**KAY BELL HOUSE WHITE SHIELD T131A:**

*2009 EACH SEGMENT WAS ALLOWED 2 ELDER HOMES AND I WAS ONE OF THEM. T1312A. September 2010 foundation was poured and house put on foundation. We were told we would receive water in 2011 and we still haven't received it. House was built by Dynamic Homes and once they poured the foundation it stopped. BIA/Supt hasn't signed the lease on that property. Some elders who had homes constructed have no signed leases from the Bureau of Indian Affairs. The homes are not being finished properly and deteriorating —specific houses are Kay Bell and Doreen Yellow Bird. Sister has major medical problems and chose to take care of her. I was told in April that I would be able to move into when was this house built? Dynamic Homes that were moved into last year. Once it hit the foundations everything stopped. Still having problems with it.*

*Doreen had all of her paperwork signed but there is no water line that goes by her unit because the hill by her house hill is higher. The plan was to have the water come from the Parshall tower. But, now the project is fighting easements.*

Doreen Yellow Bird's unit is not designated as an elder unit so her house is in with the 210 Initiative. Kay Bell's home is considered elderly and will be worked on next along with Roberta Bear now that money is available.

**Magdalene Yellow Birds** home was not constructed handicapped assessable The previous Tribal Housing Director never mentioned specs when purchasing toilets so the commodes are regular—the doors need to be re adjusted, literally ripped up and entire bathroom demolished and made handicap assessable. Also, she did not have any current water application in so emailed Chad she was already approved. We found her paperwork which was not signed by the Superintendent. Mike Driver is having his home constructed in the Shell Creek area, which needs to be completed as soon as possible as he is being evicted from the house he is occupying.

**Gloria Lone Fight:**

Because of the condition of her home, the Tribal Business Council promised Gloria Lone Fight free of charge a new home constructed by Dynamic Homes. Her home was then demolished and a foundation was poured - then all construction was put on hold. After the change of Administration Dynamic Homes told the Council they were not going to fulfill its promise because of the outstanding bills of \$7-8K and the slow payment process. The committee directed Tribal Housing Division to expedite the placement of a FEMA Trailer on the old Lone Fight home site.

Tribal Housing will be reapplying for another 80 FEMA Trailers Ponderosa said. They would be approximately 30 foot campers' — some are a little bit bigger.



In addressing the concern about somebody leasing out the trailer in Thunder Butte, Lawrence Baker didn't know anything about someone leasing their trailers. There were a handful of them located in Thunder Butte Sub-division before and said their trailers were given them so payments were not pursued from them. They had to pay the costs and go ahead.

**Joe Chase, Jr.**, in the Four Bears area requested renovation tribal housing to fix up his FEMA Trailer but isn't making any payments. Whatever the cost — they have to pay for it — nothing is free. They have an older FEMA Trailer that used to be a darker brown which is not leveled or skirted; it's sitting on the hill. Henry Fox from the Parshall area is another elder that should have received a home four or five years ago. Appropriations will need to be brought up in the next Council Meeting.

There is a Malnourie family that was driven out because of the flood in Minot. Evangeline Irwin was also forced to move and is living in a small camper in the Four Bears Park.

I need this action item clarified Jean Baker....

Councilman Strahs asked the Superintendent a favor water intakes concentrate has brought to my attention instead of giving them a lump sum per pad per acre, if they can make annual payments per value. I'm not sure how that will work say the well produces a 1Mil and just idea that was brought up. We have the water and I remember the day, I think there was issues that popped up try to engage some tanks contact regional director water tanks try to get mobilized up here. How do we keep the fields in those vehicles? They are going to use the water for fracking. Convince the Corp of Engineers I don't know if you've been down toward Mandaree its getting to be a haze. Judy- I think if the bureau could meet with the allottees, and give possible ways a lot of them don't own the mineral well, and if they could access and work out negotiation and at least have a number. The road allow to access to oil well for profit at least have a payment yearly or a minute % something the BIA could brain storm with the Heard a rumor that it was happening on deeded property. Can we get some tankers here do we have any resources to fill these tanks. I could be worked asking for what's 12 barrels 800 X 30 ½% before mineral owners get anything. If you're a mineral owner that .50% what is the scenario and many involved issues could become barriers to development as they is so much out here and be very cautious and prudent. Surface owner wants some just compensation and would have to live with the oil well close to their homes. Allottees negotiate higher they done that on their own. Surface owners want some compensation instead a couple of 1 thousand and don't get a pipeline in there and close the home brought to attention tribal site grave site out there. People who were hired to do this are counting rock piles as graves. This person said I can tell you how many "graves" there are (78) because I farmed and piled those rocks myself. Staff needs to be changed use fence line hire people out there that know what they're doing. ***Can tribe do a resolution to set maximum standards on something like so much a year— \$400,000 is way out there*** but it's worth more than the whole lease is worth going by standards a little bit higher but we could set regulations anybody had actually studied below or above. State can negotiate their leases say off reservation is \$10,000 a pad. Whatever the value leases per year 7 acres x 50.00 set a regulation. Marathon offered an upfront payment offered to the tribe fee land and tribe elected to take 10-12KI a year. With right of way negotiate for a pipe line the Bureau of Indian Affairs minimum payment leases for new Oil and Gas 3 yrs \$3,000 per acres 22% royalties.

**FARM PASTURE LEASES:**

Councilman Frank Whitecalfe moved to approve twenty (20) Farm/Pasture Lease applications, in a blanket motion. Councilwoman V. Judy Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**TROY SAYLOR:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 20   . Allot. No. T846, described as Cropland within/ Lot1NW4NW4NW

Section 18, Twp.146, Rge.88 W., Fifth Principal Meridian, North Dakota,  
Containing:

24 cultivated acres for a cash rent of \$ 31 per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
\_\_\_\_\_ pasture acres for the cash rent of \_\_\_\_\_ per acre.

**TOTAL AMOUNT PER YEAR \$744.00.**

**TROY SAYLOR:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 20\_\_\_\_ Allot. No.T1759, described as Cropland W/W2W2  
Section 12, Twp. 146, Rge. 89 W., Fifth Principal Meridian, North Dakota,  
Containing:

35.5 cultivated acres for a cash rent of \$ 31.00 per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
\_\_\_\_\_ pasture acres for the cash rent of \_\_\_\_\_ per acre.

**TOTAL AMOUNT PER YEAR \$ \_\_\_\_\_.**

**WADE HOWARD RENEWAL:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2012 and ending December 31st, 2016. Allot. No. T.A., described as grass within/S1/2 of Section 14,  
Section 15, Twp,147 Rge 88 w., Fifth Principal Meridian, North Dakota,  
Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$ \_\_\_\_\_ per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
30.0 pasture acres for the cash rent of \$7.50 per acre.

**TOTAL AMOUNT PER YEAR \$ 225.00.**

**GERALD IRWIN RENEWAL:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 2015. Allot. No. T295 A-B, described as Cropland W/SW1/4 SE 1/4  
Section 29, Twp. 150, Rge. 90 w., Fifth Principal Meridian, North Dakota,  
Containing:

10 cultivated acres for a cash rent of \$ 32.00 per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
\_\_\_\_\_ pasture acres for the cash rent of \_\_\_\_\_ per acre.

**TOTAL AMOUNT PER YEAR \$ 480.00.**

**PERRY WALKER:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 2015. Allot. No.T846, described as W/Lot 1, NE NW 4  
Section 18, Twp.146, Rge. 88 w., Fifth Principal Meridian, North Dakota,  
Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$ \_\_\_\_\_ per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
38.37 pasture acres for the cash rent of 10.00 per acre.

**TOTAL AMOUNT PER YEAR \$ \_\_\_\_\_.**

**PERRY WALKER:**



The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 2015. Allot. No. T1759/TA#2/TA #7, described as W/11,SW4,SW4,NW4,W2SW4SE4 (Taken Area W/Section 11, Section 12 Twp. 146, Rge.89 W., Fifth Principal Meridian, North Dakota, Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$\_\_\_\_\_ per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
261.5 pasture acres for the cash rent of 10 per acre.

**TOTAL AMOUNT PER YEAR \$ \$2,615.00**.

**HOLLIS BLAKE:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 2015. Allot. No. **T573A-A**, described as Grass go back W/N1/2 Section 6, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_ w., Fifth Principal Meridian, North Dakota, Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$\_\_\_\_\_ per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
70.0 pasture acres for the cash rent of 7.50 per acre.

**TOTAL AMOUNT PER YEAR \$ 525.00**.

**HOLLIS BLAKE:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 2015. Allot. No. 530A, described as **Grass W/W1/2. Go-back** Section 32, Twp. 152, Rge. 94 .W, Fifth Principal Meridian, North Dakota, Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$\_\_\_\_\_ per acre.  
72.0 hay cutting acres for the cash rent of **\$10.00** per acre.  
200.0 pasture acres for the cash rent of **\$7.50** per acre.

**TOTAL AMOUNT PER YEAR \$2,220.00**.

**HOLLIS BLAKE:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 2015. Allot. No. **T572 A-G**, described as **Grass W/NE1/4 SW1/4** Section 31, Twp. 152, Rge. 92 .W, Fifth Principal Meridian, North Dakota, Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$\_\_\_\_\_ per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
35.14 pasture acres for the cash rent of 7.50 per acre.

**TOTAL AMOUNT PER YEAR \$263.55**.

**VERLEE SAYLOR RENEWAL:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2012 and ending December 31st, 2016. Allot. No. **T.A.**, described as **Grass W/Sections 13,14 &** Section 15, Twp. 147, Rge. 87 .W, Fifth Principal Meridian, North Dakota, Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$\_\_\_\_\_ per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
231.0 pasture acres for the cash rent of **\$7.50** per acre.

**TOTAL AMOUNT PER YEAR \$1,732.50 Annually**.

**SHANE JOHNSON RENEWAL:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 2015. Allot. No. T1131A, described as Grass w/Lots 1 & 2 E1/2NW1/4 Section 19, Twp. 150, Rge.94. W, Fifth Principal Meridian, North Dakota,

Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$\_\_\_\_\_ per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
73.0 pasture acres for the cash rent of 7.50 per acre.

**TOTAL AMOUNT PER YEAR \$ 547.50.**

**JOHN MOSSETT RENEWAL HAY CUTTING LEASE:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2012 and ending December 31st, 2016. Allot. No. T704 A-B-C-D, described as Hay Grassland W/S1/2 Section 28, Twp.147, Rge.91, W., Fifth Principal Meridian, North Dakota,

Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$\_\_\_\_\_ per acre.  
266 hay cutting acres for the cash rent of 7.50 per acre.  
\_\_\_\_\_ pasture acres for the cash rent of \_\_\_\_\_ per acre.

Or Measure When Cut

**TOTAL AMOUNT PER YEAR \$ 1,995.00 or cut value. (Residential Clause in effect.)**

**PAUL FREDERICKS RENEWAL:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 2016. Allot. No.2065A, described as SW 4 Section 33, Twp.147 , Rge.90 .W, Fifth Principal Meridian, North Dakota,

Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$\_\_\_\_\_ per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
160 pasture acres for the cash rent of \$7.50 per acre.

**TOTAL AMOUNT PER YEAR \$ \_\_\_\_\_.**

**PAUL FREDERICKS RENEWAL:**

The following described Tribal land, for a period of \_\_\_\_\_ years, beginning January 1, 2011 and ending December 31st, 2016 Allot. No. T 969 A-A, described as S2 SE4, Section 32, Twp.147, Rge.90 W., Fifth Principal Meridian, North Dakota,

Containing:

\_\_\_\_\_ cultivated acres for a cash rent of \$\_\_\_\_\_ per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
80 pasture acres for the cash rent of 7.50 per acre.

**TOTAL AMOUNT PER YEAR \$ \_\_\_\_\_.**

**CODY FREDERICKS RENEWAL:**

The following described Tribal land, for a period of 5 years, beginning January 1, 2011 and ending December 31st, 2016. Allot. No. T815, described as Farm Land Section 29, Twp. 147, Rge. 90 w., Fifth Principal Meridian, North Dakota, containing:

53 cultivated acres for a cash rent of \$ 25.00 per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
\_\_\_\_\_ pasture acres for the cash rent of \_\_\_\_\_ per acre.

**TOTAL AMOUNT PER YEAR \$ \_\_\_\_\_.**

**CODY FREDERICKS RENEWAL:**



The following described Tribal land, for a period of **5** years, beginning January 1, **2011** and ending December 31st, **2016**. Allot. No. 907 A.C., described as **Farm Ground**, Section \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_ w., Fifth Principal Meridian, North Dakota,

Containing:

32.8 cultivated acres for a cash rent of \$ 25.00 per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
\_\_\_\_\_ pasture acres for the cash rent of \_\_\_\_\_ per acre.

**TOTAL AMOUNT PER YEAR \$ \_\_\_\_\_.**

**CODY FREDERICKS:**

The following described Tribal land, for a period of **5** years, beginning January 1, **2011** and ending December 31st, 2016. Allot. No. **1109 A-B**, described as \_\_\_\_\_

Section \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_ w., Fifth Principal Meridian, North Dakota,

Containing:

69.3 cultivated acres for a cash rent of \$ 25.00 per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
\_\_\_\_\_ pasture acres for the cash rent of \_\_\_\_\_ per acre.

**TOTAL AMOUNT PER YEAR \$ \_\_\_\_\_.**

**GARRETT GILBERTSON:**

The following described Tribal land, for a period of **5** years, beginning January 1, 2011 and ending December 31st, 2015. Allot. No. **T197A/T1304**, described as **Cropland only W/NE1/4 N1/2 SE1/4**

Section **21**, Twp. **148**, Rge. **89**., Fifth Principal Meridian, North Dakota,

Containing:

108.6 cultivated acres for a cash rent of \$ **45 .00** per acre.  
\_\_\_\_\_ hay cutting acres for the cash rent of \_\_\_\_\_ per acre.  
\_\_\_\_\_ pasture acres for the cash rent of \_\_\_\_\_ per acre.

**TOTAL AMOUNT PER YEAR \$ 4,887.00.**

**VOTE: 3 Ayes. Motion carried.**

**LABOR PRODUCTION COST ASSESS PAYMENT TREATED WATER FROM FIRE HYDRANTS  
FOUR BEARS SEGMENT**

The committee directed the NRD Administrator to summon the Fort Berthold Rural Water Director to give a report to them. The report will be on the access payment for using treated from water hydrants. Lester admitted he gave the truckers the authority for the use of the water. Included in the report should include labor and all the chemicals used to treat water.

**FOOTE CONSTRUCTION PROJECT SCORIA PIT:** did you receive payment from him is not giving the NRC reports. Getting easements done and hitting and coming from Parshall

**EPA IMPLEMENTATION OF NEW MINOR SOURCE RULE IN INDIAN COUNTRY:** Jeff Hunt  
The EPA will permit three types of emissions under the new Minor Source Rule 1) true minor source 2) synthetic minor source, and 3) major source. Bakken oil and gas development on the Fort Berthold Reservation is severely curtailed by implementation of the new rule and specifically how the synthetic minor source rule is applied to the rich gas production associated with Bakken oil.

EPA Region 8 conducted a meeting on August 11, 2011 at their office in Denver, Colorado with interested oil and gas representatives to discuss the impact of this rule and the subsequent pending permit work load generated by implementation of this new rule. It was concluded that all new Bakken development on the Fort Berthold Reservation would fall under the synthetic minor source rule and subject to its permitting requirements beginning September 1, 2011. This is

largely due to the high volatile organic content (VOC) contained in the associated gas produced with oil.

NO new construction of production facilities, beginning September 1, 2011 without an EPA approved Synthetic Minor Source Permit. No new producing wells added to the Fort Berthold Reservation during the months of September, October, and possibly November 2011. The average royalty value of each lost or delayed well is estimated to be \$36,000 per month, \$9,000 to the Tribes and \$36,000 to Allottees. Currently, there are 22 rigs drilling on Trust lands. This equates to 40 to 60 wells not completed for production, waiting on the Synthetic Minor Source Permit, or \$1,440,000 to \$2,160,000 in royalty revenues lost by Indian Mineral Owners each month.

In addition to the immediate loss of royalty revenue, the oil industry cannot afford to let the 22 rigs currently on the Reservation sit idle. Once these rigs leave the Reservation, it may be some time before they are brought back. Prior to implementation of this rule, current drilling proposals planned for an additional 100 wells drilled from September through December 2011. With implementation of this rule, it is expected that an additional 40 wells will not be drilled during this period due to lost drilling rigs (\$1,440,000 royalty revenues).

The loss of rigs on the reservation will also impact the Bakken development operations throughout 2012. Drilling proposals and projects put the number of wells to be completed in 2012 at 200. It is projected that only 110 wells drilled in 2012 while the oil industry ramps the drilling operations backup to 2011 level (prior to rule). This equates to loss of 90 producing wells over an entire year or approximately \$38,880,000 in royalty revenues.

It is expected that by 2013, the detrimental impacts due to the implementation of the Synthetic Minor Source Permit will be mitigated by efficiently blending the new Rule into the entire well permitting process. The oil industry should be able to ramp up drilling to 240 wells per year to make up for lost development in 2012, while maintaining leases set to expire in 2013.

The Tribal Business Council will request EPA by Resolution, to delay the implementation of any synthetic minor permit requirements until June 30, 2011, while the nation obtains "Treatment of a State" status under the clean Air Act so that the Nation can implement any requirements itself. The Tribal Business Council will also request the EPA to allow oil and gas operators on the Reservation additional time, until August 30, 2012 to sign any Administrative Complaint and Consent Agreement.

**SLAWSONS OIL WELL:**

Chairman Hall sent a letter to Mr. Tom Gray addressing some concerns regarding Spyder #1, 2# and 3# Wells, Section 17-T152N-R91W. The Elbowoods Memorial Healthcare Center currently under construction is located in the NW of Section 17 and the planned Elbowoods Housing Project is to be located south of the Spyder 1# well site.

Slawson Exploration Company addressed Chairman Hall's concerns about potential Air emissions monitors by moving the tank battery from the Spyder Well #1 location to the Spyder #2 and #3 well site. They said while moving the tanks will add additional cost, it will allow them to locate the tank battery more than 3,300' from the Healthcare Center and more than 150' from the edge of the Housing Project. They also contacted Whiting Petroleum and urged them to connect the wells to their pipeline as soon as possible in order to avoid any unnecessary flaring.

**TAT-TRIBAL IMPROVEMENT PROJECTS**

Councilman Frank Whitecalfe moved for approval to take the TIP List and walk it through the system in Aberdeen Area. Find out where there are with the tips that were they supposed to do sanitation. Chad Snell will bid it out and to start in September. Councilman Eagle seconded the motion.

VOTE: 3 Ayes. Motion carried.



**VENTURING INTO A WATER DEPOT: Doreen Yellow Bird:**

Doreen Yellow Bird and Ted Lone Fight III presented a proposal to venture into a water depot that will be located on Lone Fight land. They approached the BIA as it pertains to water depots 25 CFR and Water Depots on a reservation. The bureau researched it and came up with nothing so were told to follow the rules for an oil well. A NEPA document is a disturbance of the land. They completed a survey with Jeff at the BIA and tentative approval working with Howard Bemer coached by Jeff DeCharlieasis and Darryl Tourcotte. They forgot to tell have to fill out a business license and they said there was none. They gave us a draft document of a housing lease, and then they stopped us because it had a lease for 50 years.

MOTION: Councilman Whitecalfe moved for approval pending the Van Hook Water Depot Permit. Councilwoman V. Judy Brugh seconded the motion.

VOTE: 2 Ayes, 0 Nays, 1 Abstention, 0 Not voting. Motion carried.

**APPROVAL TO ADJUST THE NRC REALTY AND RANGE BUDGET TO HIRE SURVEYOR:**

Councilman Frank Whitecalfe moved for approval to adjust the NRC Realty and Range Budget to hire another person with surveying skills, with a start date of Oct. 1, 2011. Councilwoman V. Judy Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**ADJOURNMENT:**

Councilman Frank Whitecalfe moved to adjourn the meeting at 4:06 p.m. Councilwoman V. Judy Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**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's **Natural Resource Committee** is composed of three (3) members of whom three (3) constitute a quorum \_\_\_\_\_ were present at the Meeting there of duly called, notice, convened and held on the day of \_\_\_\_\_, 2011; that the foregoing Minutes were amended and duly adopted at such meeting by the affirmative vote of \_\_\_\_\_ members; \_\_\_\_\_ members opposed; \_\_\_\_\_ members abstained; \_\_\_\_\_ members not voting.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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**Francine White, Secretary—Natural Resources Committee**  
**TRIBAL BUSINESS COUNCIL-THREE AFFILIATED TRIBES**

**ATTEST:**

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**Barry Benson, Chairman Natural Resources Committee**  
**TRIBAL BUSINESS COUNCIL – THREE AFFILIATED TRIBES**

