



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
NATURAL RESOURCES COMMITTEE  
MEETING NO. 12-08-AS  
FEBRUARY 07, 2012**

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**CALL TO ORDER:**

The meeting was called to order by Committee Chairman Arnold Strahs at 11:30 am.

**PRAYER:** A moment of silence was taken instead of a prayer.

**ROLL CALL:**

**Present:** Committee Chairman, Arnold Strahs, Committee member, Barry Benson, Committee member Scott Eagle, and Committee member V. Judy Brugh. A quorum is established with four members present.

**01. APPROVAL OF MINUTES:**

Committee member Scott Eagle moved for approval of the August 30, 2011 and October 12, 2011 upon further review. Councilman Benson seconded the motion.

VOTE: 4 Ayes. Motion carried.

**02. APPROVAL OF AGENDA:**

Committee member Scott Eagle moved for approval of the agenda as amended. Committee member Barry Benson seconded the motion.

**AMENDMENTS:**

VOTE: 4 Ayes. Motion carried.

**03. REGIONAL TRIBAL CONSERVATION ADVISORY COUNCIL:**

Councilman Barry Benson moved to recommend to the Tribal Business Council to become active in the Regional Conservation Advisory Council (RTCAC) and accept recommendations for membership in Resolution format, upon nomination by the Tribal Business Council. Councilwoman V. Judy Brugh seconded the motion.

VOTE: 4 Ayes. Motion carried.

*DISCUSSION: The Natural Resources Administrator suggested Jim Mossett as a nominee. She will contact him to see if he'd be interested in serving the term which is for 3 years.*

**04. FRED POITRA GAME AND FISH (Defer left the meeting.)**

**05. CHRISTIAN LIPKE, SPEC. OPS. LLC**

Spec-Ops, LLC is requesting approval to develop scoria and gravel to sell and give back 20% to the tribe. The Natural Resource Administrator was directed to do a back ground check on their finances.



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**06. DAVE WILLIAMS, CEO MISSOURI RIVER RESOURCES:**

Committee Member Barry Benson moved for approval to recommend to the Tribal Business Council approval of the request from Missouri River Resources desires to enter into a lease with the Tribe for approximately 320 acres located in Section 7, T146N, R92W Tract No. M2017 of tribal mineral interests at the following terms: Primary Term: Five (5) years with an ultimate term of 25 years. Royalty: twenty-six percent (25%). Committee Member Scott Eagle

VOTE: 4 Ayes. Motion carried.

**07. ENERGY SUMMIT REVIEW W/COMMITTEE:**

Review of the Energy Summit very well put together. Ken thanked NRC and Strahs for endorsing this type of

**08. CARSON HOOD, Jr. /FRED FOX TRIBAL WELL PAD COMPLIANCE**

Carson Hood, Jr., and Fred Fox presented a proposal recommending initiation of a Memorandum of Agreement with the Land Management to provide work for the compliance surveillance issue. A solution would be to develop compliance officers who will monitor the well pad. After visiting with Bureau of Land Management and Bureau of Reclamation—a possible 638 contract with the BLM was recommended. Natural Resources Administrator Young Bird suggested the NRC committee meet with Energy and Environmental to review the code.

**09. TEXX LONE BEAR – EASEMENT PROGRAM**

**Metcalf Archaeology:**

Councilman Scott Eagle moved for approval of the proposal from “Metcalf Archaeology” Scope of Work to do a Class I Inventory of the Fort Berthold Reservation, at a cost of \$40,000, at no cost to the Tribe. Councilwoman V. Judy Brugh seconded the motion.

**NOTE:** The money will be recouped back from McKenzie Electric, and RTC Coop.

VOTE: 3 Ayes. Motion carried.

**10. HOME SITE APPLICATIONS:**

The Tribe acquired the tract of land (Mrs. Fast Dog’s house) that was to be auctioned because of unpaid back taxes from the 1990’s. Annette Young Bird clarified that Dennis Nash, a family member was awarded the lease to that lot. Gilson Mandan used to occupy a tribal house which is now condemned.



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**11. TRIBAL FLEXIBILITY OF SIGNATURE AUTHORITY:**

Councilwoman Brugh moved for approval to recommend “Tribal flexibility of Signature Authority to the Natural Resources Committee Members, on all documents approved by them.” Councilman Eagle seconded the motion.

VOTE: 4 Ayes. Motion carried.

**12. VERDELL SMITH – HOMESITE AND BUSINESS LEASE:**

Verdell Smith submitted a business proposal named Spotted Bull Trailer Court to ask for tribal land to develop a 60 Lot Trailer Court to house Tribal members soon to be evicted from Prairie Winds Property. He also presented a proposal to the Tribe to lease land next to Delores Sand residence. The people who are soon to be evicted from the Prairie Winds Court discussed in detail the timeline for eviction, also the prices outrageous. Scott Eagle said he’d negotiate it out.

**13. MARVIN DANKS: RADIO TOWER USAGE:**

Committee member Scott Eagle moved for approval to give the authority to DJD Consulting and Oil Field Services to utilize the three towers of KMHA, providing the KMHA Board concurs that it doesn’t interfere with the usage by the KMHA Radio station. Councilman Barry Benson seconded the motion.

VOTE: 4-0. Motion carried.

**14. LAND TRADE 612-A-G JAMES SMITH:**

As single owner of 612-G, Tribal elder gift deeded it to his daughter, Shannon Mann. He later asked her if he could buy the land back –but she had already sold to the tribe. He was advised by Natural Resource staff that it was possible to trade land or to buy the land back. James is going south for medical help and will not be available. His brother, Harry Sitting Bear, has his Power of Attorney while he is gone and will negotiate for him. The Director of Natural Resources will walk him through the process. No action taken.

***NOTE: Committee recessed for 20 minutes. Committee member Barry Benson left the meeting and didn’t return.***

**15. LEEANN GONZOLES:**

Committee member Brugh moved to reimburse Leeann Gonzales the total amount of \$1643.13 that she put into the trailer home for renovation to make it inhabitable. Committee member Eagle seconded the motion.

DISCUSSION: The trailer lots are not matching the leases. Only four of the trailers in the Thunder Butte area are inhabitable

VOTE: 3 Ayes. Motion carried.



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**16. FRITZ BIRD BEAR LAND EXCHANGE:**

Tribal member would like to exchange land with the Tribe. Its located in the NE corner up on the ridge and down the coulee. No action taken.

**17. TRIBAL LAND EXCHANGE FOR RICHARD E. MAYER:**

Committee Scott moved for approval of a Tribal Land change between Richard E. Mayer and his allotted land trade. Committee member Brugh seconded the motion. *(Not clear about the land description – no hand out. No description.)*

Richard is currently working on a tribal land transfer south of the North Segment building in exchange for his land that is located in Parshall and Four Bears area. It was noted that in previous Natural Resources Meeting Mr. Fox said he would present the request. The Natural Resources Department NRD will draft a Resolution to recommend approval.

VOTE: 4 Ayes. Motion carried.

**18. IHS SERVICES REQUESTED:**

Committee member Brugh motioned to approve the five applications for septic systems. Committee member Eagle seconded the motion.

<b>NAME</b>	<b>INITIAL APP. DATE</b>	<b>IHS SERVICES REQUESTED</b>	<b>APPROVED BY NRC Y/N</b>	<b>APPROVAL DATE</b>	<b>CONTACT</b>
<b>Thomas Abe</b>	<b>1/30//2012</b>	<b>Septic System/Drain field for new residence/Bakersfield.</b>			<b>888-0300</b>
<b>Leeann Brady</b>	<b>11/15/11</b>	<b>Septic System for new trailer/New Town</b>			<b>421-6309</b>
<b>Leonard Charging</b>	<b>11/01/12</b>				
<b>Calvin Whiteman Jr.</b>	<b>12/14/11</b>				
<b>Malcolm D. Wolf</b>	<b>10/18/11</b>				

**19. FRANK LOCKWOOD ROADWAY – VAN HOOK AREA:**

Committee member VJB moved for approval to direct the Roads Department to build a road way for Frank Lockwood in the Van Hook area. Committee member Scott Eagle seconded the motion.

NOTE: The Natural Resources Administrator will send out a memorandum directing them to do it as soon as possible.



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VOTE: 3 Ayes. Motion carried.

**20. TESHA/TARA FREDERICKS ALLOTMENT NO. 820-A-C NESESW, Section 8, township 151, Rge. 94 containing 2.50 for 25 years @ \$50.00 a year.**

Councilwoman Brugh moved for approval to direct the Fredericks sisters to meet with Hubert Heart and try to work out an agreement as this land is set aside for home site leases. Councilman Eagle seconded the motion.

VOTE: 3 Ayes. Motion carried.

**21. FARM PASTURE LEASE Jack Pennington**

Councilwoman Brugh moved to approve of the renewal lease to Jack Pennington, requiring compliance of the Resolution. (what reso are they referring to?) Councilman Eagle seconded the motion.

VOTE: 3 Ayes. Motion Carried.

**22. FARM PASTURE LEASES (19) BLANKET MOTION:**

Councilwoman Brugh moved for approval of the listed Farm Leases as presented. Councilman Eagle seconded the motion.

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

Carmilla S. White – TF#30

Garrett Gilbertson – Renewal Allot. T205A-T1394

Matthew Gilbertson – Renewal Allot. TF003

Chad Pennington – Renewal Allot. T394A-F & T407A-A-B

Betty Huesers: RENEWAL Allot. T280A-A/A-B T29A-AT267A-AT100A-A/B, T307A

Charles Huesers – RENEWAL Allot. T201A & T1500, T1494

Brenda Huesers-BIA Lease Allot. 183A

Todd Zahnow-RENEWAL BIA Lease #1391

Stacey Roberts-RENEWAL BIA Lease #267A-B

Richard Risan- RENEWAL BIA Lease#454A/270A/350A-A

Darren J. Myrick – Renewal T483 A/T483A-B

Charles Shobe – Renewal T3186

James Pennington – RENEWAL T439A-A



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Jerry Pennington - RENEWAL T437A-A

Harvey Billadeau RENEWAL T234A-A

Tom Bruer RENEWAL / T1848, T1873, T213A-A, BIA LEASE Allot.1335

DISC: Cutting hay will this lease interfere with Refinery...

Byron Holtan RENEWAL /T.A.

Weston Schettler RENEWAL /T3139, T1289, T3103, T1288-B

Lee Voigt Renewal /T1386

Darrel Quale – RENEWAL /TF007

Don Bauman BIA Leases/Allot. #1141, (12.86%) 1247 (50.27%) 650 (86.63%)  
869 (64.83%) 666(91.67%) 667,668 (50%) 654(11.99%) 653 (7.14%) &652  
(9.52%)

Rory/Terry Bolkan- BIA Lease/Allot.339A

Terry Bolkan-BIA Leases Allot. Nos. 969,951,952,953,963,964,

Harland/Terry Bolkan-BIA Lease Allot. No.137A-C

Rory/Terry Bolkan-BIA Lease Allot. No. 354A, 417A, 1522, 1518.

Jerry Zimmerman- RENEWAL T1207

Matthew Mason- Allot. No. T442A

Rory Bolkan- RENEWAL T295A-B T256-B

Terry Bolkan- RENEWAL T353A-C/A-D,T 09968

**23. WATER APPLICATIONS:**

Committee member Scott Eagle moved for approval of the Water Applications listed below. Councilwoman Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

(a) **Antoin Brugh**, Source of water supply: Ground Water Source Location of proposed point of diversion: County Dunn, ¼ Section 7, Township 147N, Range 93W used for commercial use., period of Usage (up to five years from 2012 through....



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(b) **Elmer Fredericks**, Source of water supply: Ground Water Source Location of proposed point of diversion: County Dunn, ¼ Section, Township, Range used for commercial use, period of Usage (up to five years from 2012 through

(c) **Sidrick Baker**: Source of water supply: Ground Water Source Location of proposed point of diversion: County Dunn, ¼ Section 7, Township 147N, Range 93W used for commercial use, period of Usage (up to five years from 2012 through

**24. HOMESITE LEASE: TRACEY VALTRE**

Committee member Scott Eagle moved for approval of a home site lease for Tracey Valtre in the Thunder Butte area based on availability of lot. Committee member Brugh seconded the motion.

Discussion: Ed Fox designated a lot for Tracey Valtre in the Thunder Butte Area. When they went to put his trailer on the home site Ed Finley was squatting. Mr. Finley will have to go through the correct application process—ending result is to have Finley move his trailer off and Valtre move his trailer on the lot. Councilwoman V. Judy Brugh will call Marcus Levings to see if there are any additional lots available in Thunder Butte. Natural Resources Administrator will write him a letter and hand delivers it tomorrow. Electricity is limited in Thunder Butte and because of non-payment McKenzie Cooperative Electric are not connecting others.

VOTE:           3 Ayes. Motion carried.

**25. TRIBAL EASEMENT PROGRAM**

*MEETING ASKING FOR COMMENTS ONE GOING RIGHT THROUGH THE RESERVATIUN, HOW MUCH WOULD IT TAKE TO START OWN ELECTRIC Cooperative. Could service Four Bears and Mandaree, Twin Buttes. Basin Electric...*

**26. JAMES DAWSON:**

Value of the land has tripled market value of \$20,000. The price is true and accurate have no interest in this property. He's been compensated and it will cost on his income tax already paid that much in rent already. Council action still is not resolved paid the rent for two houses. It was approved by council action buried debris and has gave one lot away and that happened second appraisal and that one expired he wants trust land and he wants

**27. PARTITION OF LAND – DALE LITTLE SOLDIER/Howard Family & TAT**

Dale Little Soldier of Beaver Creek LLC recently purchased 33% portion of tract 301-594A which is a 320 acre parcel of which 106.6 is Fee Patent Land. This fee patent is within the boundaries of the 320 acre tract parcel. This acreage must be divided so that he may obtain his portion of the property. Sidney



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Howard also submitted a letter from his family they didn't want Dale Little Soldier on their property and want to send the Beaver Creek LLC a cease and desist. This issue was discussed by the committee members and it will be referred to Legal for an opinion.

**28. REQUIRED OFFICIAL SIGNATURE AUTHORIZATION – BIA SUPERINTENDENT:**

Note: The committee will recommend the Superintendent attend the next Tribal Business Council Meeting to answer some concerns regarding land issues, and home site leases.

1. Council member Scott Eagle moved for approval of a Oil and Gas Mining Lease of Allotted Indian Lands between heirs of **Allotment #T 755A-B** with the Three Affiliated Tribes, Dakota -3 E&P Company, LLC., of MD One Williams Center, Tulsa 74172 State of Oklahoma, \$2,000 per acre, containing 149N-R93W Section 19 Legal SW/SE/SE/SE/W/SE/SE/SE/SE/containing 3.75 acres.

2. Oil and Gas Mining Lease of Allotted Indian Lands between heirs of **Allotment #T 755A-A** with the Three Affiliated Tribes, Dakota -3 E&P Company, LLC., of MD One Williams Center, Tulsa 74172 State of Oklahoma, \$2,000 per acre, containing 149N-R93W Section 19 Legal E/SE/SE/SE/SE containing 1.25 acres.

3. Oil and Gas Mining Lease of Allotted Indian Lands between heirs of **Allotment T 755A-A** with the Three Affiliated Tribes, Dakota -3 E&P Company, LLC., of MD One Williams Center, Tulsa 74172 State of Oklahoma, \$2,000 per acre, containing 150N-R92W Section 13 Legal NE/NW/SE/NW/NE/SE containing 20 acres. Councilwoman V. Judy Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**29. BEAR PAW LAKE BORE GATHERING:** The Tribe should have had some involvement with "Bear Paw," changing their pipeline gathering especially with money involved. The committee discussed Lake Bore and the name change to Bear Paw without any input from the Tribe. Further discussion by committee members was the need to hire additional legal counsels who are familiar with Indian land issues, water rights, and the Tribes Natural Resources. The Energy Director, Fred Fox will be invited to the next meeting for an update.

**30. KAREN & MURPHY SITTING CROW HOME SITE LEASE POUCH POINT:** Assessment Corp of Engineers was to check into that and they wanted to stay in the double wide all season and it was just seasonal. Did they designate it as tribal land with no jurisdiction? It is under a master lease. Does the Corp. own land? No tribal land jurisdiction trailer park tribal land. Corp has jurisdiction where the land is higher.  
**(This needs better clarification.)**





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**31. JR. FOOTE LEASE EXPIRED.**

Councilwoman Brugh moved to direct the Natural Resources Administrator to order a cease and desist to Adrian Foote, Jr., reclamation to get all his machinery off the land at the Lost Bridge Scoria Pit. Councilman Eagle seconded the motion.

- 32.** Councilman Scott Eagle moved to adjourn the meeting at 7:35 pm. Councilwoman V. Judy Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.



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**CERTIFICATION**

I, the undersigned, as Secretary of Health Committee of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Natural Resources Committee is composed of three (3) members of whom (3) constitute a quorum \_\_\_\_ were present at the Meeting thereof duly called, notice, convened and held on the \_\_\_\_ day of \_\_\_\_\_, 2012; that the foregoing Minutes were duly adopted after amendments and/or corrections at such meeting by the affirmative vote of \_\_\_\_ members; \_\_\_\_ members opposed; \_\_\_\_ members abstained; \_\_\_\_ members not voting.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2012.

**ATTEST:**

\_\_\_\_\_  
**Recording Secretary  
Tribal Natural Resources Committee  
Three Affiliated Tribes**

\_\_\_\_\_  
**Arnold Strahs, Chairperson  
Tribal Natural Resources Committee  
Three Affiliated Tribes**