



CALL TO ORDER

Committee Chairman Randy Phelan called the meeting to order at 11:00am.

ROLL CALL

Present: Councilman Frank Grady, Councilman Fred Fox, Councilman Randy Phelan, Councilman L. Kenneth Hall. *Quorum established.*

PRAYER

Prayer by Councilman L. Kenneth Hall.

I. APPROVAL OF MINUTES

Item deferred.

II. APPROVAL OF AGENDA

Motion: Councilman Fred Fox moved to approve the agenda. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0-0. Motion carried.

III. NRC Chairman – Randy Phelan

Tuesday, Feb. 9th for the next Oil & Gas Meeting. In New Town. All Operators present except EOG.

IV. MHA ENERGY DIVISION – Carson Hood Jr., Director

A. Update

Ongoing meetings concerning Oil and Gas development on FBIR. The U.S. lifted the Oil and Gas ban on export of oil.

V. MHA TERO – Dewey Hosie

A. Update

Getting set up in our new building. Oil and Gas, TERO and other agencies like 477, VOC REHAB. Setting up computer systems for applications and clients can fill out job orders where they are sent to HR (Lloyd Johnson). If we can't fill out in 48 hours then the company is free to hire themselves. Councilman Fred Fox: one Indian contractor complained that he has a 100% tribal member company and lost the contract through TERO to a company from Dickenson that had one Indian listed. Councilman Randy Phelan: would like to redo the Tier system and the companies are still under our jurisdiction.

VI. MHA Department of Transportation – Richard Hall

A. Update

Item deferred



VII. MHA Roads Department – Doyle Bell

A. Update

BIA Route 6 is completed. BIA Route 30 shut down for the winter. Josh stated that the gravel was put down. BIA Route 223 in Twin Buttes has completed approaches and BIA inspectors to review soon. BIA Route 18 is waiting on BIA Route 12 is still needing ROW and scheduled for the spring. Councilman Randy Phelan: let's just keep the same speed on the corners and that way we don't need to get ROW. BIA Route 6 snow removal is coordinated between the producers and DOT. They will be meeting next week to develop a schedule. XTO on BIA Route 13 but looking for a standardized contract. Marathon on Route 2 but no contracts in place. Councilman Randy Phelan: it is probably time to renew the maintenance contracts by the 11th so we can bring to next Tribal Business Council meeting. BIA Route 30 will get pavement in the spring. Meeting with them on the 20th. At 10am. In the Chambers.

VII. West Segment Regulatory Commission

A. Update

Item deferred.

VIII. Tribal Department Regulatory Discussion

A. Update

Item deferred.

IX. BIA Road Update

A. Enerplus

i. BIA Route 27 Snow Road

No information.

ii. BIA Route 4

New gravel.

iii. BIA Route 17

5 miles of new gravel and big ruts fixed. Councilman Randy Phelan: cattle guard sunk and asked who do we want to bill. Doyle Bell stated that maybe the cost could be split. BIA Route 17 cattle guard on the east side will also need to be fixed with a metal gate. The operator will send someone down to look at. Carson Hood Jr. stated that we need to reschedule the meeting for Section 17 with Spotted Hawk and Enerplus.

iv. BIA Route 30

No Information.



B. WPX/Marathon

i. BIA Route 6

WPX would like to see the Roads Contract before the Tribal Business Council meeting. WPX has BIA Route 6 & 602. Kenny Lyson asked them to look at the cattle guard there.

C. QEP

i. BIA Route 10

No issues or concerns and but waiting on standardized contract.

D. Whiting

i. BIA Route 22 (Twin Buttes)

No agreement at this point.

E. XTO

i. BIA Route 13 – Mitch Burley

Tracy will be taken over, if the hill becomes an issue then just call us and we will help on Hunts Along Hill.

F. EOG

i. BIA Route 27

No information.

FTR: Tom Wells of BIA Reality, discussed the case load of ROWs and to let him know if any ROW need expediting.

X. OTHER BUSINESS

A. XTO – Nicole Gorham

Item deferred.

B. Marathon

i. Update – Travis Pruit

Travis Pruit – returned with a Bear Den and Deep Creek Surface Location document. Councilman Randy Phelan: \$75,000 for Bear Den.

Motion: Councilman Fred Fox moved to approve \$15,000 per well on top of lump sum with reevaluation every 5 year. Forward to the January 14th, 2016 Tribal Business Council meeting. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0-0. Motion carried.



Discussion: Councilman Randy Phelan is in favor of negotiating the 10%.

FTR: Chairman Mark N. Fox entered the meeting at 1:00pm

C. Missouri River Resources – Dave Williams & Carl Artman

2015 Operational Update presented to the Committee. Includes TERO, Environmental, and Game & Fish training that went real well. 11 working on the tribal pad with all TAT members, C.J. Packineau is the Production manager. San Juan School of Energy and a number enrolled. Limiting production due to the price of oil. Section 14 called Dance Pad on tab 2, near Ethan's down the road. Hopefully late spring. If price of oil goes up we have a 32 well pad coming.

i. SUA (Surface Use Agreement) on Figure 4 Ranch
Item deferred.

D. Chairman Mark N. Fox Address to Operators

The Committee is optimistic about the price of oil and discussion of the Tax Agreement disagreement with the State. During the oil boom the negatives have outweighed the positives. Seeking innovative ways to do an alternative tax to redeem the 1.5% for the tribe. One question from the audience concerned retroactive payment. Preliminary meeting before the 9th to be set up by the CEO.

E. Tribal Law Enforcement

Travel letter to include a cover letter.

Motion: Councilman Fred Fox moved to have Sarah Dogeagle to bring background process to the January 14th, 2016 meeting. Councilman L. Kenneth Hall seconded the motion. Vote: 4-0-0-0. Motion carried.

F. Clair Fox

Item deferred.

XI. ROW APPROVALS (CLOSED SESSION)

A. Petro Gulf - Jerry Goedert

i. Drilling Plans

B. Operators

i. Spotted Hawk Development (SHD)

a. Hawk Pad

ii. WPX

a. Caribou 33-34

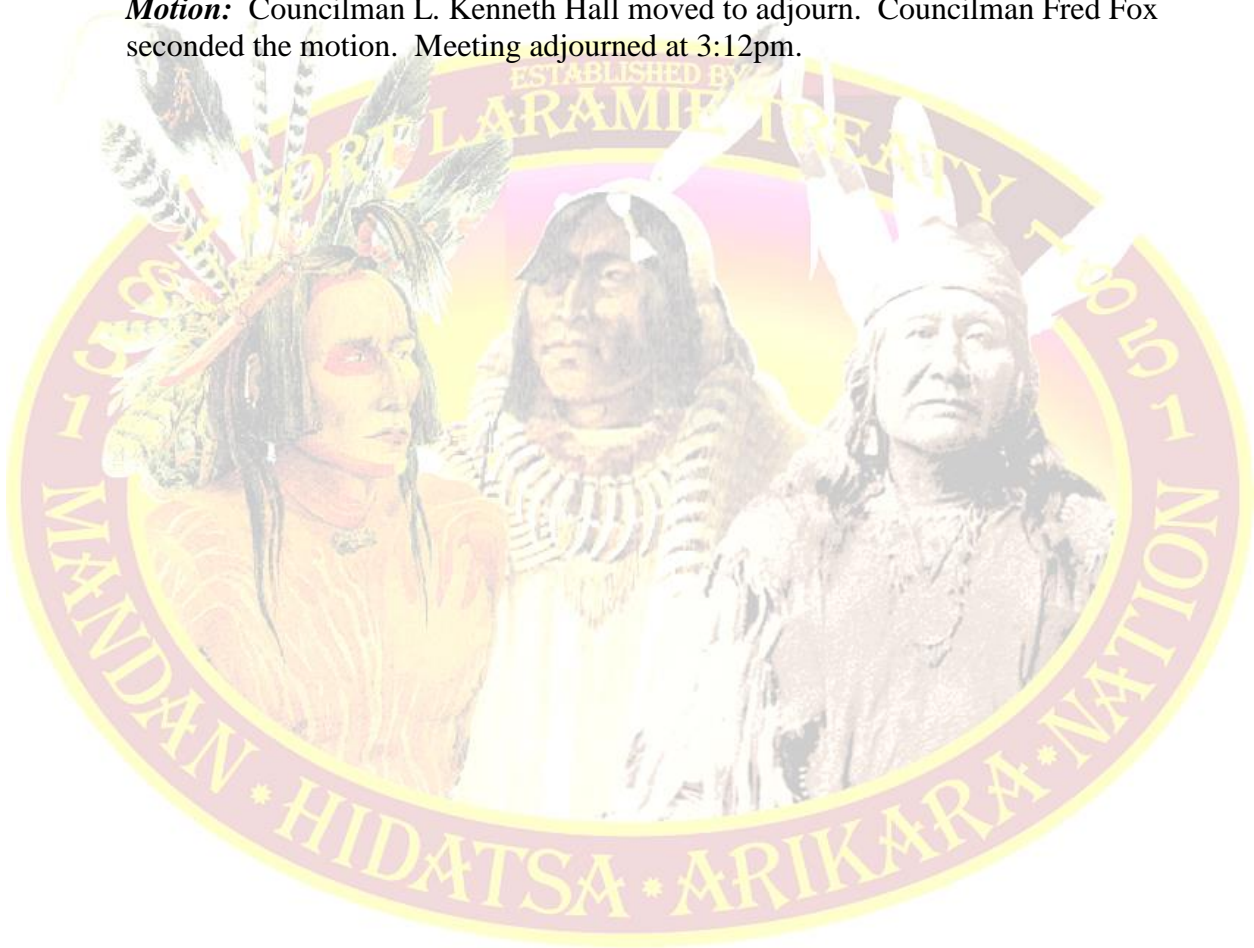


- iii. QEP
 - a. Pad 5-4E

XII. OTHER

VII. ADJOURNMENT:

Motion: Councilman L. Kenneth Hall moved to adjourn. Councilman Fred Fox seconded the motion. Meeting adjourned at 3:12pm.





THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
NRC – OIL & GAS COMMITTEE
JANUARY 5th, 2016 MINUTES

CERTIFICATION

I, the undersigned, as Committee Chairperson of The Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Natural Resources Committee Oil & Gas is composed of three (3) members and of whom three (3) constitutes a quorum 3 were present at the meeting thereof duly called, notice, convened and held on the 5th day of January, 2016; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 members not voting.

Dated this 1st day of March, 2017.

ATTEST:

Executive Secretary, Hred W. Fox
Tribal Business Council,
Three Affiliated Tribes

Committee Chairman, Randy Phelan
Tribal Business Council
Three Affiliated Tribes