



CALL TO ORDER

Committee Chairman Randy Phelan called the meeting to order at 1:56 pm.

ROLL CALL

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

I. APPROVAL OF MINUTES:

Item deferred.

II. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda. Councilman Frank Grady seconded the motion. Vote: 5-0-0. Motion carried.

III. NRC Chairman – Councilman Randy Phelan

No report

IV. MHA Energy Division – Carson Hood Jr., Director

A. Pipeline Safety Code- Shenan Atcitty

Leaks and failures, pipeline safety specifications,

Motion: Councilman L. Kenneth Hall to release the Pipeline Safety Code for the first reading. Councilman Fred Fox seconded the motion. Vote: 5-0-0. Motion carried.

Discussion: Trespass Code fine structure discussed and changes recommended for the draft & resolution. Caleb Dogeagle recommends a third reading and legal review.

Motion: Councilman Fred Fox moved to forward Trespass Code for 30 day public comment. Councilman L. Kenneth Hall seconded the motion. Vote: 5-0-0. Motion carried.

Discussion: To return back to the May NRC/Oil and Gas committee.

B. Roads Control Proposal – Shenan Atcitty

Roads agreement discussed and the decision not to amend the master agreement to supersede the old agreements.

Motion: Councilman Fred Fox moved to release the document to the operators for comment and allow 30 days to respond. Councilman L. Kenneth Hall seconded the motion. Vote: 5-0-0. Motion carried.



Discussion: Discussion of the rule summary presented concerning flaring and venting rule from the DOI presented.

FTR: Chairman Mark N. Fox stepped into the meeting at about 2:20pm

C. Western Energy Alliance Discussion

Chairman Mark N. Fox spoke to the audience concerning impending taxation concerns for the MHA Nation and operators. Attorney John Fredericks discussed the recent hearing and injunction. Doubts if WEA will get its injunction. Kayla Danks discussed various issues from the BIA's point of view. Steve Simpson discussed as solicitor for Right of Way answered questions via phone from the audience. Such as service line as a temporary above ground water line. Also temporary water lines on full ROW.

FTR: Councilman Mervin Packineau joined the meeting at 2:38

Oral argument on Monday morning with no opinion from the judge. Has asked the Assistant Secretary of Interior who is not willing to extend the start date on April 31st. Also discussed waiver of evaluation. Tribal interest permission is sought with any percentage of interest. The rule applies to all aspects of ROW, not retroactive, and also applies to mortgages. Abandonment defined as grants sites they are giving it up by notifying the BIA or action like ripping up pipes. Non-use is defined abandonment for about 2 years [169.408] various scenarios (examples; 3 pipelines approved and 2 completed, third on not completed is an instance of abandonment). To keep the land owner and the BIA informed as a rule. Important to provide a construction schedule as part of the ROW application. Template Form for consents and handbook. (On the phone), they can investigate. The Chairman's statements give us resources to look into. Chairman Mark N. Fox requested an overall report and asked that a process be put into play. The existing rights are not affected. If there is not a ? on the line, it is trespassing. Chairman Mark N. Fox recommends putting together a form that shows compliance. May 4th is the deadline for drilling. Councilman Randy Phelan asked for drat letters of support to present for their next trip to DC.

V. OTHER BUSINESS

A. Tesoro- James Sanford (CLOSED SESSION)

1) Figure 4

VI. ROW APPROVALS (CLOSED SESSION)

A. Petro Gulf - Jerry Goedert

1) Respacing Draft Resolution

B. Energy- Paul Grady and Catherine Nelson

1) Passed Resolution Typos

C. Operators



- 1) Enerplus
 - a. Grains Pad
 - b. Bird's Pad
- 2) Marathon
 - a. Treasure
 - b. Sophia
- 3) QEP
 - a. Pad 1-28A
 - b. Pad 8-28A
 - c. Pad 16-22G
 - d. 1-12Y
- 4) WPX
 - a. Big Horn
- 5) Whiting
 - a. Two Shields Butte
- 6) Crestwood
 - a. Arrow Phase 1A
 - b. Rectifier #9
- 7) Targa
 - a. Butterflies Turtles Extension- Turtles East
 - b. Butterflies Turtles Extension- Crows Flies High
 - c. West Myrmidon 30th St West
 - d. West Myrmidon Trunk
 - e. West Myrmidon Lateral C
 - f. West Myrmidon Lateral D
 - g. Butterflies Turtle Extension ROW
 - h. Like Eagle Land Sale
 - i. Fox&Hawk Training Proposal

VII. TERO

VIII. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 6:00pm.



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 5 were present at the meeting thereof duly called, notice, convened and held on the 12th day of April, 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, Fred W. Fox
Tribal Business Council,
Three Affiliated Tribes

Committee Chairman, Randy Phelan
Tribal Business Council
Three Affiliated Tribes