



CALL TO ORDER:

Councilman Randy Phelan called the meeting to order at 1:35PM. in Bismarck, ND.

ROLL CALL:

Present: Councilman Frank Grady, Councilman Fred Fox, & Councilman Randy Phelan. *Quorum established.*

I. APPROVAL OF AGENDA:

Motion: Councilman Fred Fox moved to approve the agenda. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion approved.

II. APPROVAL OF MINUTES:

- 3-22-2017 NRC Oil & Gas Meeting Minutes.

Item deferred.

III. NRC Chairman – Councilman Randy Phelan

A. Update

Discussion of Letter of Support and working in cooperation. McKenzie Electric notified the Committee that there is one family holding out for the ROW for utility line upgrade.

IV. MHA ENERGY DIVISION: - Kenny Lyson

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A. Update

Completed & signed 12 PTS agreements. Received Rig Schedules from QEP, Whiting EnerPlus & HALCON, WPX and requesting the remainder turned in soon. Noted issues with water on the pads working with the compliance Officer to test the site. The change in fees at \$500 application fee to cover Dept. cost. \$1000 payment for any item under 1 acre. All interest rules require a resolution for the B.I.A. Submitted a resolution entitled

B. Application Resolution

Motion: Councilman Frank Grady moved to forward resolution entitled “*Approval of an Updated Fee Structure for the MHA Energy Division to Regulate and Oversee Oil and Gas Exploration and Production Activities*” to the April Tribal Business Council. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: Tom Wells discussed possible problems with their system accepting amounts other than what was approved for tribal tracts for undivided interests. One of the operators asked if Compliance Officers need to test well pad water discharge from rain events and if need the Tribe has the manpower to test all the wells pads on the trust and allottee lands. Operator suggested on trust land industry provide the test results to the tribe. Travis Hallam noted that regulatory extends to anywhere within the exterior boundaries.

V. OTHER BUSINESS

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A. Game & Fish Proclamation – Antoinne Fettig



Brought forth all the proclamations except moose and elk and under Legal review. Additional fees included this year. Ice house removal date added and stipulations for the use of drones, use of water craft for hunting access and discussion of the return of excess lands and the new jurisdictional responsibilities. No pronghorn season this year.

Motion: Councilman Fred Fox moved to forward the Proclamations to the April Tribal Business Council. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: Conservation areas and habitat development. Asked to return with a revised budget with projected revenue. Program needs not in the budget are patrol vehicles and Animal Control.

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B. Update- TERO – Dewy Hosie

Discussed meeting with Indian contractors about upcoming changes proposed on tier system, bidding, and lease agreements that will eventually come to the Tribal Business Council from the Commission. The Indian contractors expressed concern over their inability to provide input to the new regulations. Deadline date with the three readings looks to be in August.

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C. Update- Fee to Trust Buffalo Ranch- BIA – Tom Wells, BIA

Regional Director requested for the Assistant Secretary of Indian Affairs, in DC to bring ranch into trust and can't issue due to the environmental liability being over \$500,000 and a future policy of land into trust running through the Central Office. Recommended lobbying with the acting Assistant Secretary of Indian Affairs to address this. Farm pasture bid sale on all tribal tracts and issues with undivided interests.

Motion: Councilman Fred Fox moved to rescind the motion of Farm Pasture bidding of all tribal tracts and forward approval of the bid sale to the April Tribal Business Council. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: Tom Wells noted that advertisement went out last week and we go through the sale but make pending TBC approval.

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Motion: Councilman Fred Fox non-profit Livestock resolution entitled “Grant of NonProfit Corporate Charter to the West Segment Livestock Corporation and Authorization for immediate Drawdown of \$550,000.00 from the West Segment FY2017 Annual Budget Allocation for purchase and operating expenses” to the April Tribal Business Council. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

D. Production Yard & Motion to approve Loan - MRR - Carl Artman & Dave Williams (Closed Session)

E. Cranes Pad Road - Enerplus (Closed Session)

F. Arikara Lease - WPX (Closed Session)

G. Energy Grant Solutions Program for Methane Gas Venting & Water and Soils Spills – Kenny Lyson (Closed Session)

FTR: Chairman Mark N. Fox joined the meeting at 3:07PM.

H. Update/Report - Mark Van Norman (Closed Session)



FTR: Chairman Mark N. Fox left the meeting at 3:35PM

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I. Bird Industries (Closed Session)

J. Operators

1) Crestwood

No Report

2) TARGA

No Report

3) QEP

No Report

4) WHITING

No Report

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5) XTO

Chairman Mark N. Fox discussed XTO's corporate management not supporting the Tribe's fight against the North Dakota taxing trust income of oil production on the reservation and the possibility of dual taxation.

6) Marathon

No Report

7) HALCON

No Report

VI. ROW APPROVALS (Closed Session)

A. Operators

1) McKenzie Electric

a. MLV ND 210

VII. OTHER:

Emery Good Bird Homesite

16% tribal acres of Allotment 730A. ROW for 300 linear feet.

Motion: Councilman Frank Grady moved to approve Emery Good Bird ROW for homesite and forward to the April TBC. Councilman Fred Fox seconded the motion. Vote: 4-0-0. Motion carried.

VIII. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilman Frank Grady seconded the motion. Meeting adjourned at 4:05PM. Vote: 3-0-0. Motion carried.



CERTIFICATION

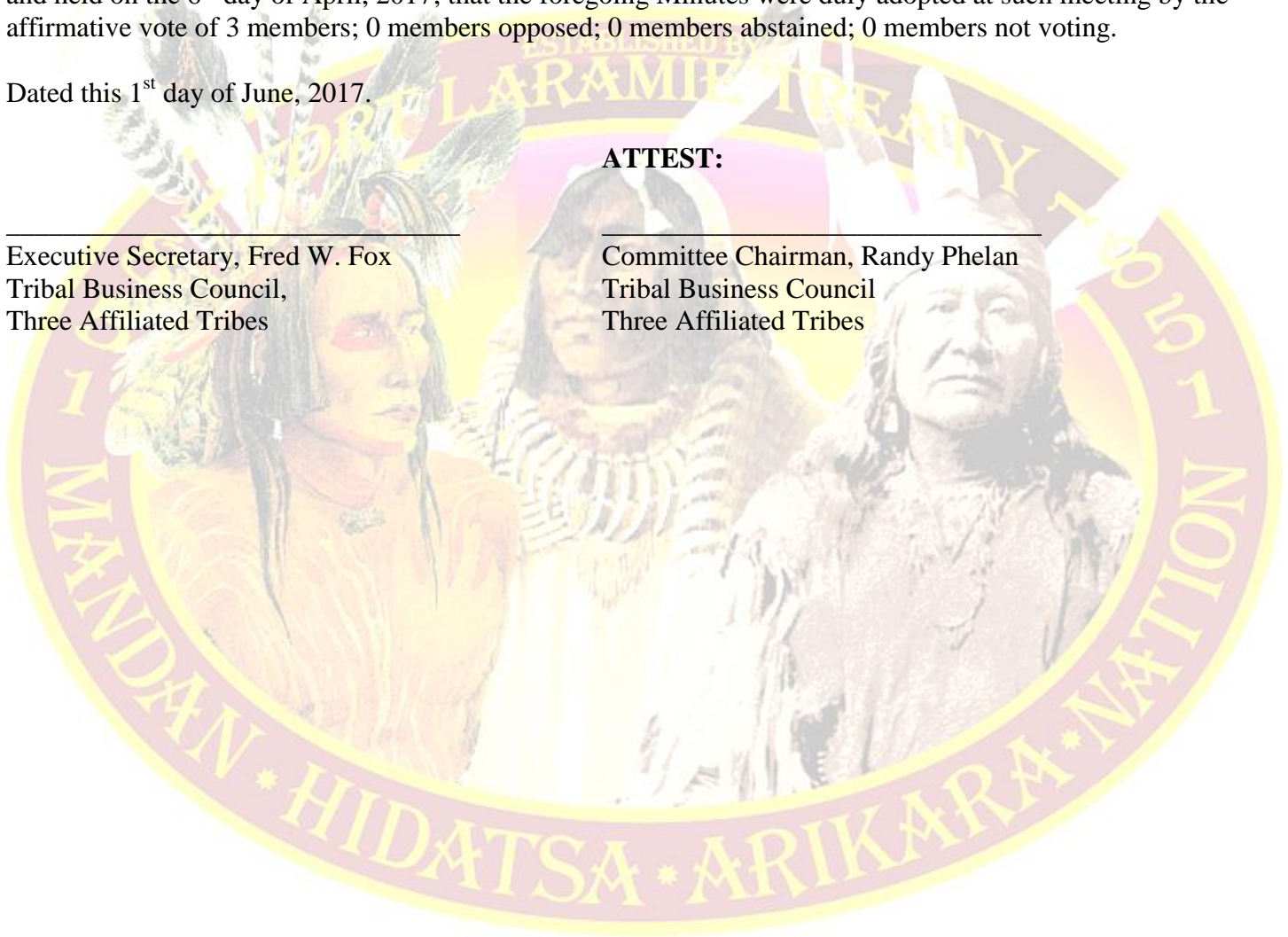
I, the undersigned, as Committee Chairperson of The Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Natural Resources Committee Oil & Gas is composed of three (3) members and of whom three (3) constitutes a quorum 3 were present at the meeting thereof duly called, notice, convened and held on the 6th day of April, 2017; 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 June, 2017.

ATTEST:

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

Committee Chairman, Randy Phelan
Tribal Business Council
Three Affiliated Tribes

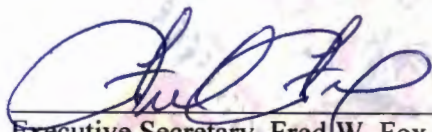




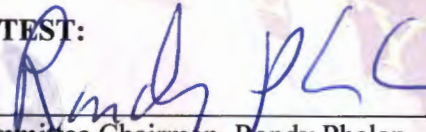
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