



**CALL TO ORDER:**

Councilman Randy Phelan called the meeting to order at 2:00PM. in the Energy Building.

**PRAYER:**

Chairman Mark N. Fox.

**ROLL CALL:**

*Present:* Councilwoman Monica Mayer, Councilman Fred Fox, Chairman Mark N. Fox Councilman Randy Phelan. *Quorum established.*

**I. APPROVAL OF AGENDA:**

*Motion:* Councilman Fred Fox moved to approve the agenda. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0-0. Motion carried.

**II. APPROVAL OF MINUTES:**

- 1/30/2017 NRC-Oil & Gas Committee Minutes.
- 3/1/2017 NRC-Oil & Gas Committee Minutes.
- 3/22/2017 NRC-Oil & Gas Committee Minutes.

*Motion:* Councilman Fred Fox moved to approve minute's subject to changes. Councilman Frank Grady seconded the motion. Vote: 3-0-0. Motion carried.

**III. NRC CHAIRMAN – Councilman Randy Phelan**

**A. Update**

Councilman Randy Phelan yielded his time to Chairman Mark N. Fox.

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Councilman Mark N. Fox thanked Councilman Randy Phelan for starting the committee meeting late for the grand opening of the courthouse and Law Enforcement Center today. We had some important meetings that we attended last week at the Department of Energy. At the summit, we had the Governor & Chairman the Indian affairs. With the regulations that are being proposed that they want to roll back or diminish. We will be working with the Trump administration, Interior, and Indian affairs. Changes we want 1. Quit treating our lands like public lands. 2. Let us be in control of the regulations by our own tribal laws and governments. If you let us do these you can diminish our need federal dollars. We are going to continue to go to Washington DC and work for what we want. The last few weeks with TERO we are going to put into place order and work with our Indian contractors. We want producers and oil companies to work with our tribal government. The tribe should get all the revenues from tribal lands back to our people and tribe. We need to have more meetings with Indian contractors and TERO and the last meeting was helpful.

Next Oil & Gas meeting will be June 5<sup>th</sup> Monday 1:00PM.

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

**A. Update**

Keith Bear new Reality Specialist introduced to the committee. Mr. Bear will be working with the North Dakota Industrial Commission & consulting with the State with the FBIR. Discussion of set-backs, injection wells and jurisdiction on fee lands. Chairman Mark N. Fox provided the historical basis for which the tribe's jurisdiction stands. Mr. Hood provided information concern TAT spill regulations and remediation process. We will file law suits if this continues to happen, we will assert our jurisdiction.

**FTR:** Councilman Cory Spotted Bear joined the meeting 2:25pm.

Any spill under a 25-barrel is required to be reported.

**FTR:** Chairman Mark N. Fox left the meeting. 2:27pm.

Kenny Lyson provided information concerning the truck accident north of New Town this past weekend and TAT emergency efforts to protect and shut down a nearby well. Carson Hood reported that Compliance Officers will be inspecting for well that do not have SCATA systems installed within 30 days of going online. Councilman Randy Phelan said you guys have to respect our land. There is a difference on the reservation and off the reservation.

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**B. B.I.A. Report – Kayla Danks, Superintendent**

Staff introductions and report.

**C. ½ Mile Setback Amendment Clarification – Crockett Blake & Frankie Lee [Closed Session]**

**V. NATURAL RESOURCE DEPARTMENT [Closed Session]**

**A. Farm Pasture Lease-** Diana American Horse, Valorie Hosie

**B. ROW/Easement**

1. Jacqueline Sturm ROW.
2. Kelsey Jacobson

**C. Interstate Engineering**

**VI. OTHER BUSINESS**

**A. Update – TERO – Duane Young Bird**  
Item deferred.

**B. Trespass BIA – Kayla Danks [Closed Session]**

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**C. Diligence Program Update – Carey Doyle & BLM**  
Cary handed out the monthly BLM Diligence report.



**Motion:** Councilman Fred Fox moved to forward the Colorado School of Mines Grant to Tribal Business Council. Vote: 4-0-0-0. Motion carried.

- D. Lease – QEP – David Connolly [Closed Session]**
- E. Petro Gulf [Closed Session]**
- F. MMR Assignment – Derek Hungerford [Closed Session]**
- G. Enerplus – Josh Ruffo [Closed Session]**

**FTR:** Councilman Fred Fox Left the meeting at 5:00PM.

- H. Sky Hunter LLC – Orion Gillette & Waylon Pretends Eagle [Closed Session]**
- I. Independent Oil Corp (IOP)– Kip Gilleland [Closed Session]**

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- J. Water Permit - Lloyd Vigen**

We are here to ask for a permit to sell water in the Mandaree area, we built a dam on family's private land. I have 51% of the signatures, there are 22 land owners. There is an existing well and would like to see if it will produce more water. Councilman Randy Phelan said this would cut back on a lot of truck traffic in Independence. Mr. Vigen would like to start right away. The water is run off water, creek water enough to keep it flowing. Councilman Randy Phelan said to go to the BIA and get a permit on it, see Kayla Danks. BIA went out and looked at it and they have easements from the BIA. The committee determined it did not have jurisdiction. Mr. Vigen expressed the need to streamline the process so that small Indian owned companies can compete with the oil companies.

- K. Sonja Fox Sponsorship**

**Motion:** Councilman Cory Spotted Bear moved to forward Tribal Business Council. Councilwoman Monic Mayer seconded the motion. Vote: 3-0-0-0. Motion carried.

**VII. ROW APPROVALS: [Closed Session]**

**A. Operators:**

- 1) Whiting
  - a. Two Shields Butte 14-21-16-2H3 & 14-21-33-15H3 Well Pad Expansion
- 2) Crestwood
  - a. QEP 15-32B Indy Well Connect & Setback Variance
  - b. Blue Buttes Stevenson Loop Line – Alt 2
- 3) Targa
  - a. Kermit
  - b. New Tribes/Cranes
- 4) XTO
- 5) Halcon
- 6) Indian Contractors/contract review
- 7) Jim Baker

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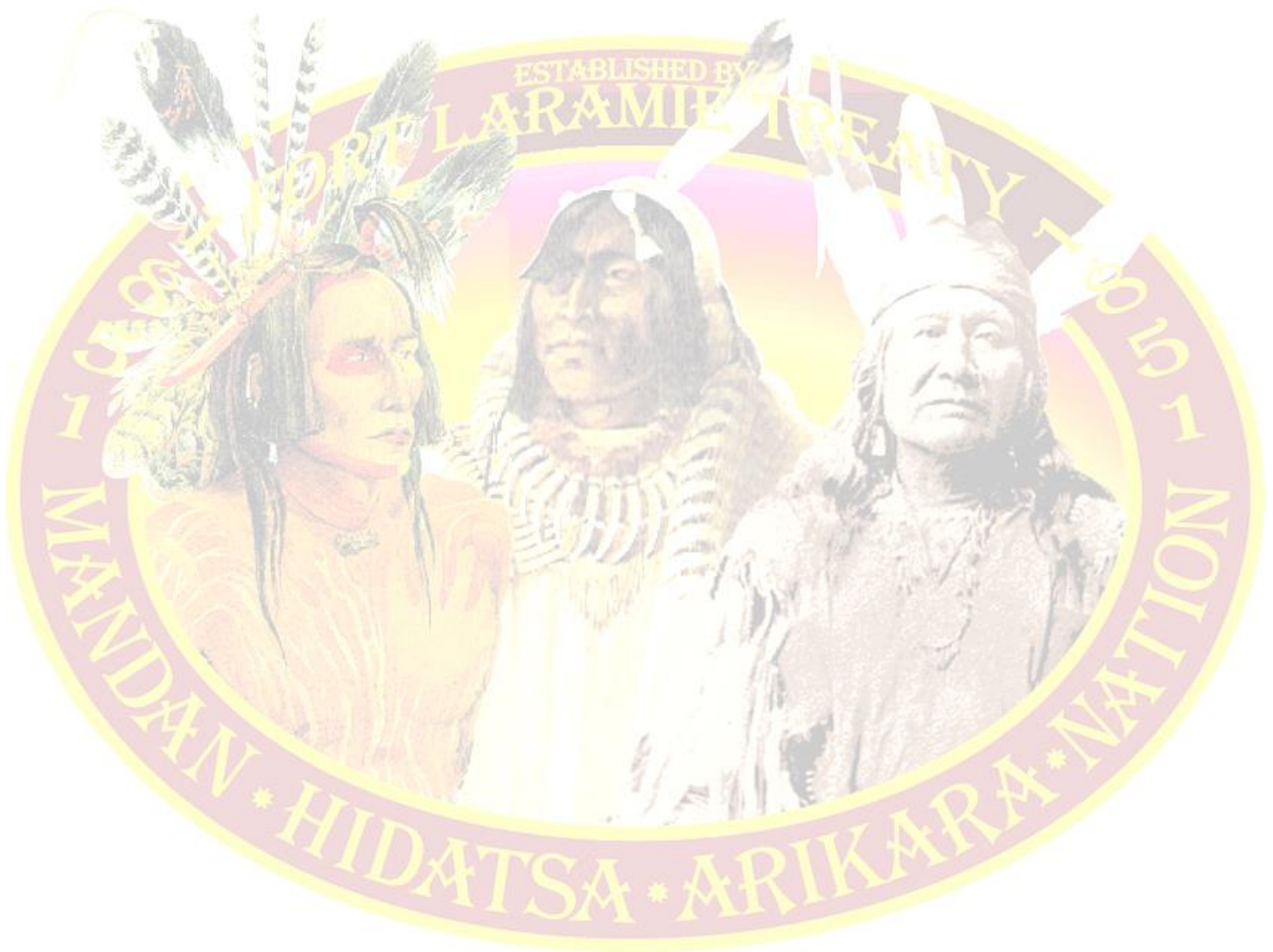
- 8) Shannon Atcitty



- 9) Terry Fredericks
- 10) Leo Cummings

**VIII. ADJOURNMENT:**

**Motion:** Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 7:03PM. Vote: 3-0-0-0.





**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 9<sup>th</sup> day of May, 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 1<sup>st</sup> 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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