



CALL TO ORDER:

Councilman Randy Phelan called the meeting to order at 12:47 pm.

ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Fred Fox (via conference call), Councilman Randy Phelan.
Quorum established.

I. APPROVAL OF AGENDA

Motion: Councilwoman Monica Mayer moved to approve the agenda. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

II. APPROVAL OF MINUTES

• February 28, 2018 Natural Resources Oil & Gas Minutes

Motion: Councilman Fred Fox moved to approve October 10, 2017 Natural Resource Committee Oil & Gas minutes subject to minor corrections. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

III. NRC Chairman

A. Update

Had Rig Friendly meeting in Denver, good turnout.

B. Bonnie Red Fox

C. Federal Programs manager was suspended and Bonnie Red Fox had been helping Carson Hood Jr. and would like to continue to work with her. CEO states it's an appointee position and Chairman will be bringing Pat Wilkinson in as Federal Programs manager. Pat will start this coming Monday. The work load is split between Contract office and CEO's office currently. Carson Hood Jr. states he has been working with Bonnie Red Fox on their Federal side. Councilman Fred Fox wants CEO to keep them better informed on the tip list, long range plan was dropped in 2016. Councilman Randy Phelan feels the Tribe needs to go to DC to get monies to fix up our roads. CEO states Chairman spoke with the Bureau already. Bonnie Red Fox is working on the contracts with the roads that need to be fixed. Councilwoman Monica Mayer would like data on our roads to back up getting money from the Government. Bonnie Red Fox will continue working with Energy Department. 5141JV Carson Hood Jr. states there are monies there to fix roads, need to go to Aberdeen and pitch for money to fix our roads. Committee agrees we should have a long term plan in place. Committee gave a directive to have CEO, Carson Hood Jr., Bonnie Red Fox to get data. And start a roads plan.

Motion: Councilwoman Monica Mayer moved to direct CEO, Carson Hood Jr. and Bonnie Red Fox get data on the roads and start a roads plan. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

D. Fort Berthold Rural Water4 (FBRW) - Pem Hall

Presented a resolution entitled, "SCADA System Expansion for the New Twin Buttes Water Treatment Plant"



Motion: Councilwoman Monica Mayer moved to forward the resolution to next Tribal Business Council Meeting. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

IV. **BIA & BLM Updates**

A. **Kayla Danks, BIA Superintendent**

1) **Update**

24 pending ROW's. Draft letter is wording we will use. April 25th will have a meeting for APD approvals. Have pending APD's and ROW's. Kayla Danks gave Carson Hood Jr. the Draft letter to hand out to the oil companies. Loren Wickstrom joined Kayla Danks, to explain pending APD's. The shelf life of an APD is four years. By approving an APD does not give permission to oil companies to start working. On future APD's the operators have to show approval (ROW from BIA) to start working. Will start implementing this in May. Carson Hood Jr. has a FONZI from BIA, and would like more clarity on set back on Missouri River. Loren Wickstrom signed the decision record today. Submariner. Tribal nexus. Torpedo location. Councilman Randy Phelan states if there is a spill, we will sue you for approving this. 2 Slawson submariners were approved. Councilwoman Monica Mayer asked why you approved the APD's if you knew our set back variances. Loren Wickstrom states he really had no choice to sign those. Travis Hallam spoke about safety standards; we have a right to protect ourselves. Councilman Fred Fox states we should get a letter out to have Loren Wickstrom removed as BLM director.

Motion: Councilman Fred Fox moved to forward to next Tribal Business Council meeting. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

Discussion: BLM is moving forward with these decisions and letting us know later that they were approved. An IBLA will need to be filed again. Committee agrees that no more APD's will be approved by BLM until we get another replacement. Loren Wickstrom states there could be as many as 100 coming up. Kayla Danks states that any decision can be appealed. John Fredericks expressed that we need to go to the higher ups and insist that our tribal law be abided by. John Fredericks can draft a request.

FTR: Councilman Randy Phelan had Loren Wickstrom removed from the Chambers.

2) **Temporary Fresh Water Lines**

New regulations prohibit piggy backing. This poses a challenge to companies. Should also have assignment authority. Kayla Danks states we need their consent one on one. Assignability clauses on old ROW's question was asked by a company. We use legal precedent and we have to follow what's in the guidelines of the law. We have documents with clear language and some documents without clear language. Company states they will compensate but the old ROW's state different. The old right of way grants have different language than the newer right of way grants. Has to be in the granting clause according to Kayla Danks.

B. **Bureau of Land Management (BLM) - Loren Wickstrom**



1) Update

Item deferred.

V. **MHA Energy Division**- Carson Hood Jr., Director

A. **PTS Update** – Shawn Paul Grady

Item deferred.

B. **Pipeline Safety Code Update** – Travis Hallam

We developed a safety pipeline code. Last week we had a meeting with companies and Ron Ness and seemed to come to some form or level of understanding. We have some legal language to revise and will get it to Caleb Dog Eagle and John Fredericks to review. We also have home site setback variance that has to have prior approval from the council. Councilman Randy Phelan states it's an issue with the variance and well pads when people want to move their home into an existing set back.

C. **Energy/Environmental MOU – Spring Water – VOC Programs Update**

Another issue is, would like an approval for a development we are doing. MOU is with environmental issue. Spring water flooding on well pads needs to be dealt with. Would like approval from NRC Committee to get detailed information.

Motion: Councilwoman Monica Mayer moved to give approval. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

VI. **OTHER BUSINESS**

A. **Mark Van Norman**

Item deferred.

B. **Missouri River Resources (MRR) – Lease Trade** – Jason Krueger & Carl Artman

1) **Lease – M 2161 & M 2255**

Royalties stays the same for the Tribe. Waiver of sovereign immunity is more limited than ever before. John Fredericks will review before the next Tribal Business Council meeting.

Motion: Councilwoman Monica Mayer moved to forward lease to next Tribal Business Council meeting. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

2) **Amendment Resolution No. 18-026-FWF**

A Resolution entitled, "Authorization for Transfer of Lease No. 7420A42643"

Motion: Councilwoman Monica Mayer moved to forward resolution to next Tribal Business Council meeting. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

3) **Request for Lease Assignment, LTD Waiver of Sovereign Immunity.**



Motion: Councilwoman Monica Mayer moved to forward resolution to next Tribal Business Council meeting. Councilman Fred Fox seconded the motion. Vote: 3-0-0. Motion carried.

C. BIA 13 – XTO/QEP/WPX Shared Roads Agreement

Item deferred.

D. BIA 2 Roads Agreement - Marathon

Item deferred.

VII. ROW APPROVALS (CLOSED SESSION)

A. Operators

- 1) EOG
 - a. Mandaree 7 SESW Pad
- 2) Enerplus
 - a. Clouds West
 - b. Cranes Pad – Utility Assignment
 - c. Greek Gods East – Pipeline & Utility Assignment
- 3) MRR
 - a. East Project – CTB 23 & Pad B1
- 4) QEP
 - a. Vegas Pipeline
- 5) Crestwood
 - a. MRR Dance Pad
 - b. Baker Biron Well Connect
 - c. FBIR Walker 31X-36C Well Connect.

VIII. ADJOURNMENT

Motion: Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Fred Fox seconded the motion. Meeting adjourned at 2:30 pm.




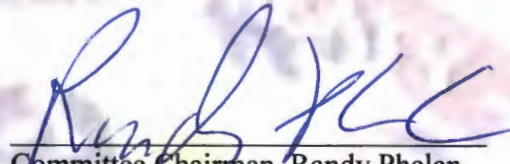
CERTIFICATION

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 June; 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 6th day of June, 2018.

ATTEST:


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


Committee Chairman, Randy Phelan
Tribal Business Council
Three Affiliated Tribes