



CALL TO ORDER:

Councilman Fred Fox called the meeting to order at 11:34 am.

ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Cory Spotted Bear, & Councilman Fred Fox. *Quorum established.*

I. APPROVAL OF AGENDA

Motion: Councilwoman Monica Mayer moved to approve the agenda. Councilman Cory Spotted Bear seconded the motion. Vote: 3-0-0. Motion carried.

II. APPROVAL OF MINUTES

A. April 29th, 2020 Energy Committee Minutes

Motion: Councilwoman Monica Mayer moved to approve the April 29th, 2020 Energy Committee minutes subject to minor corrections. Councilman Cory Spotted Bear seconded the motion. Vote: 3-0-0. Motion carried.

B. September 2nd, 2020 Energy Committee Minutes

Motion: Councilwoman Monica Mayer moved to approve the September 2nd, 2020 Energy Committee minutes subject to minor corrections. Councilman Cory Spotted Bear seconded the motion. Vote: 3-0-0. Motion carried.

III. ENERGY Chairman – Councilman Fred Fox

A. Update

Item deferred.

IV. BIA & BLM UPDATES

A. Bureau of Indian Affairs (BIA) – Kayla Danks, Superintendent

1) Update – Report Submitted

B. Bureau of Land Management (BLM) – Loren Wickstrom, Field Manager

1) Update – Report Submitted

See Energy Update.

V. MHA ENERGY DIVISION

A. Update – Kenny Lyson, Interim Director

Update from BLM representative Loren Wickstrom: 2 APD's in September, 83 approved. 184 APD's for fiscal yr. 222 APD's processed. 61 APD's pending. Mineral bed is still under dispute and is not approving any APD currently. John Fredericks states this came as a result from the litigation. July 16th they stopped. Councilman Fred Fox states they can get to the riverbed with the lateral, or are they going to strand the riverbed, John Fredericks states no. Are they going to



change the permit or unit so it only included the lake bed and will strand the riverbed because they don't want to be halted on their permit? John Fredericks states Kenny Lyson needs to speak to Loren Wickstrom about this. John Fredericks feels it would be a breach of trust, almost certain they would not do that. Councilwoman Monica Mayer asked what about the APD's prior to July? Kenny Lyson states it's in escrow, the monies are being held. Kayla Danks states they are under the same court order. Kenny Lyson states we will have to keep a sharp eye on the Docket order, and check to see if any of that doesn't happen. Kenny Lyson also informed there are 11 rigs operating in the State right now and 4 in the Fort Berthold Indian Reservation (FBIR). Marathon has 2 rigs running, WPX has 1 and Slawson has 1. Industry information request, Kenny Lyson will compile report after he gets them from industry.

B. Spill Report – *Sal Beston*

Total spills for the year are 51 of all total operators. If the number seems low, we have implemented a spill prevention program. Had an operator at 16 spills and are down to nine. This program is helping with the spills.

VI. OTHER BUSINESS

A. West Segment Regulatory Commission (WSRC) Update – *Fred Hale*

Item deferred.

B. TERO Update – *Duane Young Bird*

FY19 TERO had 1.8 million in licensing, 3.1 in the 2.5 contract fee and citations just over \$52,000. FY2020 closed out with 1.5, 1.8 in the 2.5 contract fee and \$47,000 for the year in citations. We are working on a Self perform preference list, has some hiccups but the direction we are going with this has been successful. We are focused on the companies who are self-performing and have their own equipment and crew. This preference does not include subcontractors. This is still a work in progress we still need to work on the bid process.

C. Pipeline Authority Update – *Travis Hallam*

Met with transmission companies this past week. Got the remediation done on the old Amoco Tesoro, now its Marathon pipeline Company. The only concern now is WPX is merging Devon. They don't know if there is going to be any transition change were they start backing off or keep things as normal so for some of the pipeline companies they don't know how much volume they are going to have is that's going to impact it or not.

D. Industry Update – *Josh Ruffo & Zac Wies*

Josh states nothing changed since last meeting. Have a meeting set up with Chairman soon.

E. Sunset Clause - WPX

See Closed Session.

F. WPX – *Patricia Kelly*

See Closed Session.

G. Tallsalt Contract – *Kenny Lyson* (CLOSED SESSION)



VII. ROW APPROVALS (CLOSED SESSION)

A. Operators

- 1) Enerplus
 - a. Woman Creek Expansion and Modification Project
- 2) Bruin
 - a. Clinton Pad Modification
- 3) McKenzie Electric
 - a. Enerplus Snakes East Project
 - b. Hunts Along Bay Distribution Line Project
 - c. Enerplus Metals East Pad Project
 - d. XTO FBIR Bird Stephens 21X-19
- 4) TEK Industries
 - a. TEK West Loop 17

VIII. ADJOURNMENT

Motion: Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 1:00 PM.




CERTIFICATION

I, the undersigned, as Committee Chairperson of The Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Energy Committee 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 27th day of October 2020; 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 27th day of October, 2020.

ATTEST:

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



Committee Chairman, Fred Fox
Tribal Business Council
Three Affiliated Tribes