



CALL TO ORDER:

Councilman Fred Fox called the meeting to order at 12:07 PM.

ROLL CALL:

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

I. APPROVAL OF AGENDA:

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

II. APPROVAL OF MINUTES:

- **March 23rd, 2023 Natural Resource Committee Minutes.**

Motion: Councilwoman Monica Mayer moved to approve the March 23rd, 2023 Energy Committee Minutes subject to minor corrections. Councilman Cory Spotted Bear seconded the motion. Vote: 3-0-0. Motion carried.

III. ENERGY: *Councilman Fred Fox*

A. Next Energy Committee Meeting
May 18th, 2023.

B. Update – *Kenny Lyson, Director*

Next Federal Partners meeting will be held at the end of May. Councilman Fred Fox asked Kenny to get the Rig Friendly scheduled right before the Federal Partners for any questions that may need answered.

IV. BIA & BLM UPDATES:

A. Bureau of Indian Affairs (BIA) – *Julie Anderson*

1) Update –

Superintendent meeting tomorrow. One new from MBA's. 2 leases pending. Have spotted hawk has 2 spots of land for lease. 6 ROW's enroute, and 6 more coming in. 11 ROW's in the office currently. Have gotten 87 oil.. Have 200 row assignments right now. Have 11 positions open at the BIA. There are 11 workers at the BIA right now. There are 40-42 positions but don't have the funding for all those positions.

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

1) Update –

Report submitted for the record. Mr. Lyson presented Mr. Wickstrom's report. Trust APD numbers for Oct. to Present. Received APDs = 31. Processed APDs = 37. Total Pending APDs = 25. Total approved APDs but not drilled – 280. Inspection and Enforcement (I&E): The NDFO met with MHA Energy on April 19th for training on I&E compliance, including seal requirements. North Dakota RMP (Updated) - The draft RMP was published on January 20th, 2023 the initial 90 public comment period ending on April 20th, has been extended to May 22nd, 2023). The draft is available on ePlanning. Currently, they have just 11 employees



working. Councilman Fred Fox asked Mr. Lyson to provide information in regard to the companies well's that they are and are not drilling. Mr. Lyson he will advised Mr. Wickstrom to provide that information.

V. MHA ENERGY DIVISION

A. Update – Kenny Lyson, Director

43 rigs in the state and 4 on FBIR. Mr. Lyson stated that BLM has been working real well with the Energy Department. He also stated that due to the snow melting a lot of the wells have water on them. That issue is being taken care of. Mr. Lyson stated that the Energy Symposium will be re-planned for this fall. (2023) BLM has been work well with the Energy Dept. When they are in the area they let them know. One of the Field Officers go out with them to the sites and they make sure everything is working right. They recently had training with BLM. Mr. Lyson stated that they need new vehicles because every time they take one in to the shop it cost a couple thousand dollar. He hasn't had a budget meeting yet to discuss purchasing new vehicle.

FTR: Councilwoman Sherry Turner-Lone Fight joined the meeting at 12:24 PM.

VI. OTHER BUSINESS

A. Pipeline Discussion – Travis Hallam, Director

Mr. Hallam stated that he did a presentation on fracking in Denver, CO. two weeks ago and he said it went well. He was asked to sit on other panels and requested permission to do so. Mr. Hallam stated he was far ahead of other tribes in regards to pipelines. He is also requesting permission to have consultation with the CORPS. The meetings are tomorrow. The MHA Nation is in support of DAPL. An official statement will be sent out from Chairman Fox. The committee gave Mr. Hallum permission to sit on the panels. How to blow up a pipeline, the first nation already did this. Want industry to be alert, look for the right personal if there is a sighting of a bomb. Travis was asked to sit on a panal. DAPL issue, there is a statement they need and if we don't do it we could be in trouble, they could shut down DAPL. Travis is requesting to do his job and his intrest in the tribe he would like to do this. There is a meeting tomorrow and Travis is requesting to speak at the meeting. Councilwoman Monica Mayer states, if someone talks to the Chairman today since the meetings are in the next couple days. Councilwoman Monica Mayer asked the other Committee members if Travis should say anything. Katherine Everette states she feels there is still time to submit, and will update the Council later. Dead line was April first. Katherine states, Travis is correct some of the deadlines have passed. Travis feels if the tribe doesn't make a statement we could lose out. Katherine will set it up with Chariman and he will let Travis read the statement from Chairman Mark N. Fox at the meeting.

FTR: 1:12PM- Chairman Fox briefly entered the meeting and advised his opinion on the matter. He allowed Mr. Hallam to speak on the DAPL issue but to not add anything or take anything out.

B. Thunder Butte Energy Update – Bernie Fox, CEO

Item deferred.

C. MRR Update – Dave Williams, President/CEO

Ron, Jason, Brett Buzard and Mr. Williams presented. They went through the report they handed out to the committee. The well that MRR re-fracked used to produce 88 barrels of oil a day and



2,600 a month. After re-fracking it it now produces 287 barrels of oil a day and 8,500 barrels of oil per month. Jason has been working with Enerplus, but his goes back further, Currently Enerplus has encumbered this debt. Back in 2021 an audit group, Bruin had findings and we owed them millions. Three years to the day we have not seen a dime of almost 5 million dollars. The other wells they drilled had no lease. In 2013 along the Little Missouri Unit 27 & 24 based on the disment of the river it brings it to 718,000 acres are leased the MRR owned. Bruin and Alcon owes \$5million to MRR. Enerplus is holding that money now. Mr. Williams asked if the tribe would be able to do something to get Enerplus to pay MRR that money.

Motion: Councilman Cory Spotted Bear moved to forward to Executive Committee. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

D. Industry Update – Josh Ruffo

Mr. Ruffo stated that it is uncertain times right now due to the new changes. The changes will affect the whole state, not just on FBIR. They will be in affect in August 2023. Any new wells will have to follow the new rule and guidelines. They will have to abide by the No Flare rules. Councilman Fred Fox stated that we mentioned the seriousness of the flaring and these changes will remedy that. Mr. Ruffo stated that if and when they get calls from royalty owners about why their wells are shut down, he stated that they will have to inform them that there are new rules that say there is to be no flaring. It isn't their call anymore and they have new rules to abide by. Councilman Fred Fox stated that that is what we asked for and that is now the rule.

E. TAT Roads – Rosalyn Crows Heart, Interim Director

Item deferred.

F. Kenny Lyson and Jason Krueger (CLOSED SESSION)

VII. ROW APPROVALS: (CLOSED SESSION)

A. Operators

- 1) EOG
 - a) Mandaree 7 SWSW
- 2) Enerplus
 - a) Bradfield 2 Project
- 3) Targa
 - a) Omaha Woman Re-Route Project
- 4) McKenzie Electric
 - a) Marathon Mandan CTB Line
- 5) WPX/Devon
 - a) CA NDM 102683
- 6) WPX/Devon
 - a) CA NDM 111696

VIII. ADJOURNMENT

Motion: Councilman Cory Spotted Bear moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 1:27 PM.



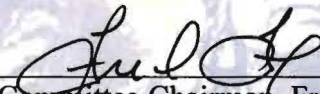
CERTIFICATION

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 1st day of June, 2023; 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, 2023.

ATTEST:

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



Committee Chairman, Fred Fox
Tribal Business Council
Three Affiliated Tribes