



CALL TO ORDER:

Councilman Fred Fox called the meeting to order at 11:39 AM.

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:

• **April 25th, 2023 Energy Committee Minutes.**

Motion: Councilwoman Monica Mayer moved to approve the April 25th, 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

July 6th, 2023. NRC to follow.

B. Update

Rig Friendly Meeting - June 26, 2023 at noon there will be a meeting at the EOG office in Denver. Councilman Fred Fox wants industry there to give updates. Federal Partner's Meeting will be June 27th, 2023. Kenny Lyson stated that all of industry need to bring up their plans for the rest of the year. They are to present them at the Federal Partner's Meeting. Bring any issues they may have with wells, permitting and other things along those lines.

IV. BIA & BLM UPDATES:

A. Bureau of Indian Affairs (BIA) – Rick Clifford, Interim Superintendent

Oil and Gas Leasing & Leasing Assignments: -2 mineral leases out, 1 pending notification from landowners on acceptance of the offered amount or renegotiate for the Valuation amount and 1 pending approval. 1 IMDA pending and 1 new lease was submitted 5/31/23. 466 completed Lease assignments. 503 pending Lease assignments. 939 Total Lease assignments

Oil and Gas ROW's & ROW Assignments: 2 ROW applications returned to the operators. 5 MEC pending due to outstanding requests for additional documents or corrections. 4 ROWs pending approval. 2 ROW applications and 1 admin mod and 2 ROW applications in NEPA review. 3 TEK ROW applications pending incomplete package letters and will be returned. 240 Pending O&G ROW Assignments. They are currently all being reviewed for approval.

Communization Agreements: Pending: 150 total Cas, Uplands = 3 completed, 60 pending (Uplands CAs are awaiting guidance from the Solicitor's office regarding the inclusion of the updated Section 5 language for CAs containing tribal tracts/interests); Little Missouri River = 23 pending, Big Missouri River = 67 pending.



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

The FY 23 APD report. Trust APD numbers for Oct to April 20, 2023: Received APDs = 31 Processed APDs = 37; Total Pending APDs = 26; Total approved APDs but not drilled – 235. Inspection and Enforcement (I&E). Continue to work on high priority inspections. Shelf life for an APD is 2 years, 4 years total. Drilled and not fracked, they ran a report on this and if it's over one year BLM contact to find out why, Mr. Wickstrom will find out that number. He will be attending the Federal Partner's Meeting in Denver. BLM has been working on the North Dakota RMP. The public comment period has closed. They have received a letter and comments from the MHA Nation and they are reviewing it. They hope to have the RMP approved by the end of this year.

V. MHA ENERGY DIVISION:

A. Update – Kenny Lyson, Director

Oil is around \$70. Down to 5 rigs on Fort Berthold. BLM notifies every time they go out on to the pads. Getting caught up on keeping water off pads. EOG office in Denver is the next Rig Friendly meeting. July 11th is the Energy Golf Scramble. Councilman Cory Spotted Bear states we need to pay attention for the full volume, seems important with the new flaring going on. Councilman Fred Fox asked Kenny to get info on volume and capacity from the operators. Gas is always the hold up; with the oil it is fine they shouldn't be overloaded. May 2023 Tallsalt Report submitted for the record.

VI. OTHER BUSINESS:

A. Pipeline Discussion – Travis Hallam, Pipeline Authority Director

Requesting Corps of Engineers and ask for a Nation-to-Nation consultation, one of the things he put in for was consideration of Alternative 5, which would be a reroute. This could possibly shut it down. If they did the reroute they keep it the same as what Cenex did, the line is operational until the day of the switch. The line wouldn't have to be shut down. Travis is asking for permission to proceed. Katherine Everett states, Chairman would like Alternate 4 but would go with 5. Travis does not want to change the statement in any way, he just wants to make sure there is clarity in the statement, Katherine was ok with it.

B. Thunder Butte Energy Update – Bernie Fox, CEO

Item deferred.

C. MRR Update – Dave Williams CEO/President

Ron Kaylor gave a brief update. He stated the wells are producing. Mr. Kaylor stated that MHA should have received their first check last week if not, it will be this week. Currently they do not have too big of plans coming up due to the price of oil.

D. Industry Update – Josh Ruffo

Item deferred.

E. TAT Roads – Maynard Demaray, Director

The Director will be working on road agreements and is drafting a template. Councilman Fred Fox advised Mr. Demaray that he needs to get ready to take care of the dust problems coming up.



BIA 10 is tore up and they wanted gravel from the Roads Department for repairs. Deven Energy is supposed to take care of that road.

VII. CLOSED SESSION:

- A. Fredericks Custom Solutions, LLC.** – *Jesse Fredericks*
- B. L.T. Dental Request**
- C. Mineral Sale** – *Kenny Lyson, Energy Director & Texx Lone Bear, Natural Resources Director*

VIII. ROW APPROVALS: (CLOSED SESSION)

A. Operators:

- 1) **Marathon** - *Joe Mrstick*
 - a) **Murray USA Lake Setback**
 - b) **Murray USA Surface Use Agreement & Damage Agreement**
 - c) **Lillian USA Lake Setback Variance**
 - d) **Ashley USA Lake Setback Variance**
 - e) **Collins USA Project Surface Use Agreement**
- 2) **D.W. Slate**
 - **Assignment to Bastion Lease No. 7420A42646**

IX. ADJOURNMENT:

Motion: Councilman Cory Spotted Bear moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 1:28 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 2nd day of July, 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 2nd day of July, 2023.

ATTEST:

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



Committee Chairman, Fred Fox
Tribal Business Council
Three Affiliated Tribes