



CALL TO ORDER:

Councilman Randy Phelan called the meeting to order at 12:01pm at the Radisson Hotel in Bismarck, ND.

PRAYER:

Harriet Goodiron

ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Fred Fox, & Councilman Randy Phelan. *Quorum established.*

FTR: Operator roll call at 1:19pm

I. APPROVAL OF AGENDA

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

II. APPROVAL OF MINUTES

Item deferred.

III. NRC Chairman – Councilman Randy Phelan

A. Update

B. BIA Update - Tom Wells

Provided information on problems with easements and new regulations and incorrect instruments. Unable to assign for temporary water lines. 23 easements currently working on from May on and 8 more in July, 3-4 this month. Not a lot of easements. Only 5 Oil & Gas operator easements with the rest pipeline companies. Indian Service center in Denver is ready to take on that roll with a certain learning curve. Have requested a couple of their staff Work on site to learn our system. About 1-2 approved per month. Questions of temporary water lines in the states ROW along the highway on trust lands and Mr. believed not. Recommended language in the easements to allow for temporary water lines. Councilman Fred Fox noted that push back from the land owners is going to create more water truck on the roads. There is a need for a common solution so producers can depend on more consistency in the process. Temporary Water line issue needs to be discussed at the Federal Partners Meeting in Denver with priority. Josh noted that BIA 14 and 12 will see a lot of damage. Also noted was the investment in Section 17 infrastructure

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

Discussion: Halcon is drilling 20 new wells at Blue Buttes with Marathon having 14 wells and these operators can't get section 17 water get water. Problem is north on 73 from the depot which is a good area to drill. Councilman Fred Fox recommended going around through a different land owner's field on a new ROW with a new NEPA. Tom Wells discussed categorical



exclusion on the cropland. Carson Hood Jr. will investigate. Tom Wells submitted a draft deed document accepted for the record. Loren Wickstrum of BLM discussed a backlog of ROW concurrences of 253 APD's. Most APD's awaiting ROW and about 5 days for their approval. IED strategy for FY2017 with tribal consultation. 25 flaring sundry notices with 8 operators have been revived and are royalty bearing with review by the State Director, the NDIC, and the tribe. Carson Hood Jr. asked for the APD requirements on fee land on the reservation and set-backs. Mr. Wickstrum noted that the tribe can always request a state review, but his hands are tied on Fee-Fee-State lands. Discussion of the well pad near Hawk Estates in New Town which stated as fee but is now trust and . Van Hook Slawson Well litigation continues with APD still in effect and drilling continues. IPLA & Federal courts are involved.

C. Pipeline Authority - Travis Hallam

Representing the tribe on the Governor's Meeting on Pipelines. Problems with operators doing using pneumatic testing against the tribe's mandate. Need operator's emergency contact lists

D. Industrial Commission - Harriet Goodiron

Database system being developed for complaints and working with Energy and the Tribal Business Council. Councilwoman Monica Mayer noted the importance of data collection for effective business decisions. Expressed concerns over the well pad in the middle of North Segment development in New Town and issues of set-backs. Carson Hood Jr. discussed cooperation and conditions of approval when approving set-backs.

IV. MHA Energy Division- Carson Hood Jr

A. Update

BIA 638 Program received TAAMS clearance for staff access. Requested feedback from the operators on the recent Tribal Business Council approval of Energy regulatory inspection on the well pad and fine structure. Operator expressed concern over duplicate inspection by different agencies. Councilman Fred Fox noted that the regulations are about responsible production.

V. OTHER BUSINESS (CLOSED SESSION)

A. BIA Road 14- DOT Scales Update - Carson Hood Jr & Richard Hall

B. Compliance Manager Update- Sal Beston

C. Update – Mark Van Norman

VI. ROW APPROVALS: (CLOSED SESSION)

A. Operators

1) Marathon

- a. Red Feather ½ mile Setback
- b. Axell & Nugget Setback

2) McKenzie Electric

- a. Elm Tree to Four Bears Phase 2 Re-route

3) Enerplus

- a. Whales East Pad
- b. Peppers Pad

4) Targa

- a. Landform
- b. Maroon



5) QEP

a. Tipi Pipeline

VII. ADD-ONS

A. Gravel Study Dept. of Interior Office of Indian Energy and Minerals Development
Individual Mineral Development on the Fort Berthold Reservation. - *Texx Lone Bear*

Motion: Councilman Fred Fox moved to forward item to the September 2017 Tribal Business Council. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

VIII. ADJOURNMENT:

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 3:00pm.





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 30th day of August, 2017; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 4 members; 0 members opposed; 0 members abstained; 0 members not voting.

Dated this 10th day of August, 2017.

ATTEST:

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

Committee Chairman, Randy Phelan
Tribal Business Council
Three Affiliated Tribes

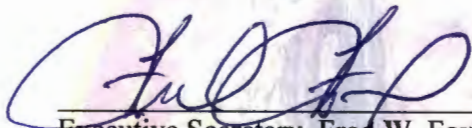


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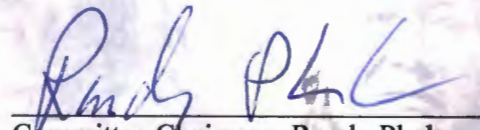
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