



CALL TO ORDER:

Councilman Randy Phelan called the meeting to order at 1:00 PM.

ROLL CALL:

Present: Councilwoman V. Judy Brugh, Councilman Fred Fox, & Councilman Randy Phelan. *Quorum established.*

I. APPROVAL OF AGENDA

Motion: Councilman Fred Fox moved to approve the agenda. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

II. APPROVAL OF MINUTES

A. August 6th, 2019 Energy Committee Minutes

Item deferred.

B. January 23rd, 2020 Energy Committee Minutes

Motion: Councilman Fred Fox moved to approve the January 23, 2020 Energy Committee minutes with corrections. Councilwoman V. Judy Brugh seconded the motion. Vote: 3-0-0. Motion carried.

FTR: Councilwoman Monica Mayer joined the meeting at 1:04PM.

III. ENERGY Chairman – Councilman Randy Phelan

A. Update

Rig Friendly meeting will be set up in April. No date for Federal Partners as of yet.

IV. BIA & BLM UPDATES

A. BIA – Kayla Danks, Superintendent

1) Update

Jeff Hunt, Petroleum Engineer, NIOGEMS Branch Chief gave a hand out Division Energy Minerals. Proposal distributed Energy & Mineral Development being moved from the Assistant Secretary of Indian Affairs to the B.I.A. due to budget. Councilman Fred Fox noted that it was being done without consultation to date. It's been difficult working with the government regarding a backlog of assignments. 756 outstanding/pending approved but not encoded into the systems. 339 assignments completed and encoded in NIOGEMS database. Assignments are key to all assignments and getting people paid. Rotating staff from Denver to Fort Berthold to do that work.

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

1) Update

APD update, FY 2019 received 422, approved 337. FY2020 received 65 APD and approved 79. Behind in comparison due to the price of oil. 120 pending APD's. About 20 of these we have been working on for about a year and delayed due to leasing issues. The APD's we have



20 that are less than one year old. Monitoring any APD's of off reservation wells coming onto reservation trust lands. Councilman Randy Phelan noted that the tribe has never received any revenue from these wells. Staffing update included 7 vacancies but the announcements are out and they are interview currently. Councilman Randy Phelan asked about disposals, Mr. Wickstom noted that the EPA handles those, but he was not aware of any new ones.

V. MHA ENERGY DIVISION

A. Update – Kenny Lyson, Interim Director

Still working on a date for the Bakken Expo. It was thought that sometime June would might work. On March 10th, the Spring industry meeting. HAZWOPER for all departments. April 6th through the 10th training will be done. H₂S training coming up.

B. PTS Report – Keith Bear

Submitted report for the record for Jan-Feb.: Four Bears-2, Mandaree 61, North Segment, Parshall & White Shield-0. Some are multi-track from McKenzie Electric for electrical tie ins. Councilman Randy Phelan noted with the warm up and melt to monitor the wells sites for water run off.

VI. OTHER BUSINESS

A. West Segment Regulatory Commission (WSRC) Update – Donald McKenzie, Chief Executive Officer

Item deferred.

B. TERO Update – Charles Foote, Executive Director

Item deferred.

C. Fish & Wildlife Division Update Antoine Fettig, Director

Item deferred.

FTR: Energy Committee went into Closed Session at 1:24PM.

D. Pipeline Authority Update – Travis Hallam, Director(CLOSED SESSION)

E. NEPA/Air Quality – Joletta Bird Bear(CLOSED SESSION)

F. Dakota Pad WPX – Brandon Harris

Megan, Charlie, and Brandon handed out maps of the 1280 stand up unit. Adding 4 well pads, additional 620 acres mineral. In 2007, 2019, abandoned the Alice Horn. Had 2 Dakota pads, abandoned the Dakota West pad. 2019 had an onsite with the Tribe and saw eagles fly into a nest. Proposed to move them away from the eagle nests. Game & Fish will write a letter to go against it, due to the distance from the eagles nest. Charlie states the eagles have adapted to the other well pads near them. Jeff Hunt was asked is this a CFR issue?, Jeff Hunt states no. New activity is the issue vs. what's already there. Antoine Smith of Game & Fish states this will impact the pair of eagles. Where do we draw the line on saying no?



Motion: Councilman Fred Fox moved to forward to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

VII. ROW APPROVALS (**CLOSED SESSION**)

A. Operators

1) WPX

- a. North Mable 2-33H Pad
- b. Wolverine 21-22H Pad
- c. Charles Black Hawk 31-30H (Setback Variance)

2) EOG

- a. West Clark 24 SWSE Well Pad
- b. Mandaree 10 NENE
- c. Mandaree 10 NENW

3) McKenzie Electric

- a. WPX RimRock Charles Black Hawk URD Line
- b. Bruin Clinton URD Line
- c. XTO FBIR Smith South URD Line
- d. Enerplus RimRock Grains URD Line
- e. QEP Buffalo 10-6D URD Line
- f. Enerplus Peppers URD Line
- g. WPX Pheasant URD Line
- h. Enerplus WPX RR Spiders URD Line

4) Targa

- a. Tahu Pipeline

5) Crestwood

- a. Vegetation South Well Connect

6) Enerplus

- a. Strings South Temporary Water Line

VIII. ADJOURNMENT

Motion: Councilman Fred Fox moved to adjourn the meeting. Councilwoman V. Judy Brugh seconded the motion. Meeting adjourned at 3:21 PM.

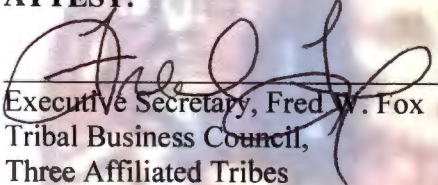


CERTIFICATION

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 23rd day of July 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 5th day of November, 2020.

ATTEST:


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

Committee Chairman, Fred W. Fox
Tribal Business Council
Three Affiliated Tribes