



CALL TO ORDER:

Councilman Fred Fox called the meeting to order at 11:09 am.

ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Fred Fox, & Councilman Cory Spotted Bear. *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. July 23rd, 2020 Energy Committee Minutes

Motion: Councilwoman Monica Mayer moved to approve the July 23rd, 2020 Energy Committee minutes with corrections. Councilman Cory Spotted Bear seconded the motion. Vote: 3-0-0. Motion carried.

III. ENERGY Chairman – Councilman Fred Fox

A. Update

4 working rigs on the reservation. Everyone on conference call is WPX, Enerplus, XTO, OneOk, Marathon, Targa, Crestwood, Spotted Hawk Development, Triple Crow Resources, Jason Krueger, Jeff Hunt, John Fredericks and Kayla. Kenny Lyson reminded the Committee that they will have a taskforce meeting this evening with the companies. Might get calls on oil clean up and oil boom conference on the 17th. 16 APD's received in July and 14 approved. For the fiscal year 173 APD's approved, total pending are 125 APD's. Kenny Lyson, Councilwoman Monica Mayer and Councilman Cory Spotted Bear thanked Jeff Hunt for his years of service.

IV. BIA & BLM UPDATES

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

1) Update – Report Submitted

Jeff Hunt will be retiring on October 2nd, 2020. Daniel Kaim will be the Petroleum Engineer after Jeff leaves. Councilman Fred Fox thanked Jeff Hunt for all his work over the years. Kenny Lyson, Councilwoman Monica Mayer and Councilman Cory Spotted Bear also thanked Jeff Hunt for his years of service. Kayla Danks states the Fort Berthold Agency has 27 pending Rights of Ways. This year we approved 79 ROW's. On August 6th we rolled and conducted an online web presentation on the new market analysis. The presentation panel consisted of James Green the appraiser, Lonnie Wright and Jeff Hunt. Market analysis provides appraisal data. Market analysis does not cover ignition line, an example of and ignition line is DAPL. Fort Berthold Agency is about 50% tele working and have people out in the field currently. Federal partners is coming up the week of September 14. The Great Plains Regional office made a decision on the Tesoro trespass on July 2nd, 2020, that decision was appealed. On August 13th, 2020, the Assistant Secretary of Indian Affairs assumed jurisdiction in accordance of 25CFR part 2.4C and 43CFR4.332.



B. Bureau of Land Management (BLM) – Loren Wickstrom, Field Manager
1) Update – Report Submitted

Item deferred.

V. MHA ENERGY DIVISION

A. Update – Kenny Lyson, Interim Director

BLM, sent their report. 168 APD's and approved 173. There is 125 APD's pending for the year

B. DAPL Discussion

Item deferred.

VI. OTHER BUSINESS

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

Fred Hale for Don McKenzie. Last Thursday took over for Don. Have 441 companies registered with WSRC. 1,896 individuals registered. 141 registered. 549 vehicles. Work in 2 shifts.

B. TERO Update

Item deferred.

C. Game & Fish Update - Antone Fettig, Director

Item deferred.

D. Pipeline Authority Update – Travis Hallam, Director

Had a few incidents, nothing major. Recent Pad incident & spray. Pipeline by the lake, the Corps worked with us on the issue. Lisa M was the incident. Corps wants to cut off from cattle. DAPL is held off until March. Spoke with Corps with Marathon pipeline, would like that section re-bored. Waiting to look at a contract for a company. We want to finalize the fees of the pipeline code. Code has been opened up to the public, would like to bring this to the Council. Councilman Cory Spotted Bear asked Travis to look into lines going through peoples land. Fees for separate lines.

Motion: Councilman Cory Spotted Bear moved to forward Pipeline Code fees to TBC. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

E. Industry Update – Josh Ruffo & Zac Wies

Zac Wies reported that 10 rigs are running in the State with 4 on the Fort Berthold Indian Reservation. Marathon has no shut in wells on Fort Berthold. Have one rig and one frack going. Councilwoman Monica Mayer would like a report showing producers and how many wells they have. Councilman Fred Fox noted that Steve Gunderson has these numbers & will have him provide them. Katherine Everett has different information that she is giving the Chairman vs. what she is getting from industry. Marathon and WPX are the only company's fracking on Fort Berthold. Kayla Danks(BIA) states the SOP is issued for economic reasons or maintenance type reasons. We have not issued one suspension for operation for economic reasons. We have issued



suspension of operation for maintenance reasons. Kayla Danks needs to let Kenny Lyson know what companies sent in SOP's and for which wells, so the Council has a better idea. Kayla Danks works with Jeff Hunt's office on that. The SOP is issued here.

F. Tallsalt Contract – Kenny Lyson

Item Addressed.

G. Atcitty Closeout – Kenny Lyson

Item addressed.

VII. ROW APPROVALS (CLOSED SESSION)

A. Operators

- 1) Enerplus
 - a. Racing Pad
 - b. European Cities West Pad
 - c. European Cities East Pad
- 2) WPX
 - a. Samuel Packineau 17H Pad
- 3) OneOk
 - a. Antelope Inlet Southwest
- 4) Targa
 - a. Lincoln Hopkins Pipeline

VIII. ADJOURNMENT

Motion: Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 12:34 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 8th day of December 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 8th day of December, 2020.

ATTEST:

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



Committee Chairman, Fred Fox
Tribal Business Council
Three Affiliated Tribes