



CALL TO ORDER:

Councilman Fred Fox called the meeting to order at 10:47 AM.

ROLL CALL:

Present: Councilwoman Sherry Turner Lone Fight, Councilman Cory Spotted Bear, & Councilman Fred Fox.
Quorum established.

I. APPROVAL OF AGENDA

Motion: Councilwoman Sherry Turner Lone-Fight moved to approve the agenda. Councilman Cory Spotted Bear seconded the motion. Vote: 3-0-0. Motion carried.

II. APPROVAL OF MINUTES

A. March 25th, 2021 Energy Committee Minutes

Motion: Councilman Cory Spotted Bear moved to approve the March 25th, 2021 Energy Committee minutes subject to minor corrections. Councilwoman Sherry Turner Lone-Fight seconded the motion. Vote: 3-0-0. Motion carried.

III. ENERGY – Councilman Fred Fox

A. Update We are trying to get the roads shared agreement, The Govonor should be signing the Senate Bill today. May 19th is ground breaking for the MHA Intrepretive Center. There currently 3 rigs on the reservation, 16 in the state. Oil is up to \$63/barrel today. There is fracking going on and their service rigs are going in, with more rigs moving in soon.

IV. BIA & BLM UPDATES

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

1) Update – Report Submitted via conference call

Had a federal partners meeting. As a result of the Federal Partners meeting we will be working with DEMD to participate in the National Processors Expo in Huston in August. Will work with DEMD to put together a brocure of allotted tracts for lease. Hired a probate position, Gene Hughs is the new hire. Felisha Dickins is the Reality Assistant. Staff is 50% back in the office. Still processing all transactions at this time. Have Oil & Gas ROW's down to 7.

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

1) Update –

Report provided via conference call. At the last FBIR partners meeting it was brought to Loren's attention of some river bed wells, wells that are producing out of unleased river bed minerals. There approximately 40 acres of unleased river bed minerals in that spacing unit. PTA for APD's, the remaining three were approved in 2014. HRC operated and produced the wells till September of 2017, Bruin took over for HRC and operated until March 10 of 2021 and a recent change of operator request on March 10th transferred those wells to Enerplus. At the time the APD's were approved it was thought that the north half of the river was FBIR boundry, everything to the south everything to the south was. This is the way the PCA was



written as well. We have disputed riverbed minerals that are being litigated right now. Once IBIA renders a decision the minerals can be leased. Until the minerals are released we cannot amend that CA. We are in a holding pattern on those wells. The March APD report received 5 ADP's. Processed 10 APD's. For this fiscal year October through March we received 77 APD's and processed 7. Total trust pending 111. Its his understanding that the MHA Nation came to an agreemnet with the State of North Dakota on strattle wells. Loren has 13 APD's that meet that criteria. Bases on coverstaions with the Chairman Fox and John Fredericks , looks like Loren should be good to sign those APD's. Not quite ready to be signed, but in the near future.

V. MHA ENERGY DIVISION

A. Update – Kenny Lyson, Director

Item deferred.

VI. OTHER BUSINESS

A. Pipeline Authority Update – Travis Hallam

Marvin Two Crow III is the new hire with the Pipeline Authority who is learning how to do invoices, and starting to bill out the pipeline annual fees. The Chairman gave a good statement on DAPL. Councilman Cory Spotted Bear asked what type of revenue is coming in. \$10,000 each for the annual fee. The other fees come from other contracts with groups working with transmission lines.

B. Thunder Butte Energy Update – Bernie Fox

Item deferred

C. Industry Update – Josh Ruffo

Reported on the ramifications of a Dakota Access Pipeline shut-down. Meet every week almost and noting that he will have more results soon. Rig Report: Enerplus(1), Rim Rock(1). & Slawson (1-Fee). Total number of oil rigs in the State is currently at 16. Bringing new production will effect the economics of the wells and trucks everywhere if it happens.

D. Roads Update – Gary Danks, Director

Recent activities included road work in the segments. Reported We are third on the list for a bridge on BIA road 22. Working on roads share agreement. Councilman Cory Spotted Bear wants to meet with Gary. Brenda Red Wing will be here on the 18th for training, want her to bring her inspector. Roads agreement, Gary Danks has a question on one. Twin Buttes road has no signature. On the document it states they are taking out \$315,000 on BIA 22. Ask to submit the payments that have not been made. He states they pay their workers, and the tribe, collected everything except the tribe. Past due bill from 2017, 2018 and 2019.

Motion: Councilman Cory Spotted Bear moved to forward to TBC and get the bill paid. Councilwoman Monica Mayer seconded the motion. Vote: 4-0-0. Motion carried.

XTO – Mitch showed a past due bill also. Been working with Gary Danks on this. Redcoded for 2018, 2019 and 2020. \$181,474.44 total. BIA 13



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

WPX - Brandon with WPX has one too. BIA 10 \$61,883.60. Year 2019 and 2020.

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

BIA 17, tribe pays their share and the oil company pays the other share. Josh Ruffo states they reached out to CEO Scott Satermo and Gary Danks, The road is down to erosion. Need some gravel there. Regarding the Ethan Hall gravel pit, Gary states they have to find out how much the Tribe took. The tribe purchased gravel and is kept at Ethan Halls. We put a hold on getting any gravel from there, we need to find out how much did the Tribe buy. Charging Eagle, Casey Fredericks, we payed Casey and a lot of our gravel is missing. CEO worked with Gary on this. It's at Ethans and we don't know how much is owed. Gary states the inventory is getting low. DOT is keeping an eye on it, Gary put a chain and lock on it and that disappeared. Danny brought it to Councilwoman Sherry Turner-Lone Fight's attention. Danny said they only moved 15,000 yards out of the pit. The CEO joined the meeting. The pile we purchased which was a crushed pile, we purchased it for home roads use, and had it surveyed and keep surveying. The problem is it is on Ethans property. Over the winter people were taking gravel without permission. CEO would like gravel piles in each segment. A gate cable was cut after put up. Charging Eagle was taking out from the gravel. Told Casey the tribe paid for that pile. How do we maintain the pile there? We need to pull our gravel out to maintain it. CEO states we don't want to have to move it if we don't have to. There is a dispute between Ethan and Casey. The Tribe paid per ton and keep track of it. Some of it was taken out by the companies according to Casey. Brandon states they never took any. Brandon continues explaining, they are looking for a pile of gravel. Councilwoman Sherry Turner-Lone Fight states the roads are not good, they are flat and they shouldn't be. Brandon states they will look for gravel. Councilman Cory Spotted Bear informed, need maintainance on pavement on BIA Route 22, Gary Danks staes they are looking into it.

WPX gave an update. Devon gave the update. Looking to be the slowest year since he has been here. DAPL is a concern.

XTO does not have any plans to drill this year. Have a few wells to complete. If DAPL shuts down they are figuring out how to move oil.

E. Missouri River Resources (MRR) Update – *Dave Williams, President/CEO*
See Closed Session

F. Discussion – *Shane Johnson*
See Closed Session

VII. CLOSED SESSION

A. Missouri River Resources (MRR) Update – *Dave Williams, President/CEO*

B. Discussion – *Shane Johnson*



VIII. ROW APPROVALS

A. Operators

IX. ADJOURNMENT

Motion: Councilman Cory Spotted Bear moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 11:53 AM.






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 4 were present at the meeting thereof duly called, notice, convened and held on the 3rd. day of August, 2021; 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 3rd day of August, 2021.

ATTEST:



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



Committee Chairman, Fred Fox
Tribal Business Council
Three Affiliated Tribes