



CALL TO ORDER:

Councilman Fred Fox called the meeting to order at 11:36 AM.

ROLL CALL:

Present: Councilwoman Monica Mayer, Councilman Cory Spotted Bear, & Councilman Fred Fox. *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:

- **November 1st, 2023 Natural Resource Committee Minutes.**

Motion: Councilwoman Monica Mayer moved to approve the November 1st, 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
January 3rd, 2023.

B. Update

Federal Partners will be most likely in February this coming year. Attended the last Federal Partners meeting in Denver on Nov. 7th. Completed 4 of the 7 items on the agenda.

IV. BIA & BLM UPDATES:

A. Bureau of Indian Affairs (BIA) – Darrell Laducer Jr., Deputy Regional Realty Officer & Acting Superintendent at New Town, Steve Iverson, Acting Deputy Superintendent Trust, Patty Yellow Boy, Acting Realty Officer

1) Update

1- IMDA Oil & Gas lease completed & 1 under review since Nov. 17th Comment period extended to Dec 1st. 6- approved lease assignments in November. Changes the figures from the Federal Partners meeting from 739 approved to 743 with 139 assignments pending. 52- active Trespass Cases mostly but not all are oil & gas related. Many are pending appraisals. CA's (Updated from the Federal Partner's meeting): 97 uplands, 22- Little Missouri, 61- Big Missouri River. Total of 180. A batch of approvals coming next week. Approvals for 2024 so far: 3- uplands, 2- Big Missouri River. Approved for since November. Oil & Gas ROW: 17 new submittals for review and approval, 7 newly submitted renewals and consent review (4-Mckenzie Electric Cooperative, 3 waiting on requested materials, 3 others waiting on requested materials and letters. 30+ ROW modifications completed this fiscal year, & 2 ROW modifications since November 3rd. Oil & Gas ROW Assignments from Federal Partners updated to 84 pending review and approval. 9 of the 13 of the McKenzie Electric Cooperative approved since November 3rd. [Josh Ruffo of Enerplus spoke away from the microphone].



Councilwoman Monica Mayer asked, what is the plan for probates, people are suffering here, and crime is being committed in the meantime. What is your plan? Darrell states they have 2 people detailed here working on Probate, one from the Regional Office and one here. One lady is working on probate, had one transfer within 2 weeks. There will be 5 people total working on probate.

B. Bureau of Land Management (BLM) – Edward Kraft, Field Manager-N.D. Field Office

1) Update

APD's for October received 9, processed 5, 48 pending. 169 approved but not drilled in the State. Look at the maps sent to me. Inspection & Enforcement: ND Field Office Assisted Field Manager for Minerals & Resources has met with Kenny Lyson to go over FY23 I&E Finding and FY24 Priorities. Still working on drafting responses from comments from cooperators. Cooperator meeting yesterday. Also reached out to MHA regarding Government to Government to set up meetings. CA's received 1 from the BIA on Monday for Devon/WPX and being adjudicated. Lease sales 2 parcels being offer on the December 5th Lease Sale online. Marathon IMDA discussed at the Federal Partners meeting and after review from the solicitor 11 APD's being held for an opinion. Lillion DSU have 19 being process. Update on 2 Slawson well pads west of Parshall. Slawson has submitted 7 new APD's on two new well pads on the Shandrep 383 & 384. Both are within the ½ mile set back. The Resources Team did investigate it a little and found the pad 383 pad is approximately 852 feet from the high-water mark and pad 384 is about 654 feet. They are required to seek a tribal variance by law and the BLM will notify the State solicitors.

V. MHA ENERGY DIVISION:

A. Update – Kenny Lyson, Director

The Director reported oil report noted prices at \$75-76. Down to 2 rigs on Fort Berthold. One is in North Segment and one in Mandaree. Met with BLM & attended Federal Partners. Next week will have 4 employees in training in Bismarck. Will finish the rest of the report in Closed Session.

VI. OTHER BUSINESS:

A. Pipeline Discussion – Travis Hallam, Director

Item deferred.

B. Thunder Butte Energy Update – Bernie Fox, CEO

Item deferred.

C. MRR Update – Dave Williams, CEO/President

All of the wells are in production. Everything going fine. Working with Jason & Steve Gunderson to get a report completed.

D. Industry Update – Josh Ruffo



Finished up comments on Dakota Access pipeline. Jason Kruger noted the Tribe also submitted comments. Working with NDIC is going through staff issues so getting permits is slow currently. ND will produce 5 billion barrels oil milestone.

E. TAT Roads – Rosalynn Crows Heart, Acting Director

Have 2 snowplows coming soon that will be going to Twin Buttes & Mandaree. Need update on the new Volkswagen trailer invoice that was declined resubmitted and need to find out where the check went. CDL and truck driving checks will be checked in December when evaluations are done.

FTR: Councilwoman Sherry Turner-Lone Fight joined the meeting at 12:10 pm.

VII. ROW APPROVALS: (CLOSED SESSION)

A. Operators

- 1) EOG
 - a) Mandaree 4 SESW
- 2) McKenzie Electric
 - a) MRO Murray USA Pad Project
- 3) Targa
 - a) Murray Pipelines
 - b) Murray Pipelines
- 4) Oneok
 - a) Murray USA 13-20H CDP
- 5) Enerplus
 - a) Enerplus Ungulates and Brad Gem Projects
- 6) WPX/Devon
 - a) CA NDMT106319440
 - b) CA NDMT106319271

VIII. CLOSED SESSION:

- A. Pipeline Authority – Travis Hallam, Director**
- B. Land Sale – Kenny Lyson & Jason Kruger**
- C. Water Sale Issue - Willis & Corrine Sage & Kelly Bradfield**

IX. ADJOURNMENT:

Motion: Councilwoman Monica Mayer moved to adjourn the meeting. Councilman Cory Spotted Bear seconded the motion. Meeting adjourned at 12:46 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 3rd day of January 2024; 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 January 2024.

ATTEST:

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



Committee Chairman, Fred Fox
Tribal Business Council
Three Affiliated Tribes