



**CALL TO ORDER:**

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

**PRAYER:**

Bryon Brady Jr.

**ROLL CALL:**

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

**I. APPROVAL OF AGENDA:**

**Motion:** Councilman Cory Spotted Bear moved to approve the agenda. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

**II. APPROVAL OF MINUTES:**

- **January 4<sup>th</sup>, 2023 Natural Resource Committee Minutes.**

**Motion:** Councilman Cory Spotted Bear moved to approve the January 4<sup>th</sup>, 2023 Energy Committee Minutes subject to minor corrections. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

- **February 1<sup>st</sup>, 2023 Natural Resource Committee Minutes.**

**Motion:** Councilman Cory Spotted Bear moved to approve the February 1<sup>st</sup>, 2023 Energy Committee Minutes subject to minor corrections. Councilwoman Monica Mayer seconded the motion. Vote: 3-0-0. Motion carried.

**III. ENERGY: Councilman Fred Fox**

**A. Next Energy Committee Meeting**

March 23<sup>rd</sup>, 2023.

**B. Update**

Katherine Everette provided an update on what's is going on in Washington DC and update, hosting a Legislative Luncheon for ND Legislators tomorrow. Showing what Fort Berthold has done, what was completed and what will be completed. Lieutenant Governor Tammy Miller, Secretary of State Michael Howe, Attorney General Drew Wrigley, ND Tax Commissioner Brian Crosis, the Senate Majority & Minority leaders. Showcasing what Fort Berthold story. Working with Indian Energy Service Training Center sponsored training March 14-15. In Colorado for Operators regarding CA's and Wildlife species.

**IV. BIA & BLM UPDATES:**

**A. Bureau of Indian Affairs (BIA) – Rick Clifford**

**1) Update**



Rick gave an update via conference call. Mineral Leases: 4 Mineral leases pending. Bonus offered on one is being increased, waiting on supporting documentation. Three are pending valuation. Rights-of-Way: 11 submitted this fiscal year. 2 of those 11 completed, total of 13 completed this fiscal year. 5 of the 11 in consent/NEPA review. 12 pending an action, includes this fiscal year and last fiscal year, includes the 5 in review. 13 Rights-of-Way completed this fiscal year. Rights-of-Way assignments: Over 200 pending, Stephanie Fisher is working on pre 2016 Whiting to Rimrock. Patti Yellow Boy is processing the rest of the rights-of-way assignments. Travis Hallam noted George Abe would he be able to assist with ROW for MHA? Could that happen? Lonnie Wright received an email last night and he feels George could work with BIA, & would be helpful. Councilman Fred Fox stated if he can help Lonnie Wright will need to let the Council know so monies are not wasted. A background will need to be done on the BIA side, due to confidential information. George was working on the TAMS and the Buy Back Program and received no progress on our land buy back from George.

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

**1) Update**

The FY 23 APD report (Updated). Trust APD numbers for Oct to Present Received APDs = 21, Processed APDs = 26, Total Pending APDs = 26, Total approved APDs but not drilled – 337, Inspection and Enforcement (I&E), Tentative Seal School - March 2023. North Dakota RMP (Updated) - The draft RMP was published on January 20, 2023 for a 90 public comment period ending April 20, 2023). The draft is available on ePlanning (<https://eplanning.blm.gov/eplanning-ui/project/1505069/510>). There will also be two in person open house meetings and one virtual public meeting.

**V. MHA ENERGY DIVISION:**

**A. Update – Kenny Lyson, Director**

Oil prices are at upper mid \$70's. 46 rigs in the State. 4 on FBIR. One is moving out. One in Mandaree and the rest in North Segment. Handed out Tallsalt report and data sheet. Councilwoman Monica Mayer noted 3% of US Oil is from our reservation and asked the Director for his concerns on trends. Kenny noted that things will pick up in the summer. 3 new inspectors. H<sub>2</sub>S & First Aid trainings before Summer. Fully staffed except a receptionist. Pads still have snow on them but the slow melt has helped. Kenny has been in touch with industry.

**VI. OTHER BUSINESS:**

**A. Pipeline Discussion – Travis Hallam, Pipeline Authority Director**

DAPL Check out, responded with the risk it put us at. Our revenue comes from the pipeline. The impact we weighed in before concerning the DAPL shut down. They are neglecting to work with us on the taxes from State, this will impact us. Pipeline provides 6% of our revenue. New assessment EIS doesn't take our considerations and just taxes for the State. On March 3<sup>rd</sup> deadline for consultation. Would like to resend the information from before from the Chairman & his statements for assessment. Line has open since 2016 and has been safe with a good safety record. Pipelines save lives by keeping trucks off the road. Councilwoman Monica Mayer feels this is time sensitive, we need to contact Chairman Mark Fox today to give him the data, he should be in Bismarck tomorrow to give information to Chairman. Councilman Fred Fox suggest to inform the Chairman before speaking to anyone on behalf of the tribe.



**B. Thunder Butte Energy Update – Bernie Fox, President/CEO**

*Item deferred.*

**C. MRR Update – Dave Williams, President/CEO**

Ron Kaylor, COO joined Dave for report. We didn't receive funding draw down for the Dragswolf Well. Mandan Well was at 19 per barrel when starting the project. Working with the learning curve with sand. 280 on the IP. Nations Pad we have seen 80 barrels /day before it sanded up. Yesterday was at 321 after cleanup. ROI dropped slightly. 32 wells that they looked at used to base refranc off of.

**FTR:** Councilwoman Sherry Turner-Lone Fight joined the mtg @ 12:22 PM.

**D. Industry Update – Josh Ruffo**

Presented via phone. Comment period on the new EPA rules. Hearings sometime around August. Fracking kicking up for the summer.

**E. TAT Roads – Roslyn Crows Heart, Acting Director**

Scrapper returned to Mandaree.

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

**A. Operators:**

- 1) Enerplus
  - a) Fish South Flowline Project

**VIII. ADJOURNMENT:**

**Motion:** Councilman Cory Spotted Bear moved to adjourn the meeting. Councilwoman Monica Mayer seconded the motion. Meeting adjourned at 12:25PM.



### 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 23<sup>rd</sup> day of March, 2023; 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 23<sup>rd</sup> day of March, 2023.

**ATTEST:**



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



Committee Chairman, Fred Fox  
Tribal Business Council  
Three Affiliated Tribes