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The Other Bakken Boom: America's biggest oil rush brings tribal conflict

by Sierra Crane-Murdoch

Fort Berthold Indian Reservation, a lilting swath of prairie in western North Dakota, was once a quiet place. Though thrice the area of Los Angeles, it had only 5,000 residents. Even New Town, a more populous district east of a reservoir called Lake Sakakawea, looked sparse and ephemeral. There was a granary, a fire station, a Gospel Tabernacle and a Jack & Jill grocery. A brick federal Bureau of Indian Affairs office marked the beginning of town, and the few squat buildings on the main street were largely unoccupied. It was rare, here, to see a stranger, and even rarer to see so many gathered at the civic center one November morning in 2007.

Theodora Bird Bear worked across the street at the *New Town News*, and knew from a flier that the BIA planned to hold an auction for the reservation's oil and gas rights. That afternoon, she went to investigate. She recognized a few people in the dim, crowded room. BIA officials sat in the front and members of her own Three Affiliated Tribes in the audience. But of the rest she later recalled, "I had never seen a single one of them before, and they already seemed to know everything about Fort Berthold." The land near the reservation's center earned the highest bids. There, in a district called Mandaree, she noticed her own mineral rights were up for lease.

Though the BIA facilitates the leasing of Indian-owned minerals, owners must agree to the terms. After the sale, companies continued to compete for Bird Bear's favor. She ignored them. Even in the spring of 2008, when an old classmate, hired as a broker, approached her with the best offer yet, she hesitated. "People were signing left and right," she said. "I needed the money, but I couldn't bring myself to do it." But when her brother fell sick and she couldn't afford to visit him, she leased 320 of her acres, retaining a small parcel beneath her house. Her brother died before she saw a check. When it came -- a \$320,000 bonus -- she paid for his funeral and her credit card bills, bought a car and a couch, and quit her job at the paper.

Such a financial windfall was once unheard of on Fort Berthold. Apart from livestock grazing, there were few sources of income. Unemployment hovered at 40 percent and the

poverty rate was four times the national average. It was the sort of hardship that shrinks one's frame of reference. A few hundred dollars was a lot; billions, unfathomable. Even the energy industry, which had suspected for decades that a shale formation beneath western North Dakota contained a vast sea of oil, lacked the technology to tap it. Then it found a way. By combining hydraulic fracturing with horizontal drilling, rigs could bore miles deep, navigate laterally along narrow seams of oil-laden rock, and pump in water and chemicals to create fissures and release the hydrocarbons. According to the most recent, and perhaps overly conservative, federal estimate, the Bakken Formation holds roughly 4 billion barrels of recoverable oil, enough to supply the United States for seven months; nationally, only Alaska's North Slope holds more. By some measures, Fort Berthold sits over the deepest pool.

But the reservation has been at a marked disadvantage in the rush to tap the resource. All Indian minerals are managed in trust by the U.S. Department of Interior, a task mostly delegated to the BIA, and companies must endure a bureaucratic gantlet so costly and slow that many avoid it altogether. On Fort Berthold, tribal members feared the boom would leave them behind. By 2009, they had pushed the BIA to lease all of their acreage; but while landowners off the reservation earned thousands of dollars an acre, those within, except for Bird Bear, generally saw only a few hundred. The disparity strained the already delicate relationship between the BIA, which approved the offers, and the tribe and its members, who accused the agency of violating its mandate to "maximize" Indian mineral owners' economic benefits. Why, people wondered, had they not waited for better?

Regardless, the money has been substantial since the boom hit fully in 2010. At the start of this year, Fort Berthold's 172 wells produced 2.5 million barrels a month. Altogether, they have generated more than 26 million barrels, earning the tribal nation roughly \$330 million, two-thirds of which has gone to individual mineral owners. Industry will drill a thousand more wells in the next five years, with payouts in the billions -- more than any Western Indian nation has seen in that short a time. "We are of the firm belief we will become more sovereign by the barrel," Tribal Chairman Tex Hall told the North Dakota Legislature in January 2011. This was the tribe's chance, he said, to break free at last from its reliance on the federal government.

The question is whether it can do so before the boom ends. Rapid development has aggravated old problems -- homelessness, crime, poor infrastructure -- and as the tribe wrestles with the effects, it has struggled, too, to reap the rewards. "My biggest fear is that when the industry leaves, the reservation is in worse shape than before," said Mark Fox, the tribe's tax director. "We're sitting on billions of barrels of oil. Twenty years from now, if we do it right, we should have things that last us forever. But if we have worse unemployment, worse health, worse poverty, worse crime, then we've failed. We were better off leaving it in the ground."

Across Lake Sakakawea from New Town, there is a museum in the tribe's casino parking lot, choked now with trucks and campers, but open, still, to anyone curious about reservation history. Visitors will learn that the museum is a relic of a boom come and past

-- its posthumous benefactor, Helen Gough, owned rights to the first oil drilled on the reservation in 1951. They will also learn of the betrayals that fomented Fort Berthold's privation. The first treaty that established its boundaries in 1851 at the Missouri and Powder Rivers was broken for Montana's statehood and again for the railroad. Congress whittled down the Mandan, Hidatsa and Arikara territories, allotting farmland to Indian families along the Missouri's fertile banks. Then, the government drew plans to dam the river. The tribal council protested, writing, "We have been, and now are, as nearly self-supporting as the average white community ... the lands which will be flooded are practically all the lands which are of any use or value." In 1954, Garrison Dam was completed, and Lake Sakakawea, named for the Shoshone-Hidatsa woman who guided Lewis and Clark, filled in behind it. By then, the people had dug up their dead and moved to higher ground.

"All these years, we didn't see any value in the land," Bird Bear, 65, told me one morning last May, at her house in Mandaree. She wore red-rimmed glasses and faint makeup around her eyes. Through her kitchen window, past a yard strung with clotheslines, a yellowing field stretched to a long horizon. The land here is dry; come late spring, grass can catch fire with a single match. "Nobody knew there were billions of dollars under Fort Berthold. How do you believe that if you've been poor all your life?"

Besides, the historical record was discouraging: After Gough's well, Fort Berthold produced little oil. Even in the 1970s, when another boom hit North Dakota, companies hardly ventured onto the reservation. On Indian trust land, which includes collectively held "tribal land" and individually owned "allottee land," companies had to go through four federal agencies and 49 steps to acquire a permit to drill; off trust land, they dealt with only four steps. Furthermore, a company needed the consent of every person who owned a share of a parcel's minerals. Indian land is fractionated by inheritance -- one parcel may have scores of owners -- and convincing all to agree was maddening, if not impossible.

In 1999, North Dakota Sen. Byron Dorgan amended the law specifically for Fort Berthold: The Interior Department could approve any lease involving Indian mineral owners if a simple majority agreed to the terms. That same year, an Interior Department geologist released the first impressive Bakken estimates, and by 2005, North Dakota was heading assuredly toward another boom. "Workers needed immediately in North Dakota's oil patch," the Associated Press reported; roughnecks started at \$25 an hour. Bonus offers to private landowners climbed from tens, to hundreds, to thousands of dollars an acre. But as oil rigs appeared around the reservation edge, Fort Berthold remained quiet. One tribal administrator told me that he had worried Fort Berthold's oil might vanish, siphoned away by pumpjacks at its edge. In 2004, BIA petroleum engineer Jeff Hunt, who commutes between Denver and New Town, took a tribal councilman to the North American Prospect Expo in Houston, Texas, to promote the reservation. "Rather than wait for a company to walk through your doors," Hunt reasoned, "why not go to them?"

The first buyer was an obscure outfit called Black Rock Oil & Gas, which in 2005 proposed to lease 10,000 tribal acres for 16 percent royalties and a \$35-per-acre bonus.

The tribal council jumped at the offer; the BIA signed off as well. "For years, we had always wanted an oil and gas lease," said Councilwoman Judy Brugh. "We took the first offers because we didn't know how long they would last." Meanwhile, Black Rock hired several tribal members to help acquire leases from individuals, including Beverly Hall, who worked at the tribal college. In the spring of 2006, her cousin, Ron Brugh, told her that a company wanted to lease her 160 acres under the same terms they had offered the council. "It looked like a lot of money," Beverly told me. "And Ron -- I trusted him. He was a close relative." She signed the lease and took Brugh to see her brother, who leased his acres as well.

By the fall of 2008, nearly all of Fort Berthold had been leased. The tribe settled for royalties between 16 and 18 percent and bonuses no higher than \$110-per-acre; individuals did slightly better. But the most fortunate was a young tribal member, Spencer Wilkinson Jr., who was general manager of the tribe's casino and a friend of Tribal Chairman Marcus Levings, who defeated Tex Hall in 2006. (Hall was re-elected in 2010.) In January 2008, the council leased Wilkinson 42,000 tribal acres for 18 percent royalties and a \$50-per-acre bonus. He acquired an equal number of allottee acres under the same terms. Then in December 2010, after drilling several wells, he sold his leases to the Oklahoma-based Williams energy company for \$925 million, and turned his company, Dakota 3, into a subsidiary.

Flipping, as it is called, is a common industry practice, and all four of the companies that first acquired tribal mineral rights, including Black Rock, engaged in it. But the enormity of Wilkinson's profit -- and on land that earned its owners very little in comparison -- enraged many tribal members. That the BIA had signed off on the transactions without their consent seemed a blatant violation of its duty to protect their economic interests. When Houston-based Marathon Oil Company acquired Beverly Hall's leases in January 2008, the BIA informed her by letter. "I felt really ashamed that I had been taken like that," said Hall. She knew the council had encouraged the original deals, but why had the BIA never advised her to negotiate for better terms, and why had they approved the flips without her knowing?

"Mineral owners got the price of the day," Jeff Hunt countered when I asked the same question. "Drilling was still a big risk, and so it made sense that offers were low in the beginning." When an individual signs a lease form, the company sends it to the reservation BIA office to check calculations and certify that the owner's interests are being met. Then the superintendent based on Fort Berthold adds his signature. (Neither the superintendent nor BIA spokesperson responded to repeated requests for an interview.) On a few occasions, said Hunt, the BIA advised mineral owners to reject low offers, but he could not recall any examples and said the information was privileged. The lease document, meanwhile, did not require the agency to consult with owners before permitting companies to flip. Had the BIA approved deals too readily? Hunt didn't answer, and instead insisted, "This was the driving force behind it: We had companies in the office. We had councilmen and mineral owners in the office -- hundreds each day -- and everyone saying, 'We want our money now. We want our leases now.' I think if we had said, 'Let's wait a while,' people would've strung us up.' "

On Fort Berthold, distrust of the federal government has become a cynical expectation: The Interior Department has rarely acted in Indian peoples' favor, so why would it do so now? Over the past century, its mistakes and misdeeds -- lost records, outstanding royalties -- have amounted to billions of dollars owed to tribes and individuals nationwide. In 1996, Elouise Cobell, a Blackfeet director of a nonprofit Native American bank, filed a class action suit on behalf of hundreds of thousands of plaintiffs alleging that the U.S. government had mishandled \$47 billion belonging to Indian landowners. Cobell died last October, but the case is nearing settlement for \$3.4 billion, pending appeals.

Last summer, Fort Berthold mineral owners filed their own suit, accusing the U.S. of failing to protect tribal members' economic interests. Among the evidence are Dakota 3 lease forms rubberstamped with the words, "This lease is in the best interest of the Indian mineral owner." A letter to the BIA from the Elders Organization states, "The BIA is allowing these lucrative agreements between oil companies ... knowing that (the original agreement) was not market value." According to the organization, the BIA never responded. Nor did the reservation superintendent answer Beverly Hall's inquiries; Bird Bear also said she was frequently ignored. "People were learning they were going to have to manage on their own," she told me.

After the Black Rock deal, landowners' associations proliferated on the reservation as tribal members turned to their neighbors for guidance. One of the most active began in Kara and Ken Hall's one-story ranch house in New Town. "We realized that if we wanted to maximize our minerals, we couldn't rely on the BIA to negotiate for us," Ken Hall told me in November. Ken, who is Tex Hall's nephew, works in the tribal energy department; Kara is an indigenous rights consultant and ran Tex's re-election campaign. In 2007, Peak Energy Resources, a small company based in Durango, Colo., contacted Ken to discuss a lease. They decided on 22.5 percent royalties and \$1,000 an acre -- the same deal Bird Bear received from Peak. "Leases off the reservation were going for substantially more than on," company CEO, Jack Vaughn, later told me. "We believed that the geology wasn't any different -- actually, the prospects on the reservation were much better." Still, the bureaucratic wrangling required to operate on Indian land was discouraging. "At every step, you had the potential for delay," said Vaughn. "It might take the BIA a month to get one piece of paper done. Environmental assessments were taking months." With added fees, Vaughn estimates that it costs a half-million dollars more to drill a well on Indian land than off.

Vaughn developed a close working relationship with the Halls and met with other tribal members to explain how leasing worked. Then, in the spring of 2008, the company organized mineral owners, led by Tex Hall, to lobby in Washington, D.C. Their request: Turn the Fort Berthold BIA office into a "one-stop-shop" by packing it with experts from every federal entity involved in the permitting process. This, they hoped, would ensure that drilling applications turned over quickly, landowners earned royalties sooner, and that tribal members could meet directly with officials to negotiate terms, ask questions, and locate lost records. "Experts" was the key word, Tex told Dorgan when they met in the Senator's office. "We do not want recycled rejects."

Dorgan liked the idea and wrote a bill to extend the one-stop-shop throughout Indian Country. Though Dorgan's bill died in 2011 when he left office, Rep. Don Young, R-Alaska, introduced the Native American Energy Act with similar intent this year. The BIA, meanwhile, struggled to find qualified people willing to move to Fort Berthold. Ken Hall joked that the one-stop-shop turned into a "one-man-show," run by the BIA's Hunt. The agency added a few employees, but it hardly eased mineral owners' frustrations. "Due to significant mistakes, errors in judgment, and lack of trained staff by the BIA," Tribal Chairman Marcus Levings told the Senate Committee on Indian Affairs in April 2008, "the Fort Berthold Reservation may very well miss out on the economic boom that the rest of North Dakota appears to be enjoying." Shortly thereafter, Levings struck a deal with the state to reduce the taxes industry had to pay to North Dakota and the tribe for producing on Indian land. Some credit this last, hasty attempt with setting the boom in motion. That spring, Marathon drilled the first well on a Black Rock lease and named it Myrmidon, after the ruthless Greek warriors in the Trojan War.

In the Tribal Employment Rights Office, a dark, brick building in New Town, there is a glossy brochure printed with a message from Chairman Hall:

Our sovereignty can be maximized by the number of barrels of oil taken from our Mother Earth. We call it "sovereignty by the barrel." The potential here is to obtain financial independence for our nation, education for our youth, sustenance for our elders, maintenance of our culture and above all to set the people of the Mandan, Hidatsa, and Arikara Nation on the road to independence.

Business on the reservation is better than it has ever been. A diner in New Town is full by noon; grocery store shelves are empty by midweek. The casino, a popular roughneck hangout, has seen its annual revenue rise by millions. There are more jobs than people to fill them, and the unemployment rate has fallen from 40 to 10 percent. Many are living on royalties. Beverly Hall, whose well was drilled in March 2010, retired and bought a house off the reservation. Each month, she earns \$10,000, more than her and her husband's former salaries combined.

Last May, when I dropped by the employment office, it was crowded with Native American men seeking work on the rigs. Tony Damian, 30, who has a soft, round face and serious eyes, told me that he reviewed dozens of contractors each week applying to work on the reservation. (Eight months later, he started his own excavating business.) "We have an unbelievable opportunity to train our guys and start companies ourselves," he said. "But we only have a five-to-10 year window to do it." Since the start of the boom, Indian-owned businesses -- trucking, welding, road-building, consulting, general construction -- have increased tenfold. The employment office, meanwhile, has found jobs for more than 200 enrolled members as water haulers, builders, flaggers and roustabouts. A typical starting wage is \$20 an hour.

But finding qualified workers is challenging. "When I was in my 20s, and I started to hear this was coming, I thought, 'Yeah, it might be a few wells here and there, but what am I going to do?' " said Damian. "My buddies and I weren't thinking, 'I better not drink

and drive so I can get my commercial license when the boom hits.' " Truck drivers are the most in demand, he said, "but we can't get anybody to have a clean record, let alone a license." Contractors pay a small fee, which the tribe uses to train youth in the industry. Still, most workers -- at least 3,000 -- come from off the reservation.

The effect is dramatic: Not long ago, at an intersection north of New Town, 60 percent of the 29,000 vehicles headed toward the reservation in 24 hours were large trucks. Many paved roads have deteriorated to dirt, and on dry days, thick dust clouds settle onto pastures. A short highway stretch in heavy traffic may take hours to travel. Diabetics sometimes arrive late to dialysis. In September, an oil truck strayed into oncoming traffic and killed a family of four. Roadside ditches are littered with deer carcasses and plastic flowers memorializing the dead. New Town's new health clinic has hardly enough staff to treat the living. Ambulances are in short supply, and trauma victims have died before paramedics could reach them. Strippers make more money than in Las Vegas; there's not a vacant motel room, and small trailers rent for more than \$2,000 a month. Man-camps sprout with each new rig and men sleep in their truck cabs, foreheads pressed to steering wheels. Women who work the fitness center catch oilmen walking treadmills in work boots, and, in the evening, scrub black residue off the shower tiles.

These are classic symptoms of a boom; north and west of Fort Berthold, it looks much the same. But there is one important difference: The reservation, having long been poor and unaccustomed to rapid development, was wholly unprepared. An estimated 400 Indian families lacked homes before the boom, and that number has only grown. The roads were not built for heavy traffic, nor are there enough to access remote areas. A lack of pipeline infrastructure has meant that natural gas is burned directly at wellheads, in open flares. When the boom began, the tribe had no transportation department and relied on the BIA's and the Bureau of Land Management's regulatory authority in environmental matters. The BIA has no fine structure in place for illegal dumping and has depended on the state, already overburdened, to penalize offenders.

Nor is the tribe, with only 13 police officers patrolling the reservation, able to fully enforce its own laws. Police calls have increased more than two-fold, and often it is an hour before officers respond. "Fires, explosions, gas leaks -- we never had to deal with these things before," Dawn White, a young tribal police officer, told me last May. White, who is short with a tight, gelled bun and military gait, has been an officer for three years. Oil spills and illegal dumping, she says, now occur almost weekly; the BLM, which oversees activity on wellpads, confirms the trend. Drunk driving and hard drug use are rampant, as is sex trafficking, according to a recent Department of Justice report. Just among tribal members, domestic violence incidents have doubled.

The lack of regulatory structure has promoted a culture of lawlessness. One night, a trucker grilling chicken by his RV in the casino parking lot told me, "You can get away with a hell of a lot more" on the reservation than off. In fact, he said, "You can do anything short of killing somebody." He earned \$130 an hour overtime hauling water from wellpads to waste pits and once drove 36 hours without stopping. Normally, the U.S. Department of Transportation limits commercial truckers to 11 hours each day, but

on Fort Berthold, there are no weigh stations to enforce the rule. "Keep your eyes open with toothpicks and you're making money. Another cup of coffee? You're making money."

To complicate matters, tribal police have no criminal jurisdiction over non-Indians. Due to a 1978 Supreme Court decision, only the state and the U.S. can prosecute crimes committed by non-Indians on reservations, depending on the transgression's severity. Fort Berthold's officers pass perpetrators on to county law enforcement. On several occasions, when White stopped drunk drivers and called the county, officers never came. At the end of her shift, with two kids at home, she had no choice but to let the offenders go. "It shouldn't be that someone calls for help and you ask, 'Are you enrolled or non-enrolled?'" said White. "Say a woman is assaulted by a worker. It's hard to walk away from that and look at a victim and have them say, 'Aren't you guys going to do anything?'"

It is difficult to take the reins of a boom driven by people over whom the tribe has little authority. And it complicates an old predicament: Tribal members have limited means to govern themselves and a federal government -- with a sordid history of guardianship -- to act as their primary guardian. In recent decades, BIA superintendents have changed frequently as each successive council chairman requests a replacement for the last. But it would be too easy to blame the BIA entirely; the real problem, perhaps, is in the relationship between nation, tribe and tribal member. "When you already have profound distrust, you're bound to have a lack of cooperation and communication, and also a lack of regulation," Paul Joffe, an international indigenous rights lawyer, told me. "And that's a situation that is very easy for corporations to exploit."

If distrust plagued the reservation before, now it is even more palpable. Many residents own little or no mineral rights other than those the tribe holds collectively. "People think that when there's more money floating around, our lives should be better," said tax director Mark Fox. "But the average person hasn't seen that happen." So far, the council has spent the better part of its oil income repairing roads, building houses to ease the shortage, and establishing regulatory structures to keep pace with the boom. Last year, when oil revenue generated a billion-dollar budget surplus in North Dakota, the Three Affiliated Tribes, despite earning \$60 million from royalties, bonuses and taxes on oil production, remained \$100 million in debt.

The debt is a popular point of rumor on the reservation. Before the boom, the tribe had hardly enough income -- even with \$60 million-\$70 million in annual federal assistance -- to pay for its projects and services, and it borrowed the difference. But councilmen have also been accused of mishandling funds. The council's spending records are classified, and according to a report commissioned by Tex Hall in 2010, most of its income is pooled into one account, from which councilmen annually draw several hundred thousand dollars apiece to spend on projects and grants at their discretion. Council positions turn over infrequently, and the seven members, including the chairman, have full authority. There are no checks and balances.

This is where tribal members see the BIA playing a valuable role. Many told me that they trusted the agency more than the council to protect their interests -- at least the BIA has a mandate to do so. Even Chairman Hall admitted that the tribe cannot manage the boom alone. "We don't want to get rid of the BIA," he told me. The agency is bound by treaty to protect the tribe. "If something goes wrong, we need the government to take responsibility, to safeguard our land and water."

I repeated this exchange to Fox one morning in his office. He is a wired, matter-of-fact man, clean-cut and often dressed as though headed to a company retreat. He smiled and shook his head. "When has the federal government ever protected us?" he said. "They took our land, they flooded us out, they put us in housing units and then said, 'Live.' " But, he conceded, "They were not ready for what was going to happen here. The tribe and the people were not ready. The only ones that were ready -- that knew exactly what they were doing and have been doing it since -- were the oil companies."

The rain fell so hard on Fort Berthold one night that trucks rested on roadsides and brittle grass softened and flattened onto fields. At an intersection of asphalt and dirt, a horse hung its head over a barbed-wire fence. A pumpjack nodded with steady complacency, and a flare burned without a hiss. Potholes filled with mud, and scoria roads dampened to a deeper, bluer red, like veins popping beneath the skin.

I went to dinner at the Scenic, north of Highway 23 with a view of the reservoir. Roughnecks smoked beneath the eaves, each with a foot propped against the siding and a knee protruding into the storm. Inside, I was seated near an elderly man who eyed me with curious distrust before inviting me to join him. "The thing you must know," he said, without introduction, "is that this was our big chance and we missed it."

It is true that there are many things the tribe cannot undo. Several leaders told me that they wished the council had followed the model of Colorado's Southern Utes, who rejected outside offers, formed an energy company and drilled their land themselves. One tribal member, David Williams, recently founded a company to do just that. But the leases left are mostly table scraps, small tracts with poor prospects. Meanwhile, last year, Marcus Levings' tax deal earned North Dakota \$20 million more than the tribe in production taxes on Fort Berthold's oil. When a state legislator proposed amending the deal in the tribe's favor, it was voted down nearly unanimously.

The best the tribe can do now is to invest its profits in future security. Chairman Hall talks about a "People's Fund," where oil revenue could be saved for the benefit of tribal members who aren't receiving royalties. The tribe also has made some regulatory strides: A new transportation department mandates that subcontractors pay to register their vehicles and is working to install weight limits on the roads. A tribal environmental code will fine illegal dumping. In February, the council hosted an "energy summit," inviting mineral owners, industry representatives, and BIA officials to discuss the boom. Dorgan was the keynote speaker. "You could tell there was a shift going on," said Kara Hall, who helped organize the summit. "There was a sense that the oil play belonged to everybody, and people were feeling empowered." Bird Bear, on the contrary, referred to the event as

decidedly "pro-development." Recently, when the Environmental Protection Agency approved a permit for the tribe to build an oil refinery on the reservation, she appealed the decision.

One afternoon, I drove to Mandaree after Bird Bear called about a grass fire. Two roustabouts had lit a rag soaked in gasoline and flung it across a gas vent to make a flare, but the wind dropped it in the adjacent field. The district had no fire service, and by the time trucks arrived with hoses, the hillside was charred up to the back deck of a small ranch house. From a distance, it looked as if a raincloud had cast a vast, black shadow on the prairie. Bird Bear came to the door smelling of grass smoke. We sat on her couch, and she said that Enerplus, a Canadian company that bought Peak's leases, was trying, again, to lease the minerals under her house. "I kind of feel like I've lost," she said. "I never believed the tribe would look out for us, and I knew the Bureau wouldn't either." Worried that the BIA would allow drilling to proceed, since the acres around her house were already leased, she called Jeff Hunt. Was there any way to keep her oil from being "drained" without her consent? "Lease it," he replied.

"That's the way oil and gas works," said Hunt when I asked about the conversation. "Once the game's begun, you have to join." But Bird Bear had decided not to lease because she feared what fracking might do to her groundwater; was he saying her minerals would be drilled anyway? "Yes, eventually, which is kind of tough on the individual. But she has to think about the people around her. Don't they have a right to their oil?"

I dropped by the tribal employment office last November to see Tony Damian, but a girl snapping bubble gum in the waiting area told me he worked for Williams now, in a trailer by the granary. "If you can't beat them, join them," Damian joked when I found him in his new office. Apart from a desk and portraits of his daughters, the room was empty and echoed when he shut the door. He had been with Tribal Employment only a year, he said, when someone at Williams recruited him. He helps the company stay in compliance with codes by hiring Indian subcontractors and tribal members.

I asked Damian if working in the industry made him think better of the boom. "Not really," he said. "It's like the money hypnotizes you, and the oil companies know that. There's a lot of poverty and stress here, and the money's a quick solution to those issues. I went from living check to check to financial stability. And that means a lot for me and my kids. But is it worth it in the long run?" He shrugged. "I don't know." The day before, he had seen an article about fracking and thought he'd ask a colleague about it. "How do you reverse contaminated water?" Damian asked me. "Can you even do that? And to tell you the truth, I don't think he's going to tell me everything. Because regardless if I'm on his team, I'm Native American, and when this thing is over, I'm the one that will still be here."

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