



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Great Plains Regional Office
115 Fourth Avenue S.E., Suite 400
Aberdeen, South Dakota 57401

IN REPLY REFER TO:
DESCRM
MC-208

OCT 29 2012

MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: ^{Acting} Regional Director, Great Plains Region

SUBJECT: Environmental Assessment Addendum and Finding of No Significant Impact

In compliance with the regulations of the National Environmental Policy Act (NEPA) of 1969, as amended, an Addendum has been completed and a Finding of No Significant Impact (FONSI) has been issued. The Addendum authorizes land use for the Husdon-Gardens Pipeline on the Fort Berthold Indian Reservation.

All the necessary requirements of the National Environmental Policy Act have been completed. Attached for your files is a copy of the Addendum, FONSI and Notice of Availability. The Council on Environmental Quality (CEQ) regulations require that there be a public notice of availability of the (40 C.F.R. Section 1506.6(b)) Please post the attached notice of availability at the Agency and Tribal buildings for 30 days.

If you have any questions, please call Marilyn Bercier, Regional Environmental Scientist, Division of Environment, Safety and Cultural Resources Management, at (605) 226-7656.

Attachment

cc: Tex Hall, Chairman, Three Affiliated Tribes (with attachment)
Elgin Crows Breast, Tribal Historic Preservation Officer (with attachment)
Daniel Velder, BLM, Bureau of Land Management (with attachment)
Grady Wolfe, KLJ (with attachment)
Carson Hood/Fred Fox, MHA Energy Dept. (with attachment)
Jonathon Shelman, Corps of Engineers
Jeff Hunt, Fort Berthold Agency

Finding of No Significant Impact

*Saddle Butte Pipeline, LLC (SBP)
Hudson-Gardens Pipeline*

Addendum to:

Saddle Butte Pipeline, LLC (August 2010 Environmental Assessment (EA)/Finding of No Significant Impact (FONSI)) Saddle Butte Trunk Lines

*Fort Berthold Indian Reservation
McKenzie County, North Dakota*

The U.S. Bureau of Indian Affairs (BIA) has received a proposal for an addendum to the above referenced Environmental Assessment (EA). The proposal is to acquire a 100-foot right-of-way (ROW) corridor (50 feet of temporary ROW and 50 feet of permanent ROW) for construction of approximately 0.73 miles of natural gas, oil and/or water pipelines (four lines) McKenzie County, North Dakota, on the Fort Berthold Reservation. The new lines would connect to pipelines cleared as addendums to the original Saddle Butte Pipeline, LLC (August 2010 Environmental Assessment (EA)/Finding of No Significant Impact (FONSI)) Saddle Butte Trunk Lines. The proposed pipelines would tie into previously constructed Enerplus well pads: Hudson 13-21H and Gardens. Associated federal actions by BIA include determinations of impacts and effects regarding environmental resources for developments on tribal lands.

The potential of the proposed actions to impact the human environment is analyzed in the attached addendum to an existing EA, as required by the National Environmental Policy Act. Based on the recently completed addendum to the EA, I have determined that the proposed project will not significantly affect the quality of the human environment. No Environmental Impact Statement is required for any portion of the proposed activities.

This determination is based on the following factors:

1. Agency and public involvement solicited for the preceding NEPA document was sufficient to ascertain potential environmental concerns associated with the currently proposed project.
2. Protective and prudent measures were designed to minimize impacts to air, water, soil, vegetation, wetlands, wildlife, public safety, water resources, and cultural resources. The remaining potential for impacts was disclosed for both the proposed actions and the No Action alternative.
3. Guidance from the U.S. Fish and Wildlife Service has been fully considered regarding wildlife impacts, particularly in regard to threatened or endangered species. This guidance includes the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250), Executive Order 13186 "Responsibilities of Federal Agencies to Protect Migratory Birds", and the Endangered Species Act (16 U.S.C. 1531 et seq.).
4. The proposed actions are designed to avoid adverse effects to historic, archaeological, cultural and traditional properties, sites and practices. Compliance with the procedures of the National Historic Preservation Act is complete.
5. Environmental justice was fully considered.
6. Cumulative effects to the environment are either mitigated or minimal.
7. No regulatory requirements have been waived or require compensatory mitigation measures.
8. The proposed projects will improve the socio-economic condition of the affected Native American community.

Acting



Regional Director



Date

ENVIRONMENTAL ASSESSMENT

Addendum

United States Bureau of Indian Affairs

Great Plains Regional Office
Aberdeen, South Dakota



Saddle Butte Pipeline, LLC
Hudson-Gardens Pipeline

Addendum to:

Saddle Butte Pipeline, LLC (August 2010 Environmental Assessment (EA)/Finding of No Significant Impact (FONSI))
Saddle Butte Trunk Lines

Fort Berthold Indian Reservation

October 2012

For information contact:
Bureau of Indian Affairs, Great Plains Regional Office
Division of Environment, Safety and Cultural Resources
115 4th Avenue SE
Aberdeen, South Dakota 57401
605-226-7656

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APPENDIX

Appendix A Pipeline and Right-of-Way Easements

1 PURPOSE AND NEED FOR THE PROPOSED ACTION

Saddle Butte Pipeline, LLC (SBP) proposes to construct approximately 0.73 miles of natural gas, oil and/or water pipelines (four lines) within a 100-foot right-of-way (ROW) corridor (50 feet of temporary ROW and 50 feet of permanent ROW) in McKenzie County, North Dakota on the Fort Berthold Indian Reservation. The new lines would connect to the pipelines cleared as addendums to the original Saddle Butte Pipeline, LLC (August 2010 Environmental Assessment (EA)/Finding of No Significant Impact (FONSI)) Saddle Butte Trunk Lines. The

The proposed natural gas, oil and/or water pipelines would be located in Section 13, T149N, R94W. Please refer to **Figure 1, Project Location Map**.

The purpose of the proposed action is to allow SBP to install the proposed pipelines to transport gas, oil and/or water from the previously approved wells to a central gathering facility for further transport to markets or an acceptable disposal facility.

Installation of the proposed pipelines would further support important benefits to the Three Affiliated Tribes. They would provide individual members of the tribes with needed employment and income. Installation of the proposed pipelines would reduce waste of valuable resources associated with continued flaring of produced gas, as well as minimize truck traffic, environmental and public health and safety concerns.

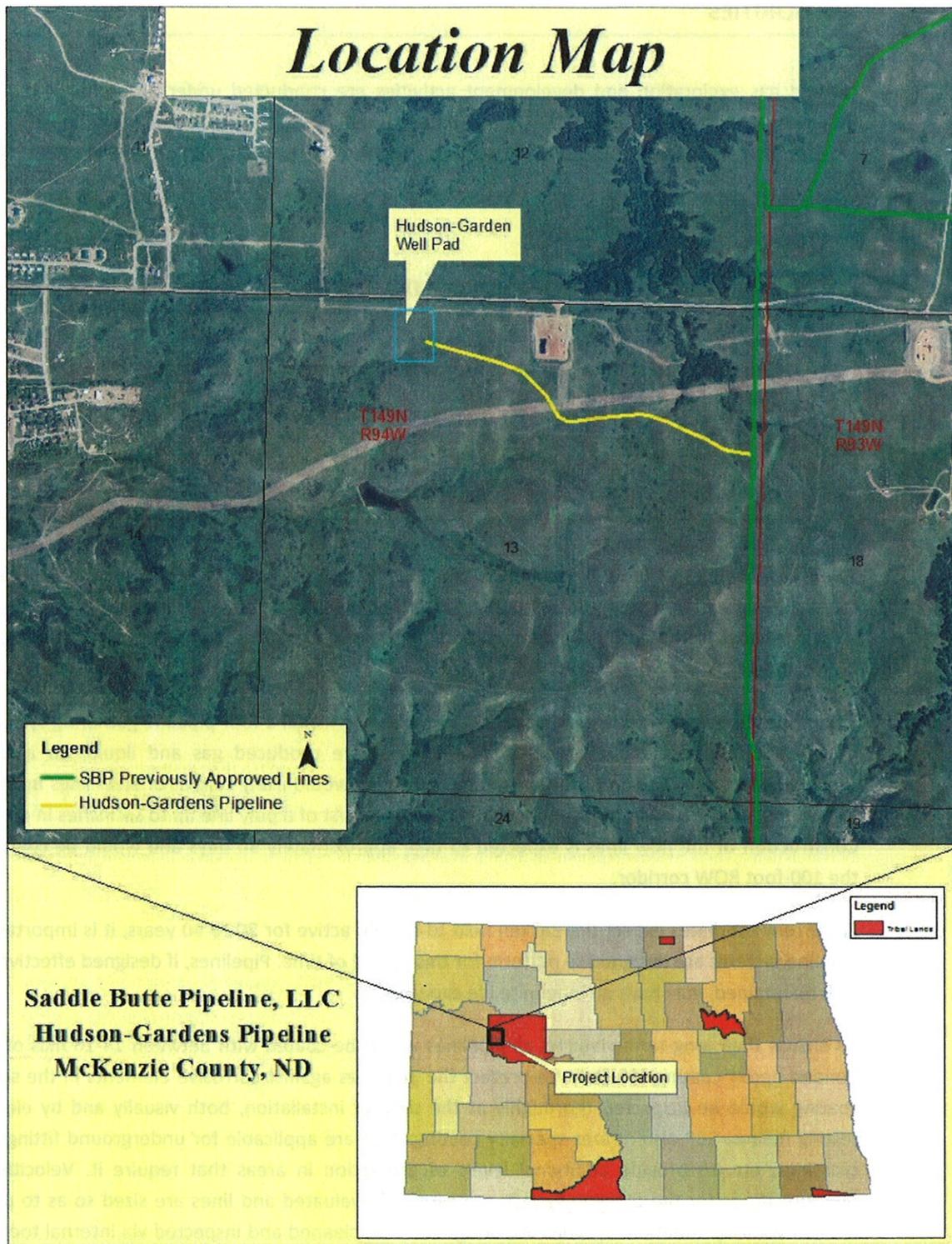


Figure 1, Project Location Map

2 AUTHORITIES

Oil and gas exploration and development activities are conducted under authority of the Indian Mineral Leasing Act of 1938 (25 United States Code [USC] 396a, et seq.), the Indian Mineral Development Act of 1982 (25 USC 2101, et seq.), and the Energy Policy Act of 2005 (42 USC 15801, et seq.).

3 LEGAL LAND DESCRIPTION OF PROPOSED ACTION

- The proposed natural gas, oil and/or water pipelines would be located in McKenzie County, North Dakota, Section 13, T149N, R94W.

4 SCOPE OF WORK FOR PROPOSED ACTION

Twenty eight miles of natural gas and oil pipelines were approved in a FONSI for the Saddle Butte Trunk Lines project on September 9, 2010. Since that time, plans have been developed to construct additional lines from newly developed oil and gas wells in the surrounding area to the Saddle Butte Trunk Lines.

The proposed action includes authorization by the BIA to install a four pipeline gathering system and other appurtenances above or below ground to move produced gas and liquids to a suitable processing location. The proposed oil and gas pipelines would likely consist of steel lines up to eight inches in diameter, while the water line would likely consist of a poly line up to six inches in diameter. Construction of the new lines is expected to take approximately 90 days and would be confined to the 100-foot ROW corridor.

As current estimates expect the Bakken field to remain active for 30 to 40 years, it is important that pipeline systems are designed to perform for this period of time. Pipelines, if designed effectively and well maintained, may have an indefinite life expectancy.

To ensure their long-term viability, all pipelines would be coated with between 14-16 mils of fusion bonded epoxy coating, which helps protect the pipelines against corrosive elements in the soil. The coating would be inspected thoroughly at the time of installation, both visually and by electronic testing means. SBP also utilizes specialty coatings that are applicable for underground fittings; bore crossings, etc. to provide additional levels of protection in areas that require it. Velocities and pressure drops for the pipeline system are carefully evaluated and lines are sized so as to prevent erosion velocity. Additionally, lines are designed to be cleaned and inspected via internal tools (e.g., cleaning pigs and smart pigs), which helps in the identification of issues in the pipes.

Following design and installation, SBP would immediately conduct a cathodic survey utilizing test stations, rectifier pads and other means designed by cathodic protection specialists. SBP would also

install pig launchers and receivers on its trunk lines and primary laterals to identify pipeline conditions both internally and externally to maintain the integrity of the pipeline system.

All SBP installations are monitored by an inspection/construction management team as well as independent third party contract experts. SBP's construction specifications require contractors to allow for inspection, and no pipeline is laid and backfilled without appropriate approvals. Hydro testing of pipelines would be used to assure no possibility of leakage at the time of installation.

The proposed project would also require approval for the associated ROW acquisition consisting of 50 feet of permanent ROW and 50 feet of temporary ROW for construction. Installation of the pipelines may require clearing and grading within the entire 100-foot ROW along the entire pipeline corridor. Every effort would be made to minimize surface disturbance during the construction process. Topsoil would be separated and stockpiled along either side of any disturbed cross section to be used for prompt reseeding and reclamation of the disturbed area. If construction activities take place close to the end of construction season, topsoil would only be removed far enough in advance that the pipeline could be installed and the site re-graded prior to the end of the construction season. If topsoil cannot be spread in a timely manner that allows vegetation to reestablish prior to winter, topsoil would be spread the following spring and reseeded so as to not be susceptible to wind and/or water erosion over the winter.

For locations that are reclaimed in winter months or late fall such that no germination is possible, SBP would either use a sprayed reinforcement, lain matting reinforcement, spread and crimp straw and/or would minimize erosion issues with straw wattle and silt fence through winter months. Any temporary reclamation measures would remain until SBP can completely reclaim and revegetate the property in the spring. All temporary reclamation measures would be inspected on a monthly basis, or more frequently as necessary, throughout the winter. In addition, SBP would also install straw wattles, mulch woody vegetation and spread over bare soil, or other best management practices (BMPs) on slopes as needed to provide erosion breaks.

Continued use of pasture and livestock grazing areas would be maintained during construction via use of temporary fencing or cattle guards. Trenches would be excavated to a depth sufficient to maintain a minimum of 48 inches of ground coverage over the pipeline. It is understood that other utilities, including phone and water pipelines, may be present in the immediate area and would need to be coordinated with the appropriate utilities accordingly.

5 APPLICABLE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENTS

The following NEPA documents have been previously approved by BIA for the proposed action:

- Saddle Butte Pipeline, LLC Saddle Butte Trunk Lines, August 2010 EA and FONSI

6 FIELD RESOURCE SURVEYS

An intensive, pedestrian resource survey of the proposed pipeline corridor was conducted on June 21, 2012 by Kadrmas, Lee & Jackson (KL&J). The purpose of this survey was to gather site-specific data and photos with regards to botanical, biological, threatened and endangered species, eagles and water resources. A 200-foot wide pipeline corridor was evaluated for this site. In addition, a 0.50 mile wide buffer around all areas of project disturbance was used to evaluate the presence of eagles and eagle nests. Resources were evaluated using visual inspection and pedestrian transects across the site.

The BIA EA on-site assessment of the pipeline corridor was also conducted on June 21, 2012. The BIA Environmental Protection Specialist, SBP and KL&J participated in this assessment. During the assessment, construction suitability with respect to topography, stockpiling, drainage, erosion control and other surface issues were considered. Those present at the on-site assessment agreed that, because of the minimization measures SBP plans to implement, the proposed pipeline route is positioned in areas which would minimize impacts to sensitive wildlife and botanical resources.

A cultural resource inventory of this pipeline route was conducted by personnel of Kadrmas, Lee & Jackson, Inc., using an intensive pedestrian methodology. Approximately 18 acres were inventoried on June 22, 2012 (Asbury 2012). No historic properties were located that appear to possess the quality of integrity and meet at least one of the criteria (36 CFR 60.6) for inclusion on the National Register. As the lead federal agency, and as provided for in 36 CFR 800.5, on the basis of the information provided, BIA reached a determination of **no historic properties affected** for this undertaking. This determination was communicated to the THPO on August 8, 2012; however, the THPO did not respond within the allotted 30 day comment period.

Asbury, Sophia L.

(2012) Hudson-Gardens Gathering Line: A Class III Cultural Resource Inventory in McKenzie County, North Dakota. KLJ Cultural Resources for Saddle Butte Pipeline, LLC, Durango, CO.

7 ASSESSMENT OF ENVIRONMENTAL IMPACTS

The following discussion addresses environmental and social impacts as a result of the project expansion. Impacts are only discussed if the project has changed the impact assessment reflected in the August 2010 EA, or to note why the impact assessment has not changed.

A. Cultural Resources

The Class I literature review indicated five previously identified cultural resources within the project sections and three manuscripts are on file for a one-mile radius of the area. One previously recorded cultural resource is within the same section as the APE, however, not within the APE. No new or previously recorded cultural materials were encountered during the Class III inventory. As such,

cultural resources impacts are not anticipated provided that all pipeline development occurs within the inventoried block and that monitoring occurs nearby the previously recorded site.

If cultural resources are discovered during construction or operation, work shall immediately be stopped, the affected site secured and BIA and THPO notified. In the event of a discovery, work shall not resume until written authorization to proceed has been received from the BIA. All project workers are prohibited from collecting artifacts or disturbing cultural resources in any area under any circumstances.

B. Ground Water

SBP's standard bore depth beneath an actively eroding drainage area is eight feet. However, bores are designed on a case by case basis to avoid any adverse effects of the natural surface in the vicinity of the bore. Additionally, bore pipe would be coated with abrasion resistant coating that provides substantial abrasion resistance if a large erosion or flooding event occurs. Measures used to install and inspect the pipe prior to use along with monitoring procedures for potential leaks would minimize potential groundwater disturbance.

The proposed pipelines would cross an existing pipeline. The new pipelines would be bored underneath the existing pipeline in coordination with the utility owner.

C. Land Use

The proposed project area is located within a predominantly rural area. Typical vegetation in the study area consists of native rangeland/natural prairie vegetation characterized by western wheatgrass (*Elymus smithii*), needle and thread grass (*Hesperostipa comata*), green needlegrass (*Nassella viridula*), and blue grama (*Bouteloua gracilis*) Wild rose (*Rosa woodsii*), leadplant (*Amorpha canescens*) and patches of western snowberry (*Symphoricarpos occidentalis*) are interspersed throughout the area. Green ash (*Fraxinus pennsylvanica*), chokecherry (*Prunus virginiana*), Serviceberry (*Amelanchier alnifolia*) and buffaloberry (*Shepherdia canadensis*) occur in draws and narrow valleys.

The proposed project would temporarily convert approximately 8.9 acres of tribal trust land from its existing use into a pipeline corridor. Please refer to

Figure 2, Typical Route Vegetation

. The pipelines would be buried underground and the majority of land uses would be able to resume following construction and reclamation activities. All above ground facilities and equipment would be painted shale green to blend in with the surrounding landscape. In addition, if electrical lines are constructed within this corridor, all lines would be buried below ground. No mitigation is proposed.



Figure 2, Typical Route Vegetation

D. Public Health and Safety

Third-party intrusions are one of the biggest contributing factors to spills. To aid in the prevention of such intrusions, SBP would fully comply with the marking requirements specified in the US Department of Transportation's rules and regulations, specifically contained in 49 CFR Parts 192 and 195. To ensure such compliance, SBP developed construction specifications to delineate the requirements for pipeline marking in accordance with applicable laws, rules, and regulations. Including, but not limited to, the locations of such markings (e.g., road crossings, water body crossings, line of sight, etc.) and the manner of marking such pipelines (e.g., height of markings and signage on the markings).

SBP has committed to developing a spill response plan that would be submitted to the BIA prior to the commencement of the construction activities. The response plan would include procedures that specifically address making the appropriate contacts, isolating the incident, protecting waterways and providing contact information for all the appropriate contractors and experts necessary to facilitate a rapid response.

D. Surface Water

No significant impacts to surface water are expected to result from the proposed pipelines. The proposed project has been sited to avoid direct impacts to surface water and to minimize the disruption of drainage patterns across the landscape. Implementation of BMPs to control erosion would mitigate runoff of sediment downhill or downstream.

Two types of valves would be utilized for spill isolation:

- Check valves would be installed between trunk lines and lateral lines to prevent a "back feed" scenario to a spill, thereby limiting the volume of any spill to the wells that are directly contributing to it.

- Manual valve sets would also be installed at all intersections of laterals to trunk lines, allowing isolation at the wells themselves.

SBP has also developed a GIS database that establishes real time, web-based maps for use by its operations team and first responder personnel. In addition, SBP has provided options in its trunk lines for automatic isolation based on low pressure switching devices once the system pressure exceeds 1400 psi. These valves would automatically isolate the pipeline under most line rupture circumstances. Based on these mitigation measures, the proposed project is not anticipated to result in measurable increases in runoff or impacts to surface waters.

E. Wildlife

Intensive, pedestrian resource surveys of the proposed pipeline route corridor were conducted on June 21, 2012 by KL&J. The survey was conducted to gather site-specific data and photos with regards to botanical and biological resources. Resources were evaluated using visual inspection and pedestrian transects across the site. In addition, a survey for eagles and eagle nests within 0.5 miles of the project disturbance area was conducted. This survey consisted of pedestrian transects focusing specifically on potential nesting sites within 0.5 miles of the project disturbance area, including cliffs and wooded draws. Wooded draws were observed both from the upland areas overlooking the draws and from bottomlands within the actual draws.

Some of the major wildlife species in this area are white-tailed deer (*Odocoileus virginianus*), mule deer (*Odocoileus hemionus*), pronghorn (*Antilocapra americana*), red fox (*Vulpes vulpes*), coyote (*Canis latrans*), white-tailed jackrabbit (*Lepus townsendii*), black tailed prairie dog (*Cynomys ludovicianus*), ring-necked pheasant (*Phasianus colchicus*), sharp-tailed grouse (*Tympanuchus phasianellus*) and several waterfowl species.

During the pedestrian field surveys, migratory birds, raptors, big and small game species, non-game species, potential wildlife habitats, and and/or bird nests were identified if present. No wildlife species were observed during the field survey and no wildlife issues were documented.

SBP has committed to conducting nesting bird surveys if construction procedures take place during primary nesting season, in North Dakota, typically February 1st thru July 15th.

8 NEPA ADEQUACY CRITERIA

This document has identified one previously prepared NEPA document, *Saddle Butte Pipeline, LLC August 2010 EA and FONSI Saddle Buttes Trunk Lines*, which adequately describes the environmental consequences of the newly proposed actions described herein, and meets the following NEPA Adequacy Criteria:

1. The proposed actions are substantially the same actions and at the sites specifically analyzed in the existing NEPA documents.
2. The range of alternatives is reasonable with respect to the current proposed actions in the existing NEPA documents, which appropriately considers and analyzes current environmental concerns, interests, and resource values.
3. The existing analysis and conclusions are adequate in the existing NEPA documents. The analysis is still valid in light of new studies and/or resource assessment information.
4. The methodology and analytical approach used in the existing NEPA documents continues to be appropriate for the proposed actions.
5. The direct and indirect impacts of the proposed actions are unchanged from those identified in the existing NEPA documents.
6. The cumulative impacts that would result from implementation of the proposed actions are unchanged from those analyzed in the existing NEPA documents.
7. A 30-day comment period involving public input and interagency review was used in the development of the existing NEPA documents.



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Great Plains Regional Office
115 Fourth Avenue S.E., Suite 400
Aberdeen, South Dakota 57401

IN REPLY REFER TO:
DESCRM
MC-208

AUG 08 2012

Elgin Crows Breast, THPO
Mandan, Hidatsa and Arikara Nation
404 Frontage Road
New Town, North Dakota 58763

Dear Mr. Crows Breast:

We have considered the potential effects on cultural resources of a pipeline in McKenzie County, North Dakota. Approximately 18 acres were intensively inventoried using a pedestrian methodology. Potential surface disturbances are not expected to exceed the area depicted in the enclosed report. No historic properties were located that appear to possess the quality of integrity and meet at least one of the criteria (36 C.F.R. § 60.4) for inclusion on the National Register of Historic Places. No properties were located which appear to qualify for protection under the American Indian Religious Freedom Act (42 U.S.C. § 1996 [1994]).

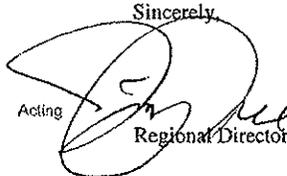
As the surface management agency, and as provided for in 36 C.F.R. § 800.5 (2005), we have therefore reached a determination of **no historic properties affected** for this undertaking, provided that nearby site 32MZ2306 is fenced out and avoided. Catalogued as **BIA Case Number AAO-3031/FB/12**, the proposed undertaking, location, and project dimensions are described in the following report:

Asbury, Sophia L.
(2012) Hudson-Gardens Gathering Line: A Class III Cultural Resource Inventory in McKenzie County, North Dakota. KLJ Cultural Resources for Saddle Butte Pipeline, LLC, Durango, CO.

If your office concurs with this determination, consultation will be completed under the National Historic Preservation Act and its implementing regulations. We will adhere to the Standard Conditions of Compliance.

If you have any questions, please contact Dr. Carson N. Murdy, Regional Archaeologist, at (605) 226-7656.

Sincerely,


Acting
Regional Director

Enclosure

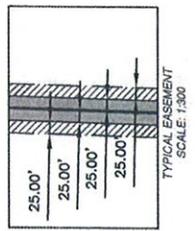
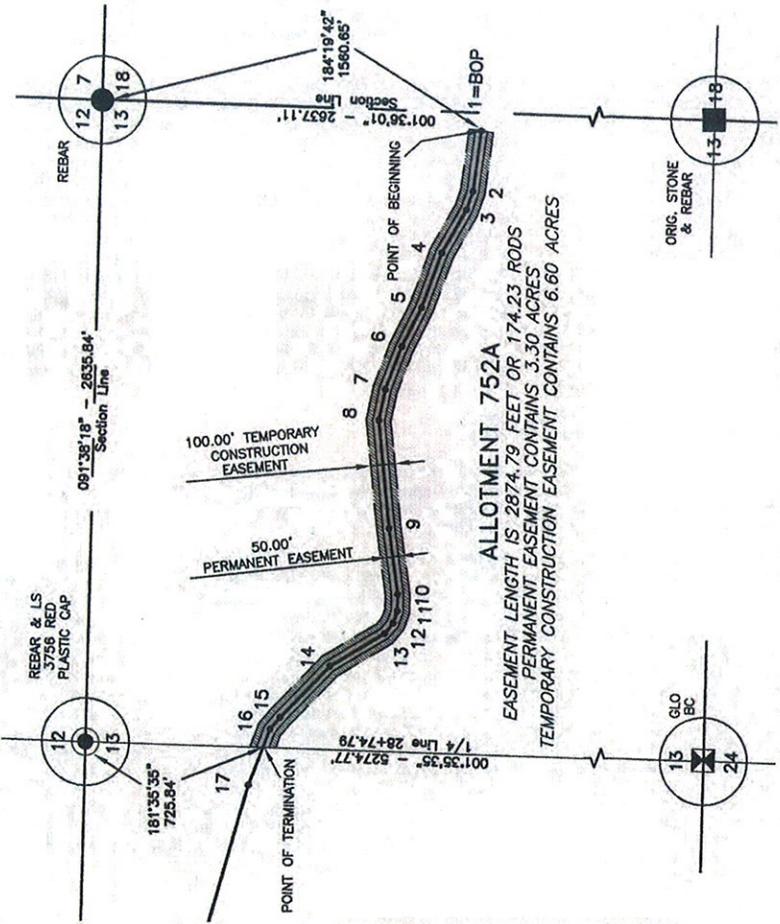
cc: Chairman, Three Affiliated Tribes
Superintendent, Fort Berthold Agency

Appendix A

Pipeline and Right-of-Way Easements

ALLOTMENT 752A

E 1/2 OF SECTION 13, TOWNSHIP 149 NORTH, RANGE 94 WEST
OF THE 5TH PRINCIPAL MERIDIAN, MCKENZIE COUNTY, NORTH DAKOTA
EXHIBIT "A"



SYMBOL	ITEM
(Symbol)	GRADED ROAD SHOULDER
(Symbol)	GRADED ROAD
(Symbol)	TOPOGRAPHIC BOUNDARIES
(Symbol)	DAMAGE LINE
(Symbol)	CHALVERT
(Symbol)	BARRIED WIRE FENCE
(Symbol)	WELDEAD FENCE
(Symbol)	OVERHEAD POWER LINE
(Symbol)	POWER POLE/STREET LIGHT
(Symbol)	UTILITY MARKER OR SIGN
(Symbol)	TELEPHONE POST/POL
(Symbol)	WELL LOCATION

PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
1-BOP	0+00.00	272760.41	1441151.78	277°56'02"	251.05'
2	2+51.05	272795.28	1440903.16	289°35'03"	79.30'
3	3+30.35	272821.86	1440828.45	289°47'03"	205.76'
4	5+38.11	272824.08	1440649.88	280°32'52"	241.84'
5	7+77.75	273008.88	1440423.60	287°09'47"	179.85'
6	9+57.40	273090.70	1440263.68	281°14'28"	189.88'
7	11+47.28	273159.50	1440086.70	282°02'18"	128.83'
8	12+75.91	273186.32	1439960.89	284°44'21"	445.54'
9	17+21.45	273145.47	1439517.23	282°39'22"	272.74'
10	19+94.19	273110.28	1439246.77	270°52'18"	88.41'
11	20+63.80	273111.35	1439177.36	288°54'10"	53.64'
12	21+17.24	273129.61	1439126.93	309°33'12"	54.47'
13	21+71.71	273164.30	1439084.93	328°22'20"	284.03'
14	24+35.74	273391.49	1438950.42	314°01'07"	293.31'
15	27+29.05	273595.31	1438736.49	310°29'34"	64.38'
16	27+93.43	273537.11	1438690.53	281°08'22"	81.36'
1/4 Line	28+74.79	273666.41	1438614.63		

NOTE: Survey is based on North Dakota State Plane System, NAD83 (99), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000164361 to go from grid distance to ground distance.



Kadmas Lee & Jackson
Engineers Surveyors
© Kadmas, Lee & Jackson 2012
DRAWN BY: M. Hecker

SPP
SADDLE BUTTE PIPELINE, LLC
858 Main Ave, Suite 301
Durango, CO 81301

HUDSON GARDEN EASEMENT
MCKENZIE COUNTY, NORTH DAKOTA
EASEMENTS ON AND ACROSS THE
E 1/2 OF SEC. 13, T. 149N., R. 94W.

SHEET 1 OF 2

DWG NO.	3712840
JOB NO.	3712840
SCALE:	1:800
PROJECT NUMBER	13-149-94 A

LAYOUT: 13-149-94 A (1)

ALLOTMENT 752A
 E1/2 OF SECTION 13, TOWNSHIP 149 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, MCKENZIE COUNTY, NORTH DAKOTA
 EXHIBIT "A"

SADDLE BUTTE PIPELINE COMPANY
 HUDSON GARDEN EASEMENT

DESCRIPTION: PERMANENT EASEMENT SURVEY

A fifty (50) foot wide continual easement for utilities and pipelines of an oil and gas collection system over, under and across the East Half (E1/2) of Section 13, Township 149 North, Range 94 West of the 5th Principal Meridian, McKenzie County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the northeast corner of the East Half of said Section 13; thence on an azimuth of 184°19'42" a distance of 1560.65 feet to the POINT OF BEGINNING (1=BOP); thence on an azimuth of 277°59'02" a distance of 251.05 feet to a point (PI #2); thence on an azimuth of 289°35'03" a distance of 79.30 feet to a point (PI #3); thence on an azimuth of 299°47'03" a distance of 205.76 feet to a point (PI #4); thence on an azimuth of 290°32'52" a distance of 241.60 feet to a point (PI #5); thence on an azimuth of 297°05'47" a distance of 179.65 feet to a point (PI #6); thence on an azimuth of 291°14'26" a distance of 189.88 feet to a point (PI #7); thence on an azimuth of 282°02'15" a distance of 128.63 feet to a point (PI #8); thence on an azimuth of 264°44'21" a distance of 445.54 feet to a point (PI #9); thence on an azimuth of 262°35'22" a distance of 272.74 feet to a point (PI #10); thence on an azimuth of 270°52'18" a distance of 69.41 feet to a point (PI #11); thence on an azimuth of 289°54'10" a distance of 53.64 feet to a point (PI #12); thence on an azimuth of 309°33'12" a distance of 54.47 feet to a point (PI #13); thence on an azimuth of 329°22'20" a distance of 264.03 feet to a point (PI #14); thence on an azimuth of 314°01'07" a distance of 293.31 feet to a point (PI #15); thence on an azimuth of 310°29'34" a distance of 64.38 feet to a point (PI #16); thence on an azimuth of 291°06'22" a distance of 81.36 feet to a point on the west line of said East Half of Section 13, and the POINT OF TERMINATION (1/4 Line). Said point is located on an azimuth of 181°35'35" a distance of 725.84 feet from the northwest corner of the East Half of said Section 13.

Covering in all 2874.79 feet or 174.23 rods.
 Said permanent easement contains 3.30 acres.

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the East Half (E1/2) of Section 13, Township 149 North, Range 94 West of the 5th Principal Meridian, McKenzie County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the northeast corner of the East Half of said Section 13; thence on an azimuth of 184°19'42" a distance of 1560.65 feet to the POINT OF BEGINNING (1=BOP); thence on an azimuth of 277°59'02" a distance of 251.05 feet to a point (PI #2); thence on an azimuth of 289°35'03" a distance of 79.30 feet to a point (PI #3); thence on an azimuth of 299°47'03" a distance of 205.76 feet to a point (PI #4); thence on an azimuth of 290°32'52" a distance of 241.60 feet to a point (PI #5); thence on an azimuth of 297°05'47" a distance of 179.65 feet to a point (PI #6); thence on an azimuth of 291°14'26" a distance of 189.88 feet to a point (PI #7); thence on an azimuth of 282°02'15" a distance of 128.63 feet to a point (PI #8); thence on an azimuth of 264°44'21" a distance of 445.54 feet to a point (PI #9); thence on an azimuth of 262°35'22" a distance of 272.74 feet to a point (PI #10); thence on an azimuth of 270°52'18" a distance of 69.41 feet to a point (PI #11); thence on an azimuth of 289°54'10" a distance of 53.64 feet to a point (PI #12); thence on an azimuth of 309°33'12" a distance of 54.47 feet to a point (PI #13); thence on an azimuth of 329°22'20" a distance of 264.03 feet to a point (PI #14); thence on an azimuth of 314°01'07" a distance of 293.31 feet to a point (PI #15); thence on an azimuth of 310°29'34" a distance of 64.38 feet to a point (PI #16); thence on an azimuth of 291°06'22" a distance of 81.36 feet to a point on the west line of said East Half of Section 13, and the POINT OF TERMINATION (1/4 Line). Said point is located on an azimuth of 181°35'35" a distance of 725.84 feet from the northwest corner of the East Half of said Section 13.

Covering in all 2874.79 feet or 174.23 rods.
 Said temporary construction easement contains 6.60 acres.

NOTES:

- Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000164361 to go from grid distance to ground distance.
- Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.



I, Quentin Obrigewitsch, Registered Land Surveyor, N.D. RLS No. 5999, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk J. Jorgenson on June 16, 2012.

7/5/12
 Date

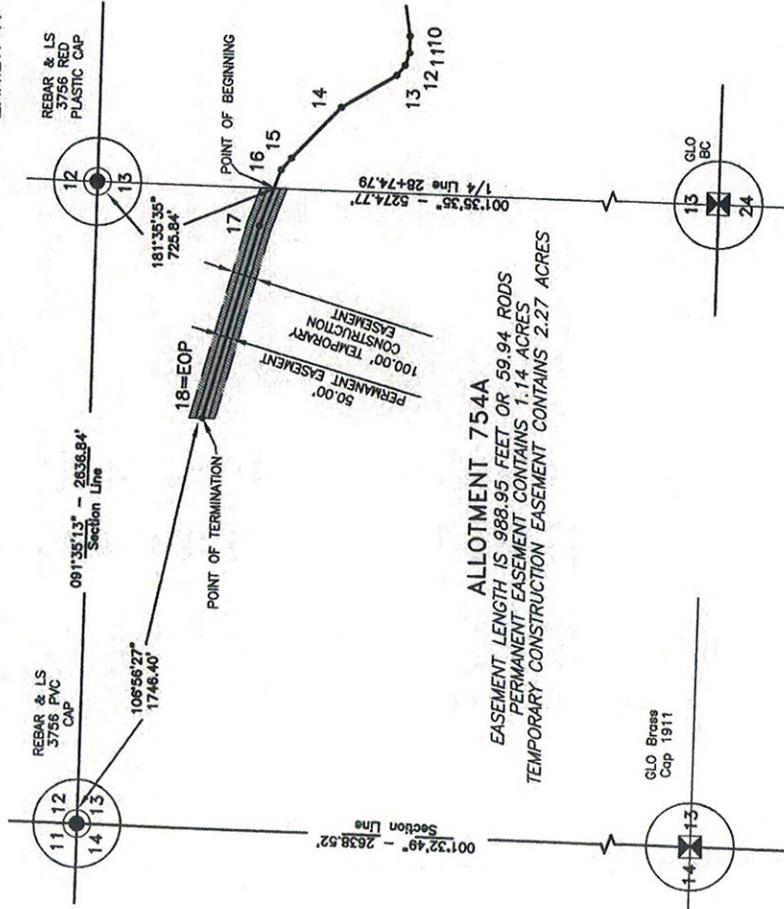
[Signature]
 Quentin Obrigewitsch, Registered Land Surveyor
 N.D. RLS No. 5999

SHEET 2 OF 2

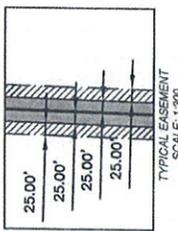
Kadrmas Lee & Jackson Engineers Surveyors Planners © Kadrmas, Lee & Jackson 2012 DRAFTER: M. Hecker	 SADDLE BUTTE PIPELINE, LLC 858 Main Ave, Suite 301 Durango, CO 81301	HUDSON GARDEN EASEMENT MCKENZIE COUNTY, NORTH DAKOTA	DWG NO. 3712840 JOB NO. 3712840
		EASEMENTS ON AND ACROSS THE E1/2 OF SEC. 13, T.149N., R.94W.	SCALE: NONE PARCEL NUMBER 13-149-94 A
ORIGINAL DATE: 7/5/2012 REV. DATE: -			

ALLOTMENT 754A

W1/2 OF SECTION 13, TOWNSHIP 149 NORTH, RANGE 94 WEST
OF THE 5TH PRINCIPAL MERIDIAN, MCKENZIE COUNTY, NORTH DAKOTA
EXHIBIT "A"



ALLOTMENT 754A
EASEMENT LENGTH IS 988.95 FEET OR 59.94 RODS
PERMANENT EASEMENT CONTAINS 1.14 ACRES
TEMPORARY CONSTRUCTION EASEMENT CONTAINS 2.27 ACRES



PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
1/4 Line	28+74.79	273666.41	1439614.63	291°06'22"	165.94'
17	30+40.63	273726.13	1439499.92	286°13'33"	823.11'
18=EOP	38+63.74	273956.12	1437668.60		



SYMBOL	ITEM
(Symbol)	GRADED ROAD BOUNDARY
(Symbol)	CATTLE GRAZED
(Symbol)	TRUCK ROWS, BUSHES
(Symbol)	DRAINAGE LINE
(Symbol)	CULVERT
(Symbol)	DIVIDED WIRE FENCE
(Symbol)	WILDLIFE FENCE
(Symbol)	OVERHEAD POWER LINE
(Symbol)	POWER POLE/STREET LIGHT
(Symbol)	UTILITY MARKER OR SIGN
(Symbol)	TELEPHONE PESTIVAL
(Symbol)	WELL LOCATION

SHEET 1 OF 2
DWG NO. 3712840
JOB NO. 3712840
SCALE: 1:600
PARCEL NUMBER 13-149-94 B

HUDSON GARDEN EASEMENT
MCKENZIE COUNTY, NORTH DAKOTA
EASEMENTS ON AND ACROSS THE
W1/2 OF SEC. 13, T.149N., R.94W.

S&P
SADDLE BUTTE PIPELINE, LLC
860 Main Ave, Suite 301
Dunsmuir, CA 95921

Kadmas Lee & Jackson
Professional Surveyors
© Kadmas, Lee & Jackson 2012
DRAWN BY: M. Hecker
DATE: 7/9/2012

NOTE: Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000164361 to go from grid distance to ground distance.



ALLOTMENT 754A
 W1/2 OF SECTION 13, TOWNSHIP 149 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, MCKENZIE COUNTY, NORTH DAKOTA
 EXHIBIT "A"

**SADDLE BUTTE PIPELINE COMPANY
 HUDSON GARDEN EASEMENT**

DESCRIPTION: PERMANENT EASEMENT SURVEY

A fifty (50) foot wide continual easement for utilities and pipelines of an oil and gas collection system over, under and across the West Half (W1/2) of Section 13, Township 149 North, Range 94 West of the 5th Principal Meridian, McKenzie County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the northeast corner of the West Half of said Section 13; thence along the east line of said West Half of Section 13 on an azimuth of 181°35'35" a distance of 725.84 feet to the POINT OF BEGINNING (1/4 Line); thence on an azimuth of 291°06'22" a distance of 165.84 feet to a point (PI #17); thence on an azimuth of 286°13'33" a distance of 823.11 feet to the POINT OF TERMINATION (18=EOP). Said point is located on an azimuth of 106°56'27" a distance of 1746.40 feet from the northwest corner of said West Half of said Section 13.

Covering in all 988.95 feet or 59.94 rods.
 Said permanent easement contains 1.14 acres.

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the West Half (W1/2) of Section 13, Township 149 North, Range 94 West of the 5th Principal Meridian, McKenzie County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the northeast corner of the West Half of said Section 13; thence along the east line of said West Half of Section 13 on an azimuth of 181°35'35" a distance of 725.84 feet to the POINT OF BEGINNING (1/4 Line); thence on an azimuth of 291°06'22" a distance of 165.84 feet to a point (PI #17); thence on an azimuth of 286°13'33" a distance of 823.11 feet to the POINT OF TERMINATION (18=EOP). Said point is located on an azimuth of 106°56'27" a distance of 1746.40 feet from the northwest corner of said West Half of said Section 13.

Covering in all 988.95 feet or 59.94 rods.
 Said temporary construction easement contains 2.27 acres.

NOTES:

- Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000164361 to go from grid distance to ground distance.
- Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.



I, Quentin Obrigewitsch, Registered Land Surveyor, N.D. RLS No. 5999, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk J. Jorgenson on June 16, 2012.

7/5/12
 Date

Quentin Obrigewitsch
 Quentin Obrigewitsch, Registered Land Surveyor
 N.D. RLS No. 5999

SHEET 2 OF 2

 Kadmas Lee & Jackson Engineers Surveyors Planners © Kadmas, Lee & Jackson 2012 DRAWN BY: M. Hooker ORIGIN DATE: 7/4/2012 REV. DATE: -	 SADDLE BUTTE PIPELINE, LLC 858 Main Ave, Suite 301 Durango, CO 81301	HUDSON GARDEN EASEMENT MCKENZIE COUNTY, NORTH DAKOTA	DWG NO. 3712840 JOB NO. 3712840
		EASEMENTS ON AND ACROSS THE W1/2 OF SEC. 13, T.149N., R.94W.	SCALE: NONE PARCEL NUMBER 13-149-94 B

Notice of Availability and Appeal Rights

Saddle Butte Pipeline, LLC: Hudson-Gardens Pipeline

The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals for the Hudson-Gardens Pipeline on the Berthold Reservation as shown on the attached map. Construction by Saddle Butte Pipeline is expected to begin in 2012.

An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-6570 for more information and/or copies of the EA and the Finding of No Significant Impact (FONSI).

The FONSI is only a finding on environmental impacts – it is not a decision to proceed with an action and *cannot* be appealed. BIA's decision to proceed with administrative actions *can* be appealed until November 27, 2012, by contacting:

**United States Department of the Interior
Office of Hearings and Appeals
Interior Board of Indian Appeals
801 N. Quincy Street, Suite 300, Arlington, Va 22203.**

Procedural details are available from the BIA Fort Berthold Agency at 701-627-6570.

Project locations.

