



# 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 24 2012

## MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: <sup>Acting</sup> 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 Everest-Denali Gathering Line 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 (e-mail)  
Jeff Hunt, Fort Berthold Agency (e-mail)

***Finding of No Significant Impact***

***Saddle Butte Pipeline, LLC  
Everest-Denali Gathering Line***

***Addendum to:  
Saddle Butte Pipeline, LLC (August 2010 Environmental Assessment /Finding of No Significant Impact)  
Saddle Butte Trunk Lines***

***Fort Berthold Indian Reservation  
Dunn 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 3,913 feet of natural gas, oil and/or water pipelines (four lines) in Dunn County, North Dakota, on the Fort Berthold Reservation. The new lines would connect and Enerplus well site to pipelines cleared in the Saddle Butte Pipeline, LLC (SBP) (August 2010 Environmental Assessment (EA)/Finding of No Significant Impact (FONSI)) Saddle Butte Trunk Lines. T 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 Indian community.

Acting

  
Regional Director

10-24-2012  
Date

# **Notice of Availability and Appeal Rights**

Saddle Butte Pipeline, LLC: Everest-Denali Gathering Line

**The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals for an Addendum for the Everest-Denali Gathering Line on the Berthold Reservation as shown on the attached map. Construction by Saddle Butte Pipeline is expected to begin in 2012.**

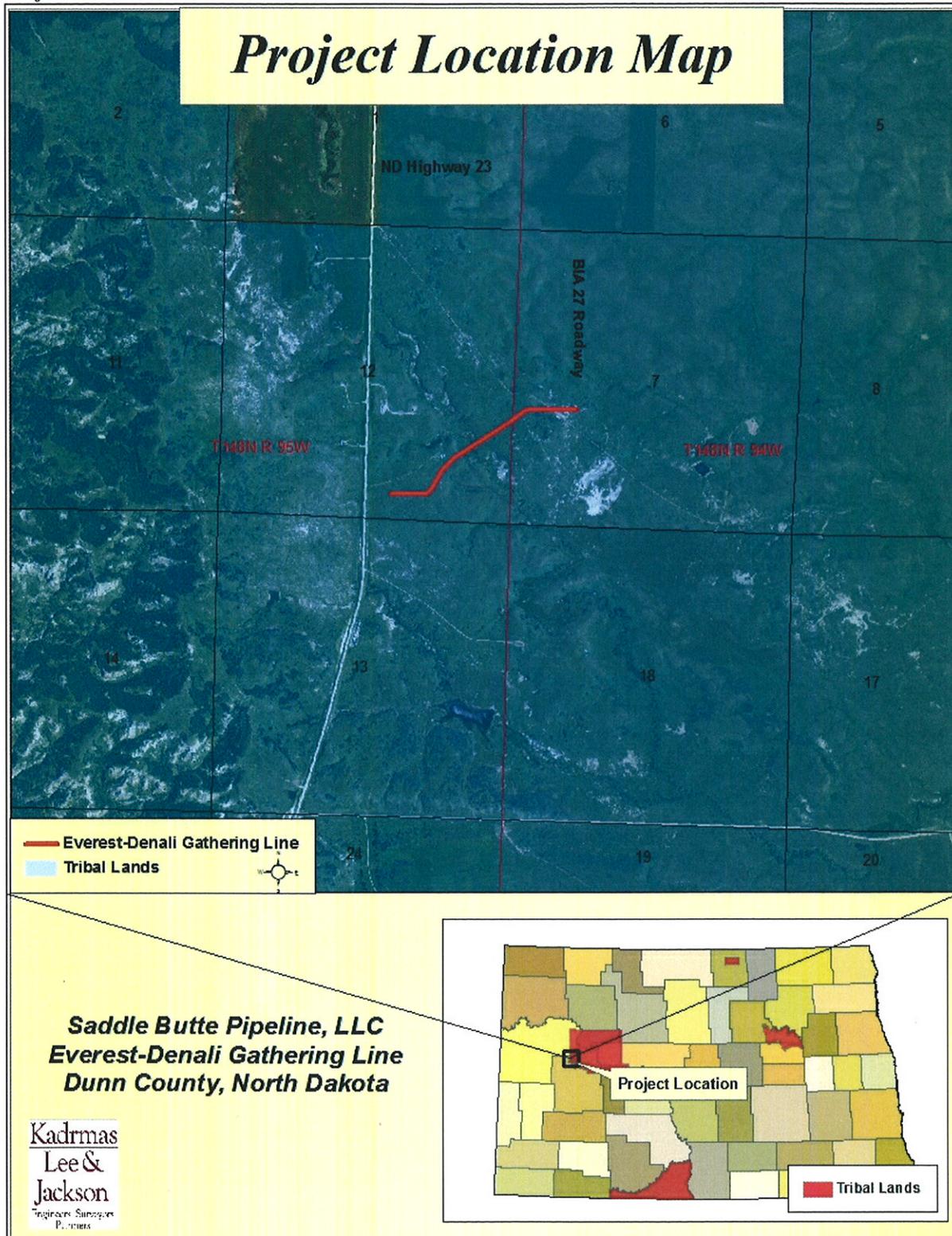
**An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-6570 for more information and/or copies of the EA and the Finding of No Significant 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 22, 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.



# ENVIRONMENTAL ASSESSMENT

## *Addendum*

United States Bureau of Indian Affairs

Great Plains Regional Office  
Aberdeen, South Dakota



Saddle Butte Pipeline, LLC  
***Everest-Denali Gathering Line***

**Addendum to:**

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

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### Appendix A Pipeline and Right-of-Way Easements

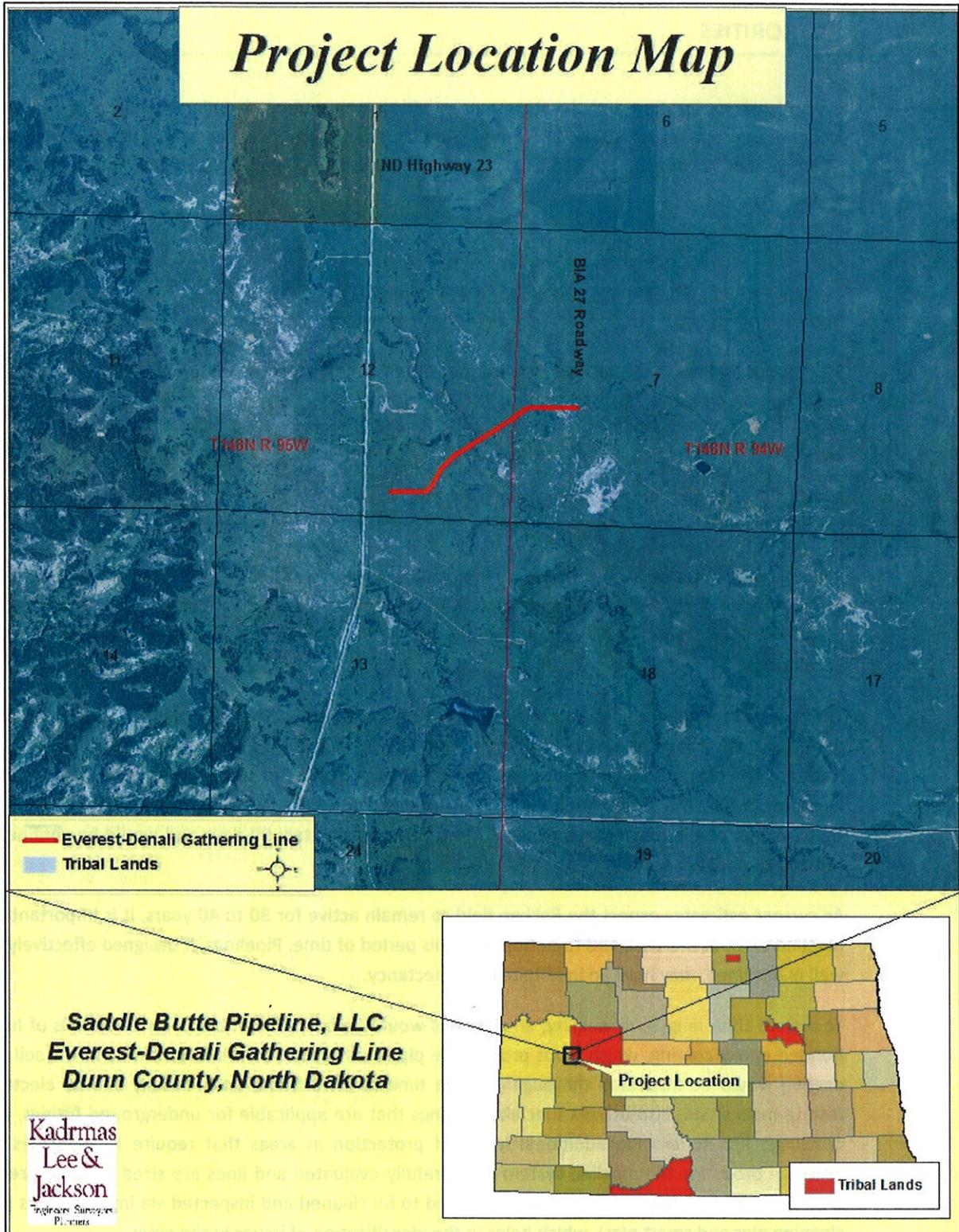
# 1 PURPOSE AND NEED FOR THE PROPOSED ACTION

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Saddle Butte Pipeline, LLC (SBP) proposes to construct approximately 3,913 feet 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 Dunn County, North Dakota, on the Fort Berthold Indian Reservation. The new lines would connect to pipelines cleared in the Saddle Butte Pipeline, LLC (August 2010 Environmental Assessment (EA)/Finding of No Significant Impact (FONSI)) Saddle Butte Trunk Lines. The proposed natural gas, oil and/or water pipelines would be located in Section 12, 148N, R95W and Section 7, T148N, R94W. Please refer to Figure 1.

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 well pad 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**

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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**

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The proposed natural gas, oil and/or water pipelines would be located in Dunn County, North Dakota, in Section 12, T148N, R95W and Section 7, T148N, R94W.

## **4 SCOPE OF WORK FOR PROPOSED ACTION**

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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 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 twelve 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 re-seeded 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 re-vegetate 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, mix and mulch woody vegetation spread over bare ground, 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, as needed. 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**

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

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

## 6 FIELD RESOURCE SURVEYS

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An intensive, pedestrian resource survey of the proposed pipeline corridor was conducted on July 19, 2012, by Kadrmas, Lee & Jackson (KLJ). 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 July 19, 2012. The BIA Environmental Protection Specialist, SBP, KLJ and a member from the Three Affiliated Tribes (THPO) 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 Class I Literature Review for the proposed site was conducted by KL&J in July, 2012. A Class III Cultural Resources Survey was conducted by KLJ on July 16, 2012, with a tribal monitor from the Three Affiliated Tribes Tribal Historic Preservation Office (THPO) simultaneously conducting Traditional Cultural Property Surveys. The Area of Potential Effect (APE) or area surveyed, consisted of an approximately 19-acre site, which included a 200-foot corridor centered on the proposed pipeline.

## 7 ASSESSMENT OF ENVIRONMENTAL IMPACTS

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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 50 previously recorded sites within a one-mile radius of the APE; however, none were recorded 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.

A cultural resource inventory of this pipeline route was conducted by personnel of Kadrmas, Lee & Jackson, Inc., using an intensive pedestrian methodology. Approximately 19 acres were inventoried on July 16, 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 September 20, 2012; however the THPO did not respond within the allotted 30 day comment period.

Asbury, Sophia L.

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

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. In addition, measures used to install and inspect the pipe prior to use along with monitoring procedures for potential leaks would minimize potential groundwater disturbance.

#### C. Land Use

The proposed project area is located within a predominantly rural area; land use consists of native rangeland (100 percent). The proposed project would temporarily convert approximately nine 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. Any electrical transmission lines associated with this project would be buried underground. All above ground facilities and equipment would be painted shale green to blend in with the surrounding landscape. 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 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.

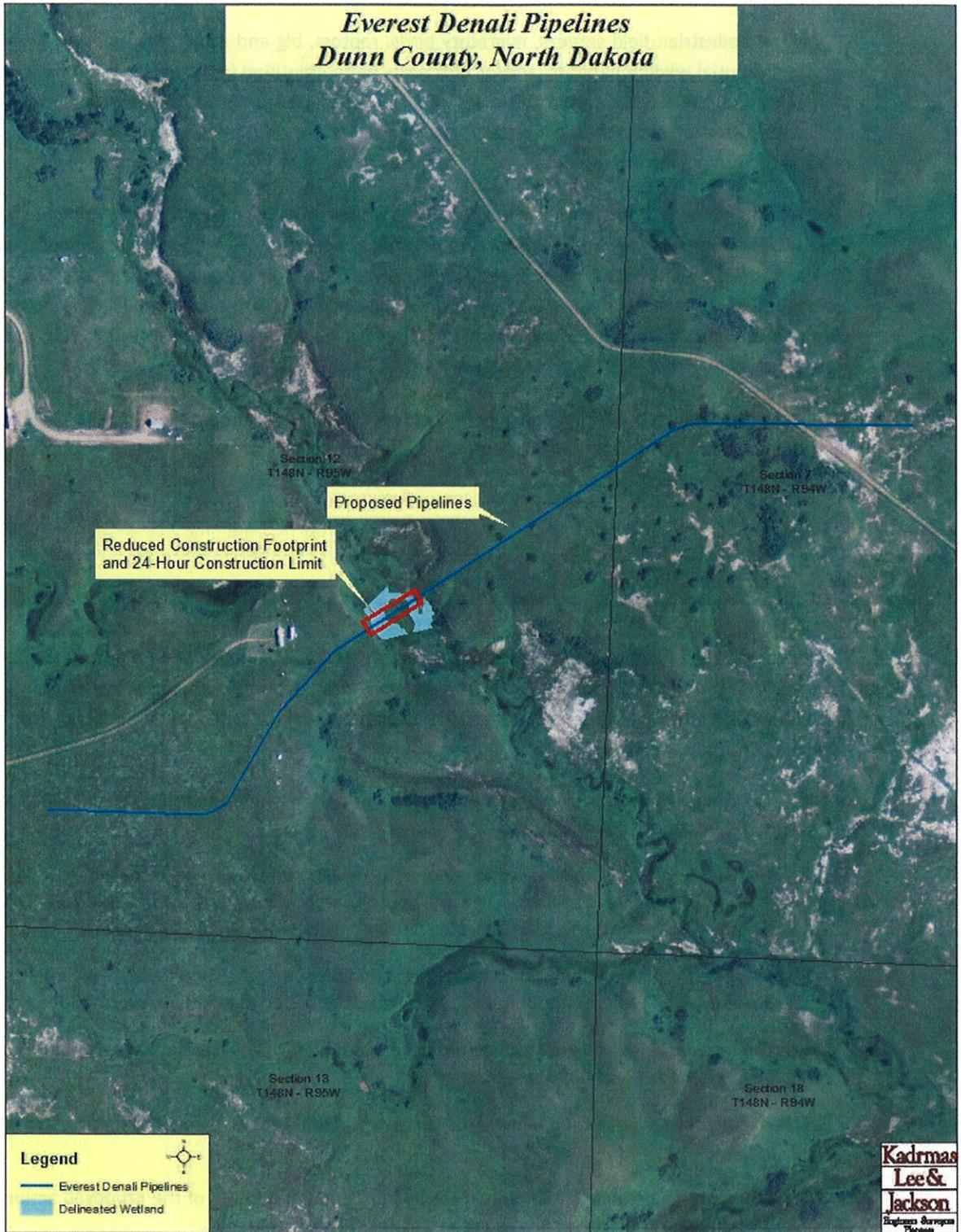
#### E. Surface Water

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 to the extent practicable. Implementation of BMPs to control erosion would mitigate runoff of sediment downhill or downstream. Woody vegetation removed by construction activity would be mixed, mulched, and spread over any exposed soils to avoid runoff. Additionally, runoff controls would be put in place on side hills and other areas where the landscape would be apt to cause excessive runoff potentials. Wetlands associated with an intermittent drainage were delineated along the proposed route. It is possible that the identified wetlands fall under the jurisdiction of the US Army Corps of Engineers (USACE); however, installation of pipelines is authorized under Nationwide Permit 12, and therefore, no permit or further coordination with the USACE is necessary. SBP would minimize the construction footprint near the proposed wetlands and would use a 24-hour construction limit to minimize impacts. Please refer to **Figure 3, 24-Hour Construction Limit Map**.

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.



**Figure 3, 24-Hour Construction Limit Map**

## F. Wildlife

During the pedestrian field surveys, migratory birds, raptors, big and small game species, non-game species, potential wildlife habitats, and/or bird nests were identified if present. 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.

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. One white tailed deer was observed during the field survey; however, no wildlife issues were documented.

SBP has committed to conducting nesting bird surveys if construction procedures take place during the primary breeding/nesting season, February 1 through July 15, or mow or grub the corridor prior to the breeding season.

## 8 NEPA ADEQUACY CRITERIA

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This document has identified one previously prepared NEPA document, *Saddle Butte Pipeline, LLC August 2010 EA and FONSI*, Saddle Butte 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

SEP 20 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 two pipelines in Dunn and McKenzie Counties, North Dakota. Approximately 45 acres were intensively inventoried using a pedestrian methodology. Potential surface disturbances are not expected to exceed the areas depicted in the enclosed reports. 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 reached a determination of **no historic properties affected** for these undertakings. Catalogued as **BIA Case Number AAO-3031/FB/12**, the proposed undertakings, locations, and project dimensions are described in the following reports:

Asbury, Sophia L.

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

(2012b) Everest - Denali Gathering Line: A Class III Cultural Resource Inventory in Dunn 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,

Regional Director

Enclosures

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

# **Appendix A**

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*Pipeline and Right-of-Way Easements*



**ALLOTMENT 1001A-C**  
 W1/2SE1/4 OF SECTION 12, TOWNSHIP 148 NORTH, RANGE 95 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"

SADDLE BUTTE PIPELINE COMPANY  
 EVEREST DENALI 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 of the Southeast Quarter (W1/2SE1/4) of Section 12, Township 148 North, Range 95 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the southwest corner of the West Half of the Southeast Quarter of said Section 12; thence on an azimuth of 045°24'50" a distance of 679.51 feet to the POINT OF BEGINNING (1=BOP); thence on an azimuth of 091°34'01" a distance of 599.95 feet to a point (PI #2); thence on an azimuth of 071°42'57" a distance of 50.75 feet to a point (PI #3); thence on an azimuth of 051°43'17" a distance of 50.67 feet to a point (PI #4); thence on an azimuth of 032°39'58" a distance of 57.54 feet to a point (PI #5); thence on an azimuth of 029°34'46" a distance of 286.55 feet to a point on the east line of the West Half of the Southeast Quarter of said Section 12 and the POINT OF TERMINATION. Said point is located on an azimuth of 304°06'44" a distance of 1564.56 feet from the southeast corner of said Section 12.

Covering in all 1045.46 feet or 63.36 rods.  
 Said permanent easement contains 1.20 acres, more or less.

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 of the Southeast Quarter (W1/2SE1/4) of Section 12, Township 148 North, Range 95 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the southwest corner of the West Half of the Southeast Quarter of said Section 12; thence on an azimuth of 045°24'50" a distance of 679.51 feet to the POINT OF BEGINNING (1=BOP); thence on an azimuth of 091°34'01" a distance of 599.95 feet to a point (PI #2); thence on an azimuth of 071°42'57" a distance of 50.75 feet to a point (PI #3); thence on an azimuth of 051°43'17" a distance of 50.67 feet to a point (PI #4); thence on an azimuth of 032°39'58" a distance of 57.54 feet to a point (PI #5); thence on an azimuth of 029°34'46" a distance of 286.55 feet to a point on the east line of the West Half of the Southeast Quarter of said Section 12 and the POINT OF TERMINATION. Said point is located on an azimuth of 304°06'44" a distance of 1564.56 feet from the southeast corner of said Section 12.

Covering in all 1045.46 feet or 63.36 rods.  
 Said temporary construction easement contains 2.40 acres, more or less.

**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 = 1.000147240 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, Myron J. Kadmas, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plot 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 23, 2012.

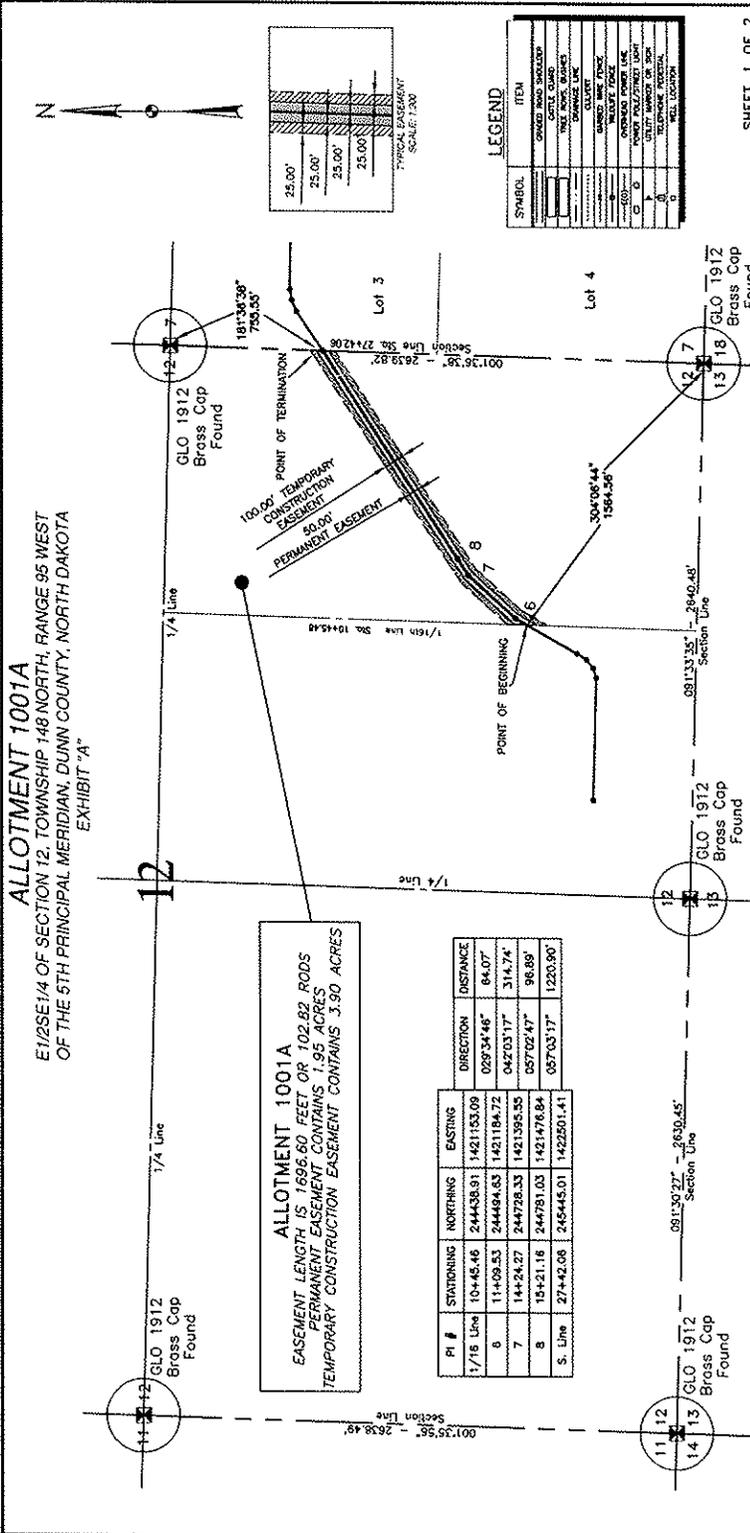
8-21-12  
 Date

*Myron J. Kadmas*  
 Myron J. Kadmas, Registered Land Surveyor  
 N.D. RLS No. 3758

SHEET 2 OF 2

 Kadmas Lee & Jackson 858 Main Ave. Suite 301 Durango, CO 81301	 SPP 858 Main Ave. Suite 301 Durango, CO 81301	EVEREST DENALI EASEMENT	DWG NO. Everest Denali
		DUNN COUNTY, NORTH DAKOTA	JOB NO. 3712841
EASEMENTS ON AND ACROSS THE		SCALE: NONE	
W1/2SE1/4 SEC. 12, T.148N., R.95W.		PROJECT NUMBER 12-148-95	

**ALLOTMENT 1001A**  
 E1/2SE1/4 OF SECTION 12, TOWNSHIP 148 NORTH, RANGE 95 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"



**ALLOTMENT 1001A**  
 EASEMENT LENGTH IS 1696.60 FEET OR 102.82 RODS  
 PERMANENT EASEMENT CONTAINS 1.95 ACRES  
 TEMPORARY CONSTRUCTION EASEMENT CONTAINS 3.30 ACRES

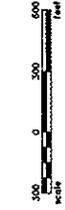
PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
1/18 Line	10+45.46	244438.91	1421193.09	029°34'46"	84.07
8	11+09.53	244484.63	1421184.72	042°03'17"	314.74
7	14+24.27	244728.33	1421395.35	057°02'47"	96.89
8	15+21.16	244781.03	1421476.84	087°03'17"	1220.90
S. Line	27+42.08	245445.01	1422501.41		

**LEGEND**

SYMBOL	ITEM
[Symbol]	SHARED ROAD SHOULDER
[Symbol]	SHARED ROAD
[Symbol]	TRAIL MARK MARKS
[Symbol]	DRAINAGE LINE
[Symbol]	UTILITY
[Symbol]	UTILITY POLE
[Symbol]	OVERHEAD POWER LINE
[Symbol]	POWER POLE/TOWER LINE
[Symbol]	UTILITY MARK FOR POLE
[Symbol]	UTILITY MARK FOR TOWER
[Symbol]	WELL LOCATION



NOTE: Survey is based on North Dakota State Plane System, NAD83 (99), North Zone, Int. Foot. All distances are in feet. Combined scale factor from one grid distance to another is 1.000147240 to go from grid distance to ground distance.



**Kadrius Lee & Jackson**  
 Surveyors  
 838 Main Ave. Ste. 301  
 Bismarck, ND 58101  
 (701) 251-1111

**EVEREST DENALI EASEMENT**  
 DUNN COUNTY, NORTH DAKOTA  
 EASEMENTS ON AND ACROSS THE  
 E1/2SE1/4 OF SEC. 12, T. 148N., R. 95W.

DWG NO. Everest Denali  
 JOB NO. 3712841  
 SCALE: 1:600  
 PLOT DATE: 12-14-95

**ALLOTMENT 1001A**  
**E1/2SE1/4 OF SECTION 12, TOWNSHIP 148 NORTH, RANGE 95 WEST**  
**OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA**  
**EXHIBIT "A"**

**SADDLE BUTTE PIPELINE COMPANY**  
**EVEREST DENALI 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 of the Southeast Quarter (E1/2SE1/4) of Section 12, Township 148 North, Range 95 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the southeast corner of said Section 12; thence on an azimuth of 304°06'44" a distance of 1564.56 feet to the POINT OF BEGINNING; thence on an azimuth of 029°34'46" a distance of 64.07 feet to a point (PI #6); thence on an azimuth of 042°03'17" a distance of 314.74 feet to a point (PI #7); thence on an azimuth of 057°02'47" a distance of 96.89 feet to a point (PI #8); thence on an azimuth of 057°03'17" a distance of 1220.90 feet to a point on the east line of said Section 12 and the POINT OF TERMINATION. Said point is located on an azimuth of 181°36'38" a distance of 755.55 feet from the northeast corner of the Southeast Quarter of said Section 12.

Covering in all 1696.60 feet or 102.82 rods.  
 Said permanent easement contains 1.95 acres, more or less.

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 of the Southeast Quarter (E1/2SE1/4) of Section 12, Township 148 North, Range 95 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the southeast corner of said Section 12; thence on an azimuth of 304°06'44" a distance of 1564.56 feet to the POINT OF BEGINNING; thence on an azimuth of 029°34'46" a distance of 64.07 feet to a point (PI #6); thence on an azimuth of 042°03'17" a distance of 314.74 feet to a point (PI #7); thence on an azimuth of 057°02'47" a distance of 96.89 feet to a point (PI #8); thence on an azimuth of 057°03'17" a distance of 1220.90 feet to a point on the east line of said Section 12 and the POINT OF TERMINATION. Said point is located on an azimuth of 181°36'38" a distance of 755.55 feet from the northeast corner of the Southeast Quarter of said Section 12.

Covering in all 1696.60 feet or 102.82 rods.  
 Said temporary construction easement contains 3.90 acres, more or less.

**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 = 1.000147240 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, Myron J. Kadrmias, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plot 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 23, 2012.

8-21-12  
 Date

*Myron J. Kadrmias*  
 Myron J. Kadrmias, Registered Land Surveyor  
 N.D. RLS No. 3758

SHEET 2 OF 2

 Kadrmias, Lee & Jackson, P.C. ENGINEERS, SURVEYORS PLANNERS 858 Main Ave, Suite 301 Fargo, ND 58101 PHONE: 701.781.1111 FAX: 701.781.1112 WWW: www.klj.com	 SADDLE BUTTE PIPELINE 858 Main Ave, Suite 301 Fargo, ND 58101	EVEREST DENALI EASEMENT	DWG NO. Everest Denali
		DUNN COUNTY, NORTH DAKOTA	JOB NO. 3712841
		EASEMENTS ON AND ACROSS THE	SCALE: NONE
		E1/2SE1/4 SEC. 12, T.148N., R.95W.	PARTIAL NUMBER 12-148-95



**ALLOTMENT 2206-B**  
 LOT 3 OF SECTION 7, TOWNSHIP 148 NORTH, RANGE 94 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"

SADDLE BUTTE PIPELINE COMPANY  
 EVEREST DENAL 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 Lot 3 of Section 7, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the northwest corner of the Southwest Quarter of said Section 7; thence along the west line of said Section 7 on an azimuth of 181°36'38" a distance of 755.55 feet to the POINT OF BEGINNING; thence on an azimuth of 057°03'17" a distance of 0.92 feet to a point (PI #9); thence on an azimuth of 055°53'32" a distance of 231.45 feet to a point (PI #10); thence on an azimuth of 068°47'18" a distance of 59.60 feet to a point (PI #11); thence on an azimuth of 079°34'04" a distance of 54.27 feet to a point (PI #12); thence on an azimuth of 090°39'24" a distance of 815.12 feet to a point (PI #13); thence on an azimuth of 039°07'07" a distance of 10.03 feet to the POINT OF TERMINATION (14=EOP). Said point is located on an azimuth of 118°22'56" a distance of 1252.00 feet from the northwest corner of the Southwest Quarter of said Section 7.

Covering in all 1171.39 feet or 70.99 rods.  
 Said permanent easement contains 1.34 acres, more or less.

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 Lot 3 of Section 7, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the northwest corner of the Southwest Quarter of said Section 7; thence on an azimuth of 181°36'38" a distance of 755.55 feet to the POINT OF BEGINNING; thence on an azimuth of 057°03'17" a distance of 0.92 feet to a point (PI #9); thence on an azimuth of 055°53'32" a distance of 231.45 feet to a point (PI #10); thence on an azimuth of 068°47'18" a distance of 59.60 feet to a point (PI #11); thence on an azimuth of 079°34'04" a distance of 54.27 feet to a point (PI #12); thence on an azimuth of 090°39'24" a distance of 815.12 feet to a point (PI #13); thence on an azimuth of 039°07'07" a distance of 10.03 feet to the POINT OF TERMINATION (14=EOP). Said point is located on an azimuth of 118°22'56" a distance of 1252.00 feet from the northwest corner of the Southwest Quarter of said Section 7.

Covering in all 1171.39 feet or 70.99 rods.  
 Said temporary construction easement contains 2.69 acres, more or less.

**NOTES:**

1. 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 = 1.000147240 to go from grid distance to ground distance.
2. 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, Myron J. Kadrmis, Registered Land Surveyor, N.D. RLS No. 3758, 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 23, 2012.

8-21-12  
 Date

*Myron J. Kadrmis*  
 Myron J. Kadrmis, Registered Land Surveyor  
 N.D. RLS No. 3758

SHEET 2 OF 2

 858 Main Ave, Suite 301 Durango, CO 81301 CADSW: BT, M, N, H, S, J DATE: 8/25/2012	 EVEREST DENAL EASEMENT DUNN COUNTY, NORTH DAKOTA	DWG NO. Everest Denal
		JOB NO. 3712841
EASEMENTS ON AND ACROSS THE LOT 3 OF SEC. 7, T.148N., R.94W.		SCALE: NONE
		PAPER DESIGN 7-148-94