



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

JAN 10 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 pipelines connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H wells to the existing Arrow Phase 3 Southwest Pipeline System 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 EA Addendum, FONSI and Notice of Availability. The Council on Environmental Quality (CEQ) regulations require that there be a public notice of availability of the FONSI (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)
Derek Enderud, BLM, Bureau of Land Management (with attachment)
Mike Cook, SWCA (with attachment)
Jonathon Shelman, Corps of Engineers
Jeff Hunt, Fort Berthold Agency

Finding of No Significant Impact

Arrow Pipeline, L.L.C.

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines
Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H
Wells to the Existing Arrow Phase 3 Southwest Pipeline System*

*Fort Berthold Indian Reservation
Dunn County, North Dakota*

The U.S. Bureau of Indian Affairs (BIA) has received a proposal for an addendum for the construction and installation of three pipelines including one oil pipeline, one gas pipeline, and one produced water pipeline. As proposed, the pipeline system (pipelines) would transport oil, gas, and produced water from the Fort Berthold (FB) #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H-wells to markets and approved disposal sites. Associated federal actions by BIA include determinations of impacts and effects regarding environmental resources for developments on tribal lands.

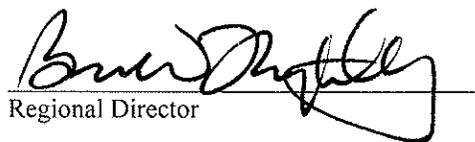
The potential of the proposed actions to impact the human environment is analyzed in the attached addendum to an existing EA, as required by the National Environmental Policy Act. Based on the recently completed addendum to the EA, I have determined that the proposed project will not significantly affect 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



Date

1/10/12

**ENVIRONMENTAL ASSESSMENT
Addendum**

United States Bureau of Indian Affairs

**Great Plains Regional Office
Aberdeen, South Dakota**



Arrow Pipeline, L.L.C

**Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting
the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing
Arrow Phase 3 Southwest Pipeline System**

Fort Berthold Indian Reservation

January 2012

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

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the
Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow
Phase 3 Southwest Pipeline System
(January 2012)*

TABLE OF CONTENTS

	<u>Page</u>
1. Purpose and Need for the Proposed Action	1
2. Authorities	1
3. Legal Land Description for Proposed Action	1
4. Scope of Work for Proposed Action	1
5. Materials Information and Corrosion Rates	2
6. Spill Response Plan	2
7. Quality Control/Quality Assurance Measures	3
8. Valve Locations	3
9. Reclamation	3
10. Surveys	5
11. Potential Effects	5
12. Applicable National Environmental Policy Act (NEPA) Document(s)	6
13. NEPA Adequacy Criteria	6

LIST OF FIGURES

<u>Figure</u>	<u>Page</u>
Figure 1. Proposed FB #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H pipeline alignment.....	9

LIST OF APPENDICES

<u>Appendix</u>
A. Pipeline Layout and Pipeline Right-of-Way for FB #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H pipelines

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System
(January 2012)*

1. Purpose and Need for the Proposed Action

The purpose of the proposed action is to authorize the land use by Arrow Pipeline, LLC (Arrow) for the construction and installation of three pipelines including one oil pipeline, one gas pipeline, and one produced water pipeline. As proposed, the pipeline system (pipelines) would transport oil, gas, and produced water from the Fort Berthold (FB) #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H-wells to markets and approved disposal sites. A buried electrical line may be installed in the future within the approved right-of-way (ROW).

Developments have been proposed on land held in trust by the United States in Dunn County, North Dakota, where the Bureau of Indian Affairs (BIA) is the surface management agency for potentially affected individual allotments. The economic development of available resources and associated BIA actions are consistent with BIA's general mission. Leasing and development of mineral resources offers substantial economic benefits to the Three Affiliated Tribes of the Mandan, Hidatsa, and Arikara Nations and to individual tribal members.

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 for Proposed Action

The pipelines would be located on trust land originating near the northeast corner of the FB #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H well pad (well pad), in the NW1/4 SW1/4 of Section 24, Township (T) 148 North (N), Range (R) 95 West (W), 5th Prime Meridian (P.M.), Dunn County, North Dakota. The pipelines would run north and then east and terminate at the Arrow Phase 3 Southwest (SW) Pipeline System (tie-in) in the SE1/4 SW1/4 Section 18, T148N, R94W, 5th P.M., Dunn County, North Dakota.

4. Scope of Work for Proposed Action

Oil, gas, and produced water pipelines would be buried in either two 2.5-foot-wide trenches, spaced 5.0 feet apart, or one 5.0-foot-wide trench. Oil and gas pipelines would be no greater than 8 inches in diameter and constructed of new steel. The produced water pipeline would also be no greater than 8 inches in diameter and constructed of Fiberspar[®] or similar corrosion resistant material. All construction disturbances would occur within a 120-foot-wide temporary construction ROW and permanent surface disturbance would occur within a 50-foot-wide ROW between the well pad and the respective tie-in pipeline.

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System
(January 2012)*

The pipelines, as proposed, would originate near the northeast corner of the well pad, traverse north along the east side of an existing access road for approximately 4,496 feet and cross BIA 14. The pipelines would then turn east for an additional 4,979 feet and tie in to the existing tie-in, which has been previously surveyed for impacts to natural and cultural resources with no significant findings.

In total, approximately 9,651 feet of oil, gas, and produced water pipe would be needed to connect the FB #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H wells to the tie-in. Approximately 26.59 acres would be disturbed as a result of activities associated with the construction of the proposed pipelines. Pipeline plats are provided in Appendix A.

5. Materials Information and Corrosion Rates

Steel Pipe

Arrow proposes to construct the oil and gas pipelines using new steel pipe rated by the American Petroleum Institute (API) as 5L X52. Arrow would ensure that each steel pipe segment is coated with approximately 14 to 16 millimeters of fusion bonded epoxy coating. Further, Arrow would deploy an active cathodic protection system for all steel pipe, which further reduces the likelihood of external corrosion. Arrow would ensure that each steel pipe segment is allotted a 1/16-inch corrosion allowance; however, because of the non-corrosive nature of Bakken crude and the low concentrations of hydrogen sulfide, Arrow does not anticipate any external or internal corrosion during the operating lifetime of the pipe, which, at a minimum, is estimated to be 50 years.

Fiberspar® or Similar Pipe

Arrow proposes to construct the produced water pipeline using a material known as Fiberspar or one with the same corrosion resistant characteristics as Fiberspar. This type of material is not subject to internal or external corrosion.

6. Spill Response Plan

Arrow has developed a Spill Response Plan (Plan) (Middick 2011¹) for the Arrow Phase 3SW pipeline. The spill preventative measures and monitoring protocols, notification procedures, spill detection and on-scene spill mitigation procedures, response activities, contacts, training and drill procedures, and response plan review and update procedures, as referenced in the Plan, apply to the proposed pipelines. A copy of the Plan has been filed with the BIA and Arrow has legally committed to adhering to the procedures and requirements as defined by federal law (Title 49 Code of Federal Regulations [CFR] 194).

¹ Middick, Andy. 2011. *Operations Monitoring and Spill Response Plan*. Blackshare Environmental Solutions. Oklahoma City, Oklahoma.

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System
(January 2012)*

Arrow has committed to submitting a spill response plan, specific to this proposed project, to the BIA prior to the commencement of construction activities.

7. Pipeline Marking Procedures

Arrow adheres to the requirements of 49 CFR 192.707 with regard to the marking of buried pipelines. Specifically, Arrow would place pipeline markers within 1,000 feet of one another, at all public road crossings, railroad crossings, creek crossings, fence crossings, and at all points of major direction change.

8. Quality Control/Quality Assurance Measures

Arrow purchases steel pipe that is rated as API 5L X52 and inspects all pipe while at the mill to ensure quality. Arrow is also present to ensure that external epoxy coating is applied to a minimum thickness of 14 millimeters. During construction, all welds are visually inspected for quality and completeness by qualified professionals. Once welds have passed visual inspection, they are subjected to 100 percent Non Destructive Testing. After passing these tests, the weld areas are covered for corrosion protection. After the weld areas have been covered, the external coating of the pipe is inspected using a jeepmeter to detect holes and cracks. The pipe is lowered into the trench and buried. Prior to being put into service, the steel pipe is hydrotested to approximately 1.5 times the minimum design pressure of 1,180 pounds per square inch gauge (psig). The produced water pipe is designed to sustain a minimum pressure of 750 psig and is hydrotested to approximately 900 psig prior to being approved for service.

9. Valve Locations

Two valves would be installed at each end of the proposed pipelines. One valve would be installed at the well location while the second valve would be installed at the proposed tie-in. The installation of two valves would allow Arrow to isolate the proposed pipelines if required.

10. Reclamation

Interim Reclamation

Reclamation would continue to occur over the life of the pipelines. Initial reclamation would be required after initial construction and then following any maintenance work or additions of infrastructure. Reclamation would be required before final abandonment of the decommissioned pipeline. A successful reclamation would at all times be the responsibility of the system's operator.

Trenches would be back-filled immediately after the pipe is installed and testing is complete, assuming frozen or saturated soils are not present. Back-fill piles would be stored opposite of the topsoil piles during construction. If construction is to occur during winter, Arrow will partially fill the trench with useable, non-frozen, back-fill soil to the extent possible and

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System
(January 2012)*

cover the entire ROW including the trench with straw. The trench would be back-filled and topsoil distributed as soon as practicable after the soil has defrosted. Topsoil piles would be covered to eliminate the potential for rill erosion and subsequent loss of soil during spring snow melt and precipitation events.

Applicable short- and long-term best management practices would be used to minimize and control erosion in disturbed areas. To reduce compaction, the ROW would be plowed before the stockpiled topsoil is distributed.

The disturbed areas would be reclaimed and contoured as soon as possible after construction is complete (fall/spring). The ROW would be covered with stockpiled topsoil and reseeded with a seed mixture determined by the BIA. Arrow would control noxious weeds within the ROW and other applicable facilities by approved chemical or mechanical methods. If seeding of the ROW does not occur due to growing season constraints, Arrow will deploy approved weed-free hay across the entire ROW. The presence of hay across the ROW will reduce the potential for excessive erosion as a result of spring snow melt and precipitation.

The entire ROW would be monitored for erosion, subsidence, or noxious weeds. In areas where problems are found to occur, reclamation efforts would continue until the BIA feels the ROW is successfully reclaimed. Reclamation is considered successful when:

- seeded areas are established;
- adjacent vegetative communities spread back into the disturbed areas; and
- noxious weeds are under control.

If after two growing seasons the new seeding is not successful, the BIA may require additional efforts to establish vegetation. For noxious weeds, a survey was conducted on the ROW prior to the construction commencing. The BIA has developed a weed management plan to treat known or likely to occur noxious weed species.

Final Reclamation

Final reclamation would occur when the pipeline is decommissioned. All disturbed areas would be reclaimed, reflecting the BIA's view of oil and gas exploration and production as temporary intrusions on the landscape. All facilities would be removed. Access roads and work areas would be leveled or backfilled as necessary, scarified, recontoured, and seeded. Exceptions to these reclamation measures might occur if the BIA approves assignment of an access road either to the BIA roads inventory or to concurring surface allottees. It is economically and environmentally unfeasible to excavate and remove the decommissioned

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System
(January 2012)*

pipeline. Instead it would be purged with water of any natural gas remaining in the lines and abandoned in place.

11. Surveys

SWCA Environmental Consultants (SWCA) conducted natural resource surveys for threatened and endangered species and habitat, migratory birds and active nests, bald and golden eagles and nests, and wetlands/waterbodies on May 23, 2011 and reroute surveys on July 6, and August 1, 2011. BIA Environmental Specialist, Chris McLaughlin, approved the location and proposed alignment of the pipelines on August 8, 2011. No wetlands are anticipated to be impacted by the construction of the proposed pipelines. No threatened and endangered species or bald/golden eagles or nests were observed during the natural resource survey. Migratory bird habitat is prevalent in the survey area and Arrow has committed to following 1 of the 3 listed mitigation procedures in order to reduce the potential for impact on migratory birds and their nests. Either, conduct construction outside of the migratory bird breeding season (February 1st - July 15th), or regularly mow vegetation in ROW prior to February 1st and maintain through July 15th, or conduct a field survey for nesting migratory birds within 5 days of construction commencement.

A cultural resource inventory of this pipeline route was conducted by personnel of SWCA environmental Consultants, using an intensive pedestrian methodology. Approximately 133.7 acres were inventoried between May 23 and August 2, 2011 (Zietz 2011). 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 December 7, 2011; however, the THPO did not respond within the allotted 30 day comment period.

Zietz, Vanesa

(2011) A Class I and Class III Cultural Resource Inventory of the Arrow Fort Berthold 148-95-24C-13-1H and 148-95-25B-36-1H Gathering Pipeline, Fort Berthold Indian Reservation, Dunn County, North Dakota. SWCA Environmental Consultants for Arrow Pipeline, LLC, Tulsa.

12. Potential Effects

Potential direct impacts to cultural resource sites would occur as a result of disturbance and/or the loss of sites eligible for the National Register of Historic Places. All potential impacts as a result of the proposed action were mitigated via field survey and subsequent avoidance of any eligible cultural resource sites within the proposed ROW.

Potential direct impacts to natural resources may include the loss of native vegetation and wildlife habitat, soil disturbance, and erosion during construction that may adversely affect

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System
(January 2012)*

air and water quality. Impacts would be mitigated by using best management practices during construction to minimize disturbance. Once construction activities are completed, reclamation would take place within 6 months and would include the return of topsoil and contouring, and seeding of native vegetation.

Potential indirect impacts include noise and other disturbances to wildlife during construction and the introduction of noxious weeds. Impacts would be mitigated through avoidance of any federally listed threatened or endangered species or wetlands, avoidance of nesting migratory birds, implementing best management practices to control the introduction of noxious weeds, and minimizing the length of time between trenching, pipeline burial, and reclamation. These mitigation measures are consistent with the approved National Environmental Policy Act (NEPA) document, which received a finding of no significant impact (FONSI) (September 2011).

13. Applicable National Environmental Policy Act (NEPA) Document(s)

- *Environmental Assessment and Finding of No Significant Impact: Arrow Pipeline, LLC Phase 3 Southwest Pipeline (September 2011).*
- *Environmental Assessment and Finding of No Significant Impact: Five proposed exploratory drilling wells by Petro-Hunt on the Fort Berthold Reservation: Fort Berthold #148-95-24C-13-1H, Fort Berthold #148-95-25B-36-1H, Fort Berthold #148-95-26A-35-1H, Fort Berthold #148-95-23D-14-1H, Fort Berthold #148-95-3A-10-1H (December 2010).*

14. NEPA Adequacy Criteria

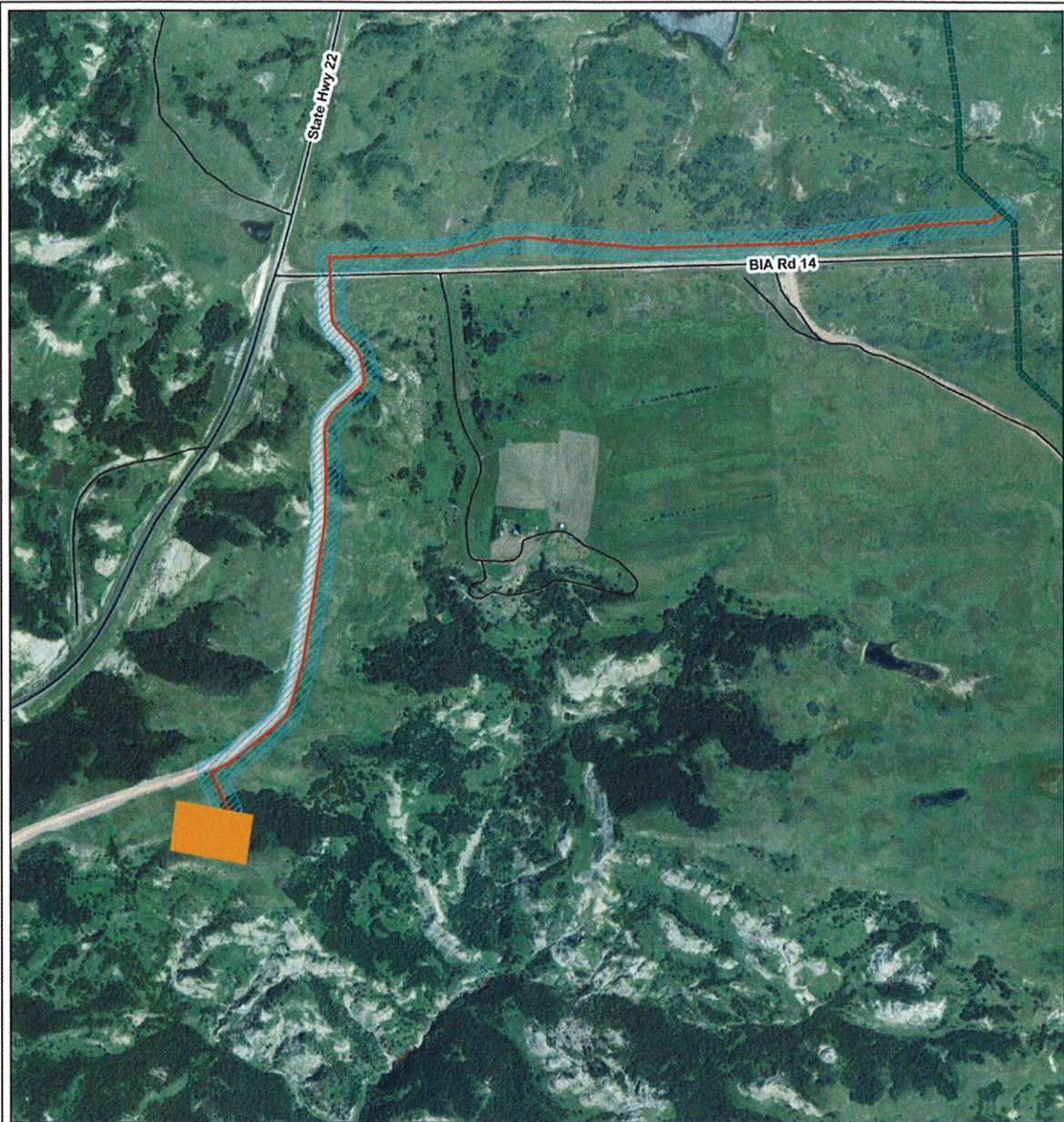
This document has identified two previously prepared NEPA document, ***Environmental Assessment and Finding of No Significant Impact: Arrow Pipeline, LLC Phase 3 Southwest Pipeline (September 2011)*** which adequately describes the environmental consequences of the newly proposed action described herein, and meets the following NEPA Adequacy Criteria.

1. The proposed action is substantially the same action and at the site specifically analyzed in the existing NEPA document.
2. The range of alternatives is reasonable with respect to the current proposed action in the existing NEPA document, which appropriately considers and analyzes current environmental concerns, interests, and resource values.
3. The existing analysis and conclusions are adequate in the existing NEPA document. The analysis is still valid in light of new studies or resource assessment information.
4. The methodology and analytical approach used in the existing NEPA document continues to be appropriate for the proposed action.
5. The direct and indirect impacts of the proposed action are unchanged from those identified in the existing NEPA document.

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System
(January 2012)*

6. The cumulative impacts that would result from implementation of the proposed action are unchanged from those analyzed in the existing NEPA document.
7. A 30-day comment period involving public input and interagency review was used in the development of the existing NEPA document.

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System
(January 2012)*



<p>Legend</p> <ul style="list-style-type: none"> — Proposed FB-148-95-24C-13-1H, -2H & 148-95-25B-36-1H, -2H Pipeline — Existing Arrow Phase 3SW Pipeline Survey Area Approved Well Pad Existing Roads 	 <p>SWCA[®] ENVIRONMENTAL CONSULTANTS</p> <p>116 North 4th Street Suite 200 Bismarck, ND 58501</p> <p>Phone: 701.258.6622 Fax: 701.258.5957</p> <p>www.swca.com</p>	<p align="center">Kilometers</p> <p align="center">0 0.25 0.5</p> <hr style="border: 1px solid black;"/> <p align="center">Miles</p> <p align="center">0 0.15 0.3</p> <hr style="border: 1px solid black;"/> <p>Base Map: ESRI Bing Imagery Source: ND GIS Hub Quadrangle: Mandaree, (1973) and Mandaree SW, (1973) Township 148N & Range 95W Dunn County, North Dakota</p> <p align="right">N ↑</p> <p>Scale: 1:11,439 NAD 1983 UTM Zone 13N</p>
---	--	--

Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the
Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow
Phase 3 Southwest Pipeline System
(January 2012)

**Figure 1. Proposed FB #148-95-24C-13-1H, -2H & # 148-95-25B-36-1H, -2H pipeline
alignment**



IN REPLY REFER TO:
DESCRM
MC-208

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



DEC 07 2011

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 gathering pipeline in Dunn County, North Dakota. Approximately 133.7 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 may possess the quality of integrity and meet at least one of the criteria (36 CFR 60.4) for inclusion on the National Register of Historic Places. No properties were located that appear to qualify for protection under the American Indian Religious Freedom Act (42 USC 1996).

As the surface management agency, and as provided for in 36 CFR 800.5, we have reached a determination of **no historic properties affected** for this undertaking. Catalogued as **BIA Case Number AAO-1980/FB/11**, the proposed undertaking, location, and project dimensions are described in the following report:

Zietz, Vanesa

(2011) A Class I and Class III Cultural Resource Inventory of the Arrow Fort Berthold 148-95-24C-13-1H and 148-95-25B-36-1H Gathering Pipeline, Fort Berthold Indian Reservation, Dunn County, North Dakota. SWCA Environmental Consultants for Arrow Pipeline, LLC, Tulsa.

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

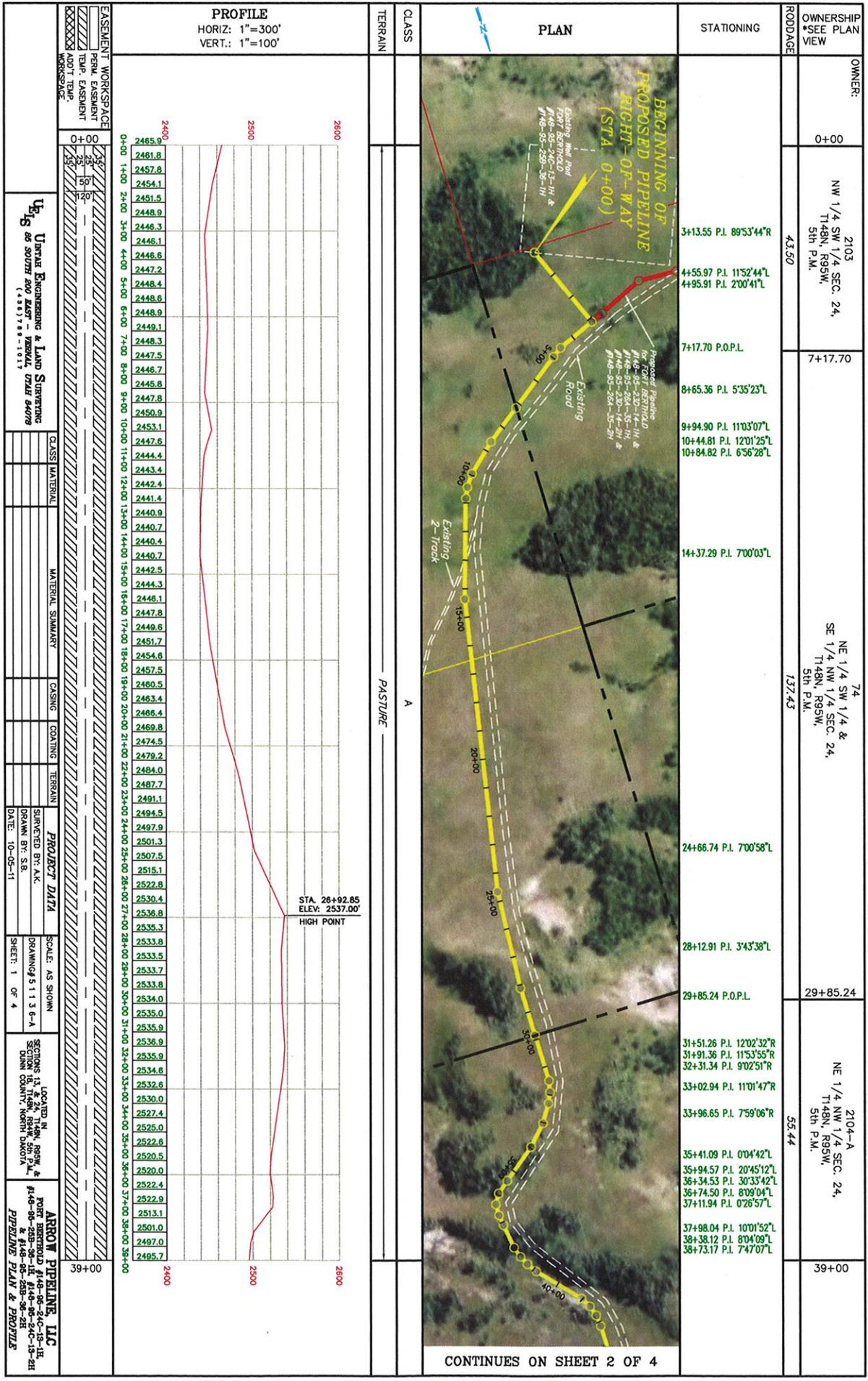
cc: Chairman, Three Affiliated Tribes
Superintendent, Fort Berthold Agency

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the
Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow
Phase 3 Southwest Pipeline System
(December 2011)*

APPENDIX A

**Pipeline Layout and Pipeline Right-of-Way
For FB #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H
Pipelines**

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System
(January 2012)*



PROFILE
 HORIZ: 1"=300'
 VERT: 1"=100'

PLAN

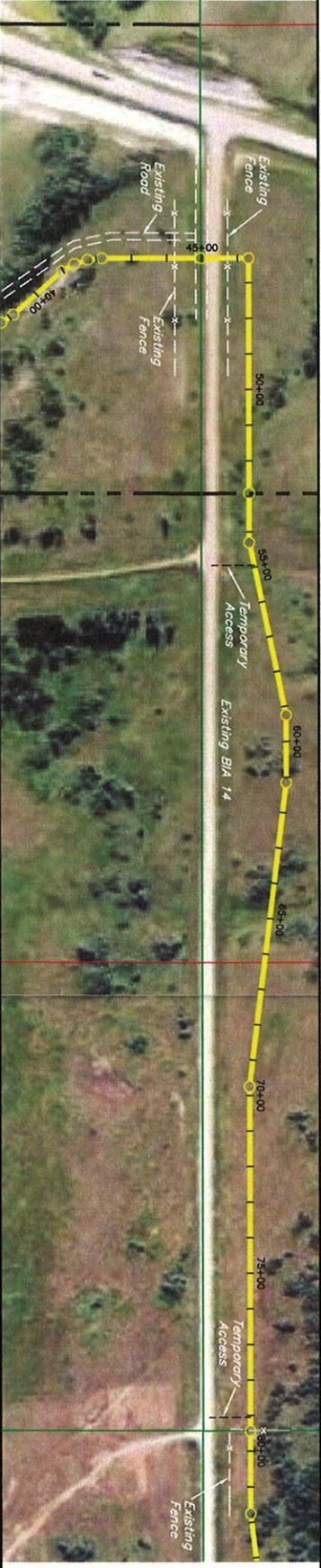
STATIONING

RODAGE	OWNER	SECTION	SECTION
43.50	2103 NW 1/4 SW 1/4 SEC. 24, T148N, R99W, 5th P.M.	7+17.70	74 NE 1/4 SW 1/4 & SE 1/4 NW 1/4 SEC. 24, T148N, R99W, 5th P.M.
55.44	2104-A NE 1/4 NW 1/4 SEC. 24, T148N, R99W, 5th P.M.	29+85.24	
		39+00	

EASEMENT WORKSPACE	CLASS MATERIAL	MATERIAL SUMMARY	CASING	COATING	TERRAIN	PROJECT DATA	SCALE: AS SHOWN	LOCATED IN	ARROW PIPELINE, LLC
PERM. EASEMENT TEMP. EASEMENT ADJ. TEMP. ADJ. TEMP. ADJ. TEMP.						SURVEYED BY: A.K. DRAWN BY: S.B. DATE: 10-05-11	DRAWING 5 1 3 6-A SHEET 1 OF 4	PORT BERTRAND, R99W & SECTION 15, T148N, R99W, 5th P.M. DANN COUNTY, NORTH DAKOTA	PORT BERTRAND #148-96-24-C-15-1E & #148-96-24-C-15-2E & #148-96-24-C-15-2E PIPELINE PLAN & PROFILES

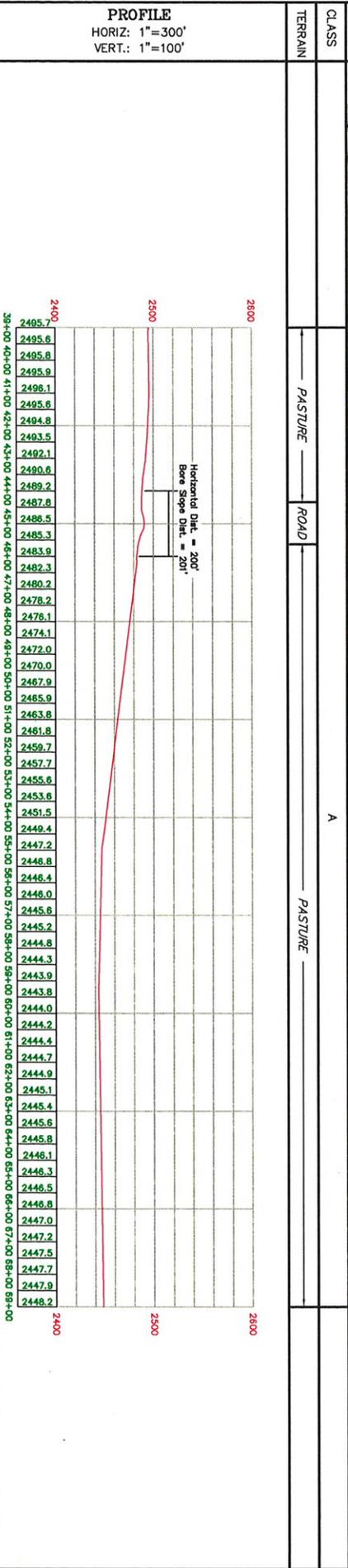
CONTINUES ON SHEET 2 OF 4

STATIONING	OWNERSHIP *SEE PLAN VIEW	OWNER:
39+00	2104-A NE 1/4 NW 1/4 SEC. 24, T148N, R95W, 5th P.M.	
36.14		
44+96.35	2012 SE 1/4 SW 1/4 SEC. 13, T148N, R95W, 5th P.M.	
48.22		
52+92.05	1116A S 1/2 SE 1/4 SEC. 13, T148N, R95W, 5th P.M.	
97.45		
69+00		



CONTINUED FROM SHEET 1 OF 4

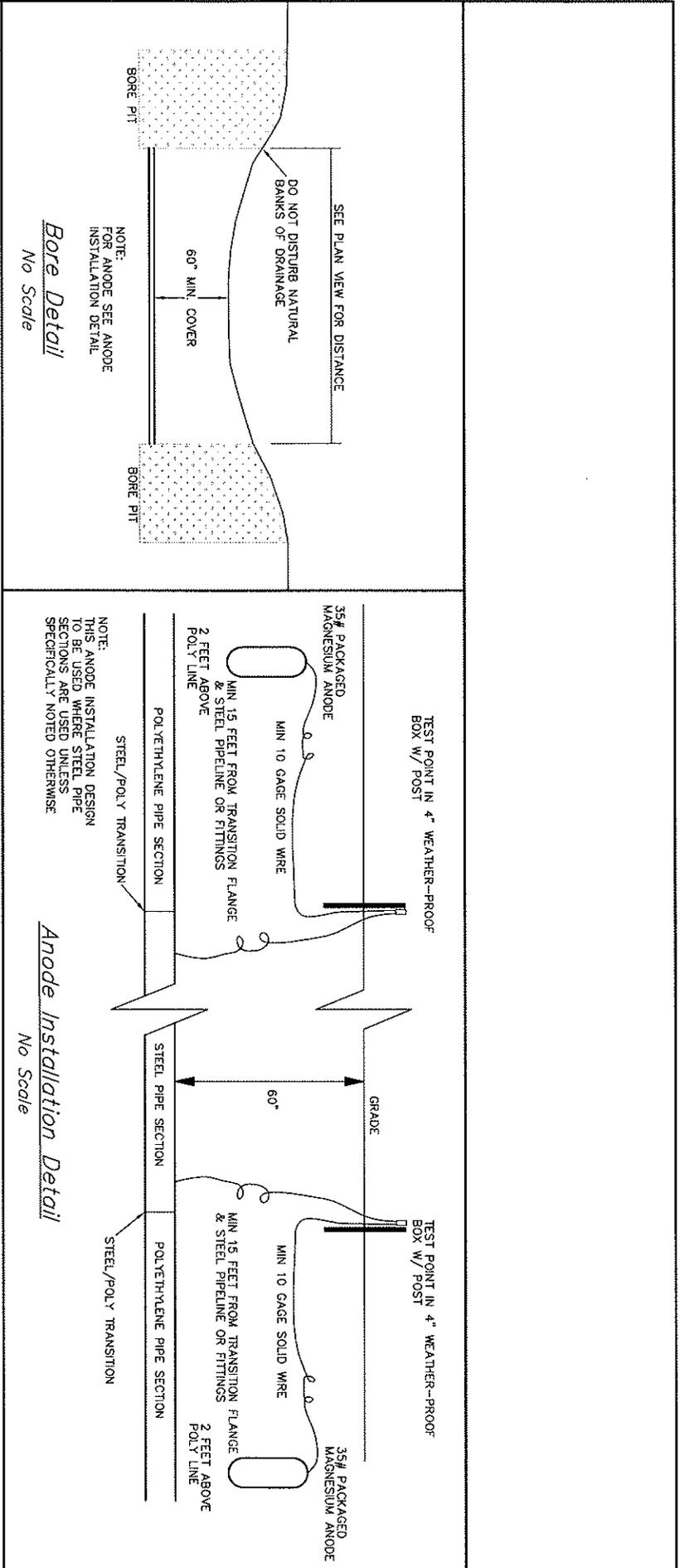
CONTINUES ON SHEET 3 OF 4



CLASS	MATERIAL	MATERIAL SUMMARY	CASING	COATING	TERRAIN	PROJECT DATA	SCALE: AS SHOWN	LOCATED IN	ARROW PIPELINE, LLC
PASTURE						SURVEYED BY: A.K.	DRAWING 5 1 3 6-B	SECTION 18, T148N, R95W, 5th P.M.	PORT HERRING 1448-95-24-C-13-1E
ROAD						DRAWN BY: S.B.	SHEET: 2 OF 4	DUNN COUNTY, NORTH DAKOTA	1448-95-248-96-1E, 1448-95-248-96-2E
						DATE: 10-05-11			PIPELINE PLAN & PROFILES

UNIVERSITY ENGINEERING & LAND SURVEYING
 200 SOUTH 200 EAST - MINNEAPOLIS, MN 55407
 (612) 788-1017

ARROW PIPELINE, LLC
 PORT HERRING 1448-95-24-C-13-1E
 1448-95-248-96-1E, 1448-95-248-96-2E
 PIPELINE PLAN & PROFILES



Bore Detail
No Scale

Anode Installation Detail
No Scale

<p>URS Urban Engineering & Land Surveying 1515 S. 20th St. - Lincoln, NE 68502 (402) 441-1011</p>		<p><i>PROJECT DATA</i></p> <p>STARTED 9/8/06 DRAWN BY: S.E. DATE: 10-05-11</p>	<p>SCALE: AS SHOWN DRAWING: 51136-0 SHEET: 4 OF 4</p>	<p>LOCATED IN: ROAD ROW & SECTION 16, T48N, R60W, S16E, DAKOTA COUNTY, NORTH DAKOTA</p>	<p>ARROW PIPELINE, LLC PORT HARBOR RD #148-86-24C-13-1E & #148-86-24B-26-1E, #148-86-24C-13-2E & #148-86-25B-26-2E <i>PIPELINE PLAN & PROFILES</i></p>
--	--	--	---	---	---

PIPELINE RIGHT-OF-WAY DESCRIPTION

A 50' WIDE RIGHT-OF-WAY 25' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

BEGINNING AT A POINT IN THE NW 1/4 SW 1/4 OF SECTION 24, T148N, R95W, 5th P.M., WHICH BEARS N39°17'34"E 173.78' FROM THE SOUTHWEST CORNER OF SAID SECTION 24, THENCE N22°35'55"W 313.55', THENCE N87°44'49"E 142.42', THENCE N55°22'05"E 39.94', THENCE N53°21'24"E 221.79' TO A POINT ON THE EAST LINE OF THE NW 1/4 SW 1/4 OF SAID SECTION 24, WHICH BEARS N35°37'12"E 2263.24' FROM THE SOUTHWEST CORNER OF SAID SECTION 24, THENCE N53°21'24"E 147.65', THENCE N47°46'01"E 129.54', THENCE N36°42'54"E 49.91', THENCE N24°41'29"E 40.01', THENCE N17°45'01"E 352.47', THENCE N10°44'58"E 1029.45', THENCE N03°44'00"E 346.17', THENCE N00°00'22"E 172.33' TO A POINT ON THE NORTH LINE OF THE SE 1/4 NW 1/4 OF SAID SECTION 24, WHICH BEARS S55°07'51"E 2307.71' FROM THE NORTHWEST CORNER OF SAID SECTION 24, THENCE N00°00'22"E 168.03', THENCE N12°02'54"E 40.10', THENCE N23°56'49"E 39.98', THENCE N32°59'40"E 71.60', THENCE N44°01'27"E 93.71', THENCE N52°00'33"E 144.44', THENCE N51°55'51"E 53.48', THENCE N31°10'39"E 39.95', THENCE N00°36'57"E 39.97', THENCE N07°32'07"W 37.44', THENCE N07°59'04"W 86.10', THENCE N18°00'56"W 40.09', THENCE N28°03'05"W 33.05', THENCE N33°52'12"W 40.00', THENCE N42°00'54"W 183.21', THENCE N30°23'51"W 40.62', THENCE N17°26'16"W 39.43', THENCE N06°03'45"W 40.00', THENCE N00°00'08"E 279.92' TO A POINT ON THE NORTH LINE OF THE NE 1/4 NW 1/4 OF SAID SECTION 24, WHICH BEARS S89°59'16"E 1972.99' FROM THE NORTHWEST CORNER OF SAID SECTION 24, THENCE N00°00'08"E 135.26', THENCE N89°59'34"E 660.44' TO A POINT ON THE EAST LINE OF THE SE 1/4 SW 1/4 OF SECTION 13, T148N, R95W, 5th P.M., WHICH BEARS N87°04'02"E 2836.89' FROM THE SOUTHWEST CORNER OF SAID SECTION 13, THENCE N89°59'34"E 138.05', THENCE N78°00'45"E 495.39', THENCE N89°59'41"E 190.27', THENCE S83°00'09"E 860.04', THENCE S89°59'51"E 968.10' TO A POINT ON THE EAST LINE OF THE SE 1/4 SE 1/4 OF SAID SECTION 13, WHICH BEARS N00°05'19"E 134.18' FROM THE SOUTHEAST CORNER OF SAID SECTION 13, THENCE S89°59'51"E 231.89', THENCE N82°59'59"E 871.16', THENCE S89°59'28"E 386.35', THENCE N80°04'04"E 97.50', THENCE N67°56'49"E 40.01', THENCE N57°00'45"E 40.03', THENCE N45°00'23"E 40.01' TO A POINT IN THE SE 1/4 SW 1/4 OF SECTION 18, T148N, R94W, 5th P.M., WHICH BEARS N79°07'53"E 1708.76' FROM THE SOUTHWEST CORNER OF SAID SECTION 18. THE SIDE LINES OF SAID DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANTOR'S PROPERTY LINES. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 11.078 ACRES MORE OR LESS.

RIGHT-OF-WAY LENGTHS

PROPERTY OWNER	FEET	ACRES	RODS
2103	717.70	0.824	43.50
74	2267.54	2.603	137.43
2104-A	1511.11	1.735	91.58
2012	795.70	0.913	48.22
1116A	2651.84	3.044	160.72
1132A	1706.95	1.959	103.45
TOTAL	9650.84	11.078	584.90

ARROW PIPELINE, LLC

PIPELINE RIGHT-OF-WAY ON TRIBAL LANDS

(For FORT BERTHOLD #148-95-24C-13-1H, #148-95-25B-36-1H, #148-95-24C-13-2H & #148-95-25B-36-2H)

LOCATED IN

SECTIONS 13 & 24, T148N, R95W, & SECTION 18, T148N, R94W, 5th P.M., DUNN COUNTY, NORTH DAKOTA

CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



Troy Jensen
REGISTERED LAND SURVEYOR
REGISTRATION NO. 16654
STATE OF NORTH DAKOTA

SHEET 1 OF 3

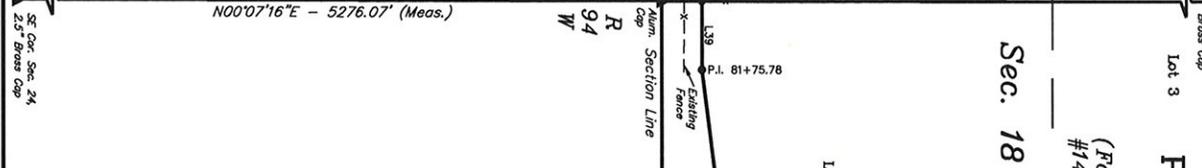
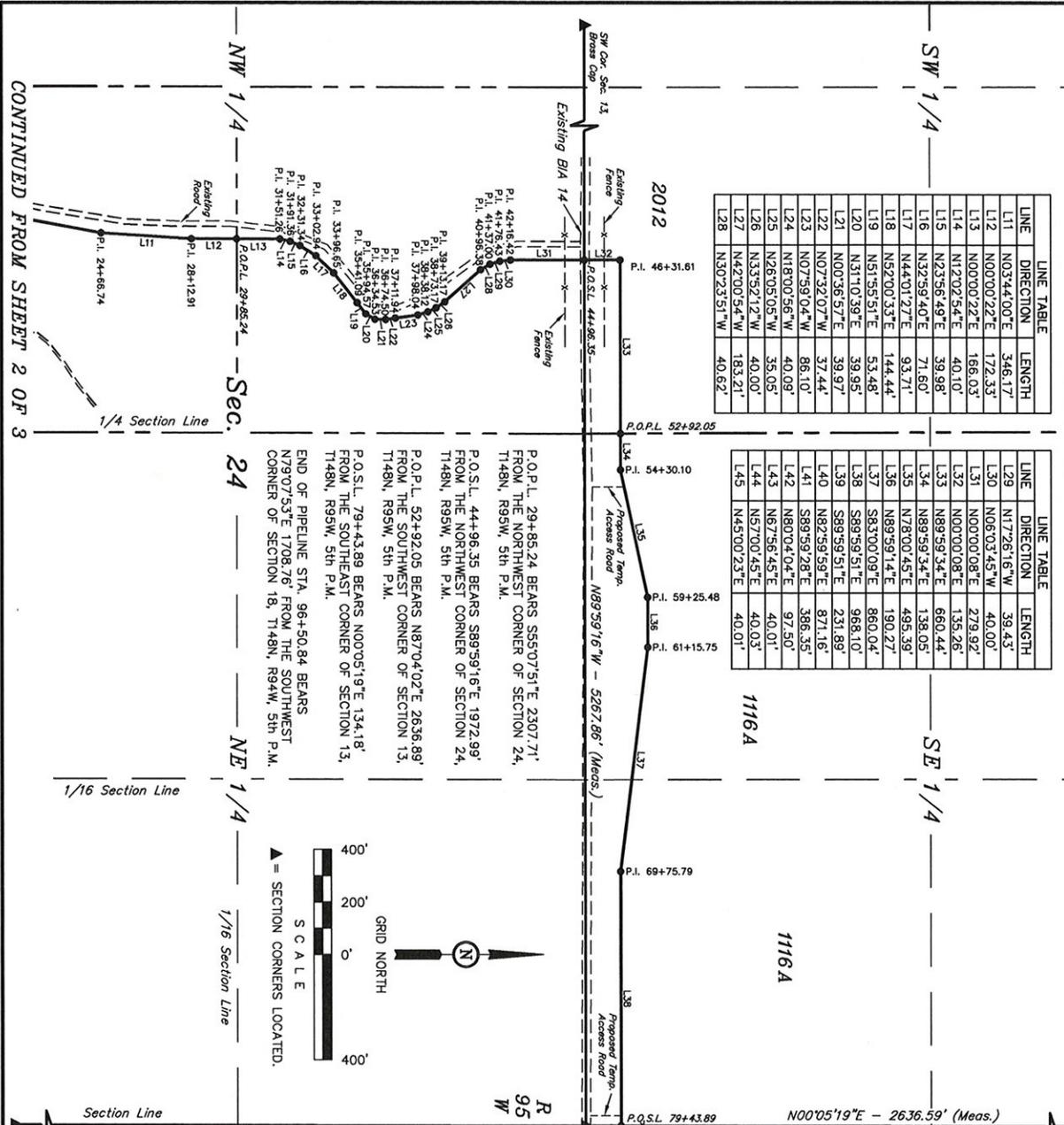
UINTAH ENGINEERING & LAND SURVEYING
85 SOUTH - 200 EAST • (405) 789-1077
VERNAL, UTAH - 84078

SCALE	N/A	DATE	10-04-11
PARTY	A.K. S.B.	REFERENCES	G.L.O. PLAT
WEATHER	WARM	FILE	5 1 1 3 5 - A

Sec. 13

LINE	DIRECTION	LENGTH
L11	N03°44'00"E	346.17'
L12	N00°00'22"E	172.33'
L13	N00°00'22"E	166.03'
L14	N12°02'54"E	40.10'
L15	N23°56'49"E	39.98'
L16	N32°56'40"E	71.60'
L17	N44°01'27"E	93.71'
L18	N52°00'33"E	144.44'
L19	N51°55'51"E	53.48'
L20	N31°10'39"E	39.95'
L21	N00°56'57"E	39.97'
L22	N07°52'07"W	37.44'
L23	N07°59'04"W	86.10'
L24	N18°00'56"W	40.09'
L25	N26°05'05"W	35.05'
L26	N33°52'12"W	40.03'
L27	N42°00'54"W	183.21'
L28	N30°23'51"W	40.62'

LINE	DIRECTION	LENGTH
L29	N17°26'16"W	39.43'
L30	N06°03'45"W	40.00'
L31	N00°00'08"E	279.92'
L32	N00°00'08"E	135.26'
L33	N89°59'34"E	660.44'
L34	N89°59'34"E	138.05'
L35	N78°00'45"E	495.39'
L36	N89°59'14"E	190.27'
L37	S83°00'09"E	860.04'
L38	S89°59'51"E	968.10'
L39	S89°59'51"E	231.89'
L40	N82°59'59"E	871.16'
L41	S89°59'28"E	386.35'
L42	N80°04'04"E	97.50'
L43	N67°56'45"E	40.03'
L44	N57°00'45"E	40.03'
L45	N45°00'23"E	40.01'

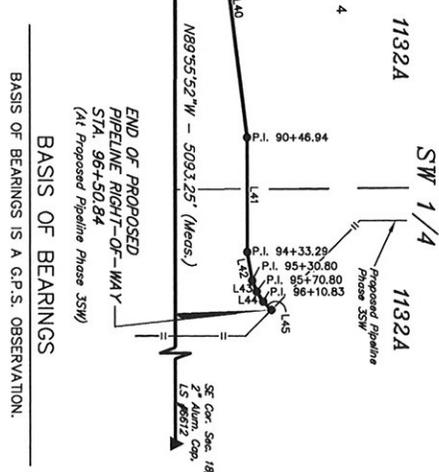


ARROW PIPELINE, LLC

PIPELINE RIGHT-OF-WAY ON TRIBAL LANDS

(For FORT BERTHOLD #148-95-24C-13-1H, #148-95-25B-36-1H, #148-95-24C-13-2H & #148-95-25B-36-2H)

LOCATED IN SECTIONS 13 & 24, T148N, R95W, & SECTION 18, T148N, R94W, 5th P.M., DUNN COUNTY, NORTH DAKOTA



END OF PROPOSED PIPELINE RIGHT-OF-WAY STA. 96+50.84 (At Proposed Pipeline Phase 35W)

BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CERTIFICATE



REGISTERED LAND SURVEYOR STATE OF NORTH DAKOTA

UNTAH ENGINEERING & LAND SURVEYING
85 SOUTH - 200 EAST • (455) 789-1017
VERNAL, UTAH - 84076

SCALE 1" = 400'
DATE 10-04-11
PARTY G.L.O. PLAT
A.K. S.B.
WEATHER WARM

SHEET 3 OF 3

CONTINUED FROM SHEET 2 OF 3

ARROW PIPELINE, LLC
FORT BERTHOLD #148-95-24C-13-1H, #148-95-25B-36-1H,
#148-95-24C-13-2H & #148-95-25B-36-2H
PIPELINE RIGHT-OF-WAY
SECTIONS 13 & 24, T148N, R95W, &
SECTION 18, T148N, R94W, 5th P.M.

TOTAL PIPELINE RIGHT-OF-WAY ON TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 9650.84' OR 1.828 MILES. WIDTH OF RIGHT-OF-WAY IS 50' (25' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 11.078 ACRES MORE OR LESS.

ENGINEER'S AFFIDAVIT

STATE OF MONTANA }
COUNTY OF RICHLAND } SS

TROY JENSEN, BEING FIRST DULY SWORN DEPOSES AND STATES THAT HE IS THE REGISTERED LAND SURVEYOR, FOR ARROW PIPELINE, LLC, THAT THESE SURVEYS WERE MADE BY HIM (OR UNDER HIS SUPERVISION): THAT HE HAS EXAMINED THE FIELD NOTES OF THE SURVEYS OF THE PIPELINE RIGHT-OF-WAY AS DESCRIBED AND SHOWN ON THIS MAP, THAT THIS MAP WAS PREPARED UNDER HIS DIRECTION FROM SAID FIELD NOTES; AND THAT SAID RIGHT-OF-WAY, 1.828 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.




REGISTERED LAND SURVEYOR
REGISTRATION NO. 4654
STATE OF NORTH DAKOTA

APPLICANT'S CERTIFICATE

I, JOHN M. DOLAN, DO HEREBY CERTIFY THAT I AM THE V.P. OF ENGINEERING FOR ARROW PIPELINE, LLC, HERINAFTER DESIGNATED THE APPLICANT; THAT TROY JENSEN WHO SUBSCRIBED TO THE FOREGOING AFFIDAVIT, IS EMPLOYED BY THE APPLICANT AS A LAND SURVEYOR AND THAT HE WAS DIRECTED BY THE APPLICANT TO SURVEY THE LOCATION OF THIS PIPELINE RIGHT-OF-WAY, 1.828 MILES IN LENGTH BEGINNING AT STA. 0+00 AND ENDING AT STA. 96+50.84, THAT SAID PIPELINE RIGHT-OF-WAY IS ACCURATELY REPRESENTED ON THIS MAP; THAT SUCH SURVEY AS REPRESENTED ON THIS MAP HAS BEEN ADOPTED BY THE APPLICANT AS THE DEFINITE LOCATION OF THE RIGHT-OF-WAY THEREBY SHOWN; AND THAT THE MAP HAS BEEN PREPARED TO BE FILED WITH THE SECRETARY OF THE INTERIOR OR HIS DULY AUTHORIZED REPRESENTATIVE AS PART OF THE APPLICATION FOR SAID RIGHT-OF-WAY TO BE GRANTED THE APPLICANT, ITS SUCCESSORS AND ASSIGNS, WITH THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR IMPROVEMENTS, THEREON AND THEREOVER, FOR SUCH PURPOSES, AND WITH THE FURTHER RIGHT IN THE APPLICANT, ITS SUCCESSORS AND ASSIGNS TO TRANSFER THIS RIGHT-OF-WAY BY ASSIGNMENT, GRANT, OR OTHERWISE.

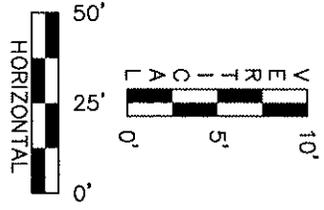
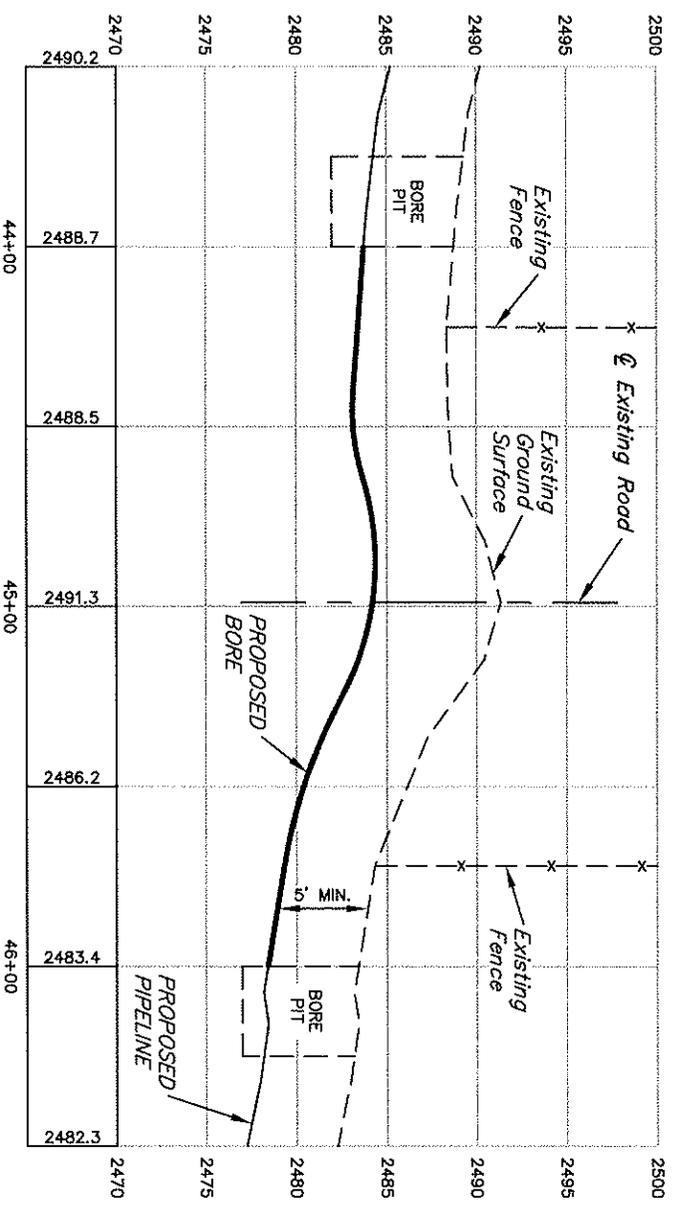
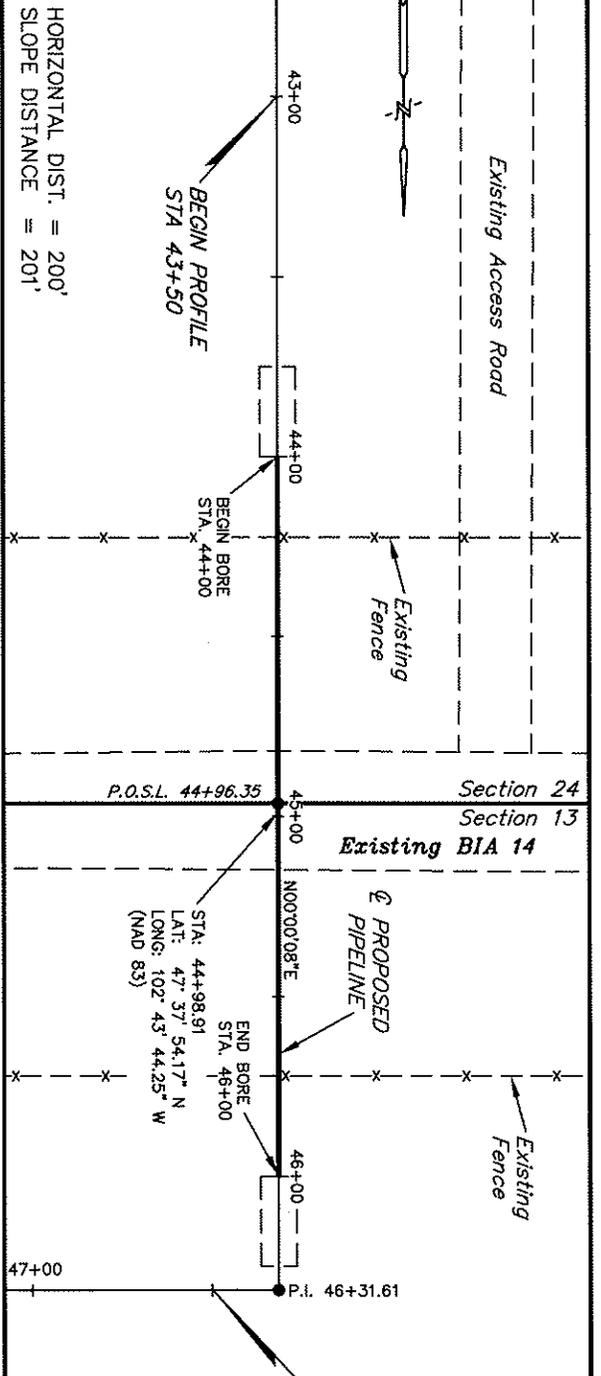
APPLICANT

V.P. OF ENGINEERING

TITLE

BASIS OF BEARINGS IS THE SOUTH LINE OF SECTION 13, T148N, R95W, 5th P.M. WHICH FROM G.P.S. OBSERVATION BEARS N89°59'16"W

NOTE:
 BEGINNING PROFILE STA. 43+50 BEARS S85°44'44"E 1978.43' FROM THE NORTHWEST CORNER OF SECTION 24, T148N, R95W, 5th P.M.
 END PROFILE STA. 46+50 BEARS N86°07'35"E 1995.95' FROM THE SOUTHWEST CORNER OF SECTION 13, T148N, R95W, 5th P.M.

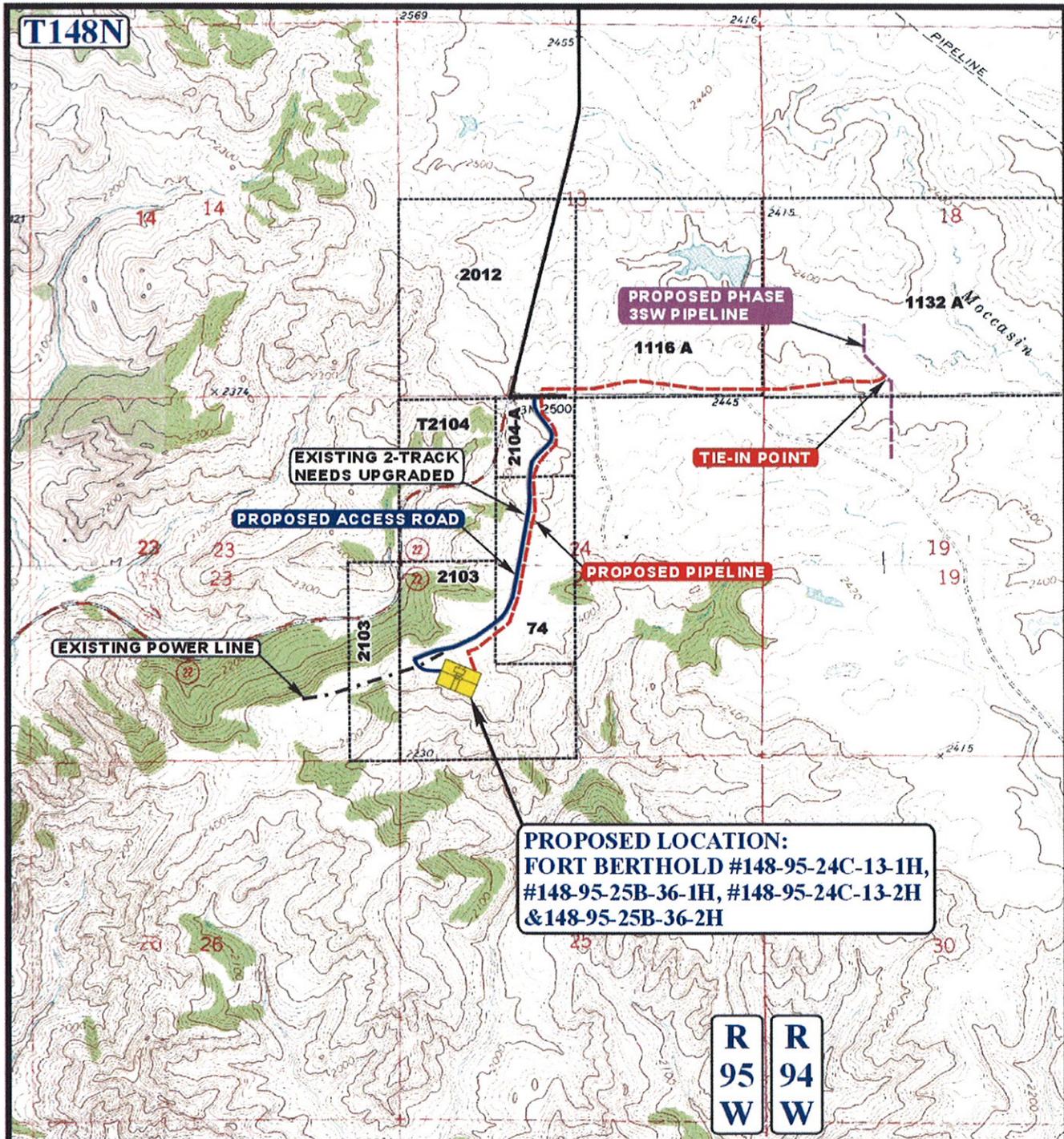


UP UTAH ENGINEERING & LAND SURVEYING
 66 SOUTH 200 EAST - VERVAL, UTAH 84078
 (435) 789-1017

PROJECT DATA
 SURVEYED BY: A.K.
 DRAWN BY: S.B.
 DATE: 10-06-11

LOCATED IN
 SECTIONS 13, & 24, T148N, R95W, &
 SECTION 18, T148N, R95W, 5th P.M.,
 DUNN COUNTY, NORTH DAKOTA

ARROW PIPELINE, LLC
 FORT BERTHOLD #148-95-24C-13-1H,
 #148-95-25B-36-1H, #148-95-24C-13-2H
 & #148-95-25B-36-2H
PROPOSED PIPELINE CROSSING PLAN & PROFILE



APPROXIMATE TOTAL PIPELINE DISTANCE = 9,651' +/-

LEGEND:

- PROPOSED ACCESS ROAD
- EXISTING PIPELINE
- EXISTING POWER LINE
- PROPOSED PIPELINE
- PROPOSED PIPELINE (SERVICING OTHER WELLS)

ARROW PIPELINE, L.L.C.

**FORT BERTHOLD #148-95-24C-13-1H, #148-95-25B-36-1H
#148-95-24C-13-2H & #148-95-25B-36-2H
SECTION 24, T148N, R95W, 5th P.M.
SW 1/4 SW 1/4**



Uintah Engineering & Land Surveying
85 South 200 East Vernal, Utah 84078
(435) 789-1017 * FAX (435) 789-1813



**TOPOGRAPHIC
MAP**

08 16 11
MONTH DAY YEAR

SCALE: 1" = 2000' DRAWN BY: B.D.H. REVISED: 00-00-00

**D
TOPO**

NW 1/4

Sec. 13

1/4 Section Line

NE 1/4

Brass Cap

ARROW PIPELINE, LLC

TEMPORARY ROAD RIGHT-OF-WAY ON TRIBAL LANDS

(For FORT BERTHOLD #148-95-24C-13-1H,
#148-95-25B-36-1H, #148-95-24C-13-2H &
#148-95-25B-36-2H)

SECTION 13, T148N, R95W, 5th P.M.,
DUNN COUNTY, NORTH DAKOTA

LOCATED IN



GRID NORTH



SCALE

▲ = SECTION CORNERS LOCATED.

BASIS OF BEARINGS IS A G.P.S. OBSERVATION.

CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



REGISTERED LAND SURVEYOR
RESIDENCE NO. 4654
STATE OF NORTH DAKOTA

Troy Jensen

UNTAH ENGINEERING & LAND SURVEYING
85 SOUTH - 200 EAST • (406) 789-1077
VERNAL, UTAH - 84078

SCALE	1" = 300'	DATE	10-08-11
PARTY	A.K. S.B.	REFERENCES	G.L.O. PLAT
WEATHER	WARM	FILE	5 1 1 3 7

LATERAL "A" TEMPORARY ROAD
RIGHT-OF-WAY DESCRIPTION

A 50' WIDE RIGHT-OF-WAY 25' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT IN THE SW 1/4 SE 1/4 OF SECTION 13, T148N, R95W, 5th P.M. WHICH BEARS N8917.56°W 2432.34' FROM THE SOUTHEAST CORNER OF SAID SECTION 13, THENCE N00°00'20"E 119.94' TO A POINT IN THE SW 1/4 SE 1/4 OF SAID SECTION 13, WHICH BEARS N8628.40°W 2436.75' FROM THE SOUTHEAST CORNER OF SECTION 13, THE SIDE LINES OF SAID DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANTOR'S PROPERTY LINES. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 0.138 ACRES MORE OR LESS.

LINE	DIRECTION	LENGTH
L1	N00°00'20"E	119.94'
L2	N00°00'03"E	115.14'

LATERAL "B" TEMPORARY ROAD
RIGHT-OF-WAY DESCRIPTION

A 50' WIDE RIGHT-OF-WAY 25' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT IN THE SE 1/4 SE 1/4 OF SECTION 13, T148N, R95W, 5th P.M. WHICH BEARS N63°45'28"W 43.05' FROM THE SOUTHEAST CORNER OF SAID SECTION 13, THENCE N00°00'03"E 115.14' TO A POINT IN THE SE 1/4 SE 1/4 OF SAID SECTION 13, WHICH BEARS N16°03'15"W 139.62' FROM THE SOUTHEAST CORNER OF SAID SECTION 13, THE SIDE LINES OF SAID DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANTOR'S PROPERTY LINES. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 0.132 ACRES MORE OR LESS.

RIGHT-OF-WAY LENGTHS		
PROPERTY OWNER	FEET	ACRES
1116A	235.08	0.270
		14.25

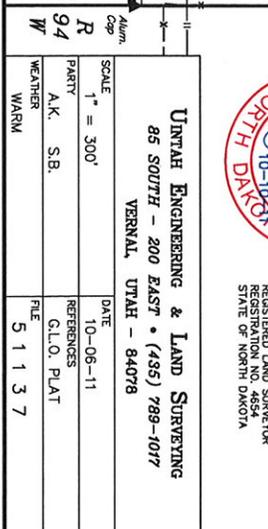
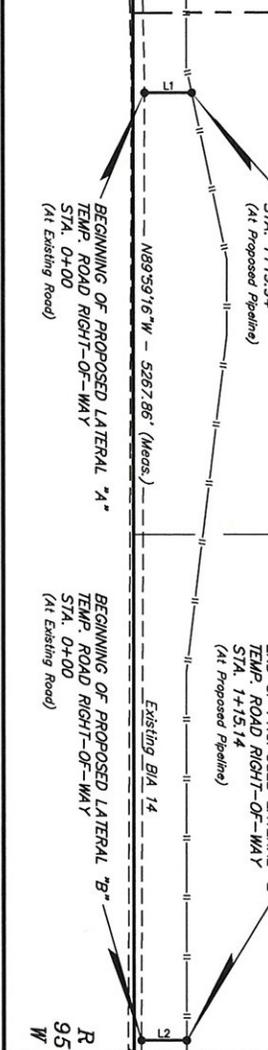
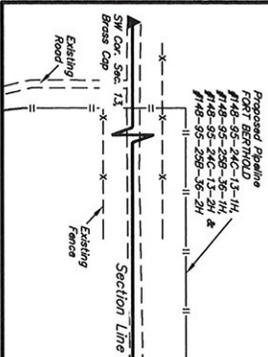
1116A

END OF PROPOSED LATERAL "A"
TEMP. ROAD RIGHT-OF-WAY
STA. 1+119.94
(At Proposed Pipeline)

END OF PROPOSED LATERAL "B"
TEMP. ROAD RIGHT-OF-WAY
STA. 1+115.14
(At Proposed Pipeline)

BEGINNING OF PROPOSED LATERAL "A"
TEMP. ROAD RIGHT-OF-WAY
STA. 0+00
(At Existing Road)

BEGINNING OF PROPOSED LATERAL "B"
TEMP. ROAD RIGHT-OF-WAY
STA. 0+00
(At Existing Road)



ARROW PIPELINE, LLC
FORT BERTHOLD #148-95-24C-13-1H, #148-95-25B-36-1H,
#148-95-24C-13-2H & #148-95-25B-36-2H
TEMPORARY ROAD RIGHT-OF-WAY
SECTION 13, T148N, R95W, 5th P.M.

TOTAL TEMP. ROAD RIGHT-OF-WAY ON TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 235.08' OR 0.045 MILES. WIDTH OF RIGHT-OF-WAY IS 50' (25' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 0.270 ACRES MORE OR LESS.

ENGINEER'S AFFIDAVIT

STATE OF MONTANA)
COUNTY OF RICHLAND) SS

TROY JENSEN, BEING FIRST DULY SWORN DEPOSES AND STATES THAT HE IS THE REGISTERED LAND SURVEYOR, FOR ARROW PIPELINE, LLC, THAT THESE SURVEYS WERE MADE BY HIM (OR UNDER HIS SUPERVISION): THAT HE HAS EXAMINED THE FIELD NOTES OF THE SURVEYS OF THE TEMP. ROAD RIGHT-OF-WAY AS DESCRIBED AND SHOWN ON THIS MAP, THAT THIS MAP WAS PREPARED UNDER HIS DIRECTION FROM SAID FIELD NOTES; AND THAT SAID RIGHT-OF-WAY, 0.045 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.




REGISTERED LAND SURVEYOR
REGISTRATION NO. 4654
STATE OF NORTH DAKOTA

APPLICANT'S CERTIFICATE

I, JOHN M. DOLAN, DO HEREBY CERTIFY THAT I AM THE V.P. OF ENGINEERING FOR ARROW PIPELINE, LLC, HERINAFTER DESIGNATED THE APPLICANT; THAT TROY JENSEN WHO SUBSCRIBED TO THE FOREGOING AFFIDAVIT, IS EMPLOYED BY THE APPLICANT AS A LAND SURVEYOR AND THAT HE WAS DIRECTED BY THE APPLICANT TO SURVEY THE LOCATION OF THIS TEMP. ROAD RIGHT-OF-WAY, 0.045 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN, THAT SAID TEMP. ROAD RIGHT-OF-WAY IS ACCURATELY REPRESENTED ON THIS MAP; THAT SUCH SURVEY AS REPRESENTED ON THIS MAP HAS BEEN ADOPTED BY THE APPLICANT AS THE DEFINITE LOCATION OF THE RIGHT-OF-WAY THEREBY SHOWN; AND THAT THE MAP HAS BEEN PREPARED TO BE FILED WITH THE SECRETARY OF THE INTERIOR OR HIS DULY AUTHORIZED REPRESENTATIVE AS PART OF THE APPLICATION FOR SAID RIGHT-OF-WAY TO BE GRANTED THE APPLICANT, ITS SUCCESSORS AND ASSIGNS, WITH THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR IMPROVEMENTS, THEREON AND THEREOVER, FOR SUCH PURPOSES, AND WITH THE FURTHER RIGHT IN THE APPLICANT, ITS SUCCESSORS AND ASSIGNS TO TRANSFER THIS RIGHT-OF-WAY BY ASSIGNMENT, GRANT, OR OTHERWISE.

APPLICANT

V.P. OF ENGINEERING

TITLE

Notice of Availability and Appeal Rights

Arrow Pipeline, L.L.C: Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System

The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to an Addendum to Authorize Land Use for Pipelines Connecting the Fort Berthold #148-95-24C-13-1H, -2H & #148-95-25B-36-1H, -2H Wells to the Existing Arrow Phase 3 Southwest Pipeline System on the Fort Berthold Reservation as shown on the attached map. Construction by Arrow Pipeline, L.L.C. is expected to begin in 2012.

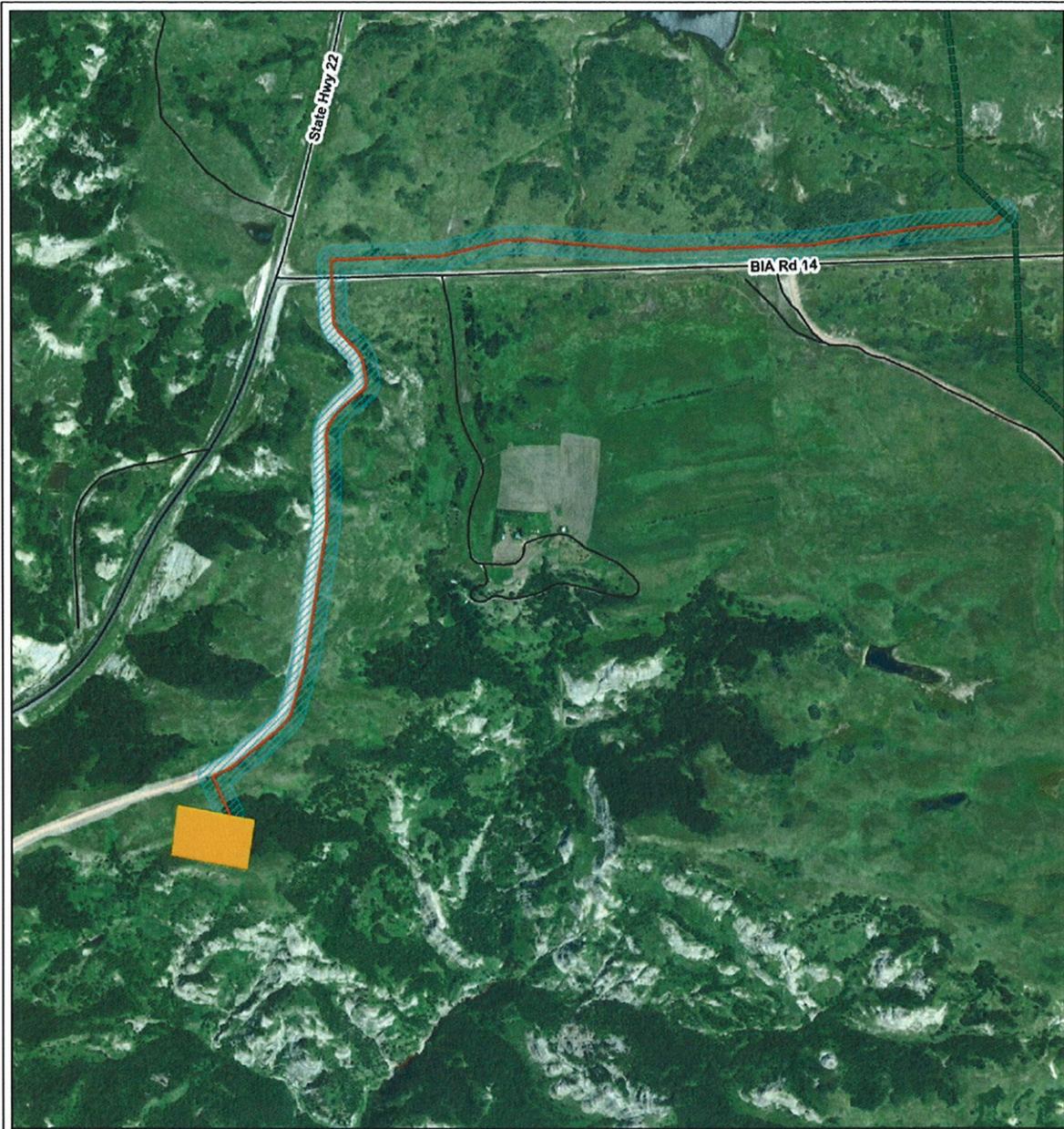
An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-4707 for more information and/or copies of the EA and the Finding of No Significant 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 February 8, 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 701-627-4707.

Project locations.



<p>Legend</p> <ul style="list-style-type: none"> — Proposed FB-148-95-24C-13-1H, -2H & 148-95-25B-36-1H, -2H Pipeline — Existing Arrow Phase 3SW Pipeline Survey Area Approved Well Pad Existing Roads 	<p>SWCA[®] ENVIRONMENTAL CONSULTANTS</p> <p>116 North 4th Street Suite 200 Bismarck, ND 58501</p> <p>Phone: 701.258.6622 Fax: 701.258.5957</p> <p>www.swca.com</p>	<p style="text-align: center;">Kilometers 0 0.25 0.5</p> <hr style="border: 1px solid black;"/> <p style="text-align: center;">Miles 0 0.15 0.3</p> <hr style="border: 1px solid black;"/> <p>Base Map: ESRI Bing Imagery Source: ND GIS Hub Quadrangle: Mandaree, (1973) and Mandaree SW, (1973) Township 148N & Range 95W Dunn County, North Dakota</p> <p style="text-align: right;">N ↑</p> <p>Scale: 1:11,439 NAD 1983 UTM Zone 13N</p>
--	--	---