



# 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 25 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 pipelines connecting the KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 Wells to the Existing Arrow Phase 2 Southeast 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 KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 Wells to the  
Existing Arrow Phase 2 Southeast Pipeline*

*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 KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 Wells to the Existing Arrow Phase 2 Southeast Pipeline. Associated federal actions by BIA include determinations of impacts and effects regarding environmental resources for developments on tribal lands.

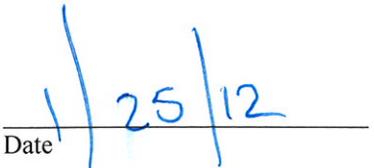
The potential of the proposed actions to impact the human environment is analyzed in the attached addendum to an existing EA, as required by the National Environmental Policy Act. Based on the recently completed addendum to the EA, I have determined that the proposed project will not significantly affect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

**ENVIRONMENTAL ASSESSMENT  
Addendum**

**United States Bureau of Indian Affairs**

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



**Arrow Pipeline, LLC**

**Addendum to Environmental Assessment to Authorize Land Use for Pipelines  
Connecting the KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 Wells to the  
Existing Arrow Phase 2 Southeast Pipeline**

**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

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## **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 KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 pipeline system (pipelines) would transport oil, gas, and produced water to markets and approved disposal sites. A buried electrical line may be installed within the approved right-of-way (ROW) in the future. Further, Arrow proposes to construct approximately 1,057-foot-long temporary access road utilizing a 66-foot-wide temporary ROW within the project area.

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 northwest corner of the proposed KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 well pad (well pad), in the southwest corner of Section 18, Township (T) 148 North (N), Range (R) 93 West (W), 5<sup>th</sup> Prime Meridian (P.M.), Dunn County, North Dakota. The proposed pipeline would then run southwest and terminate in the SE<sup>1</sup>/<sub>4</sub> corner of Section 23, T148, R93W, 5<sup>th</sup> P.M., Dunn County, North Dakota.

The temporary access road would begin at a point in the NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> Section 24, T148N, R93W, 5<sup>th</sup> P.M., Dunn County, North Dakota, and end in the NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> Section 24, T148, R93W, 5<sup>th</sup> 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<sup>®</sup> or similar corrosion-resistant material. All of the 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 Arrow Phase 2 Southeast Pipeline System (Phase 2SE).

The pipelines, as proposed, would originate from the northwest corner of the well pad, traverse southwest, and tie in to the existing Phase 2SE. The Phase 2SE alignment has been previously surveyed for impacts to natural and cultural resources with no significant findings.

Approximately 8,417 feet of oil, gas, and produced water pipe would be needed to connect the KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 wells to the Phase 2SE. Approximately 23.19 acres would be disturbed as a result of activities associated with the construction of the proposed pipelines. Pipeline plats are provided in Appendix A.

Approximately 1,057 feet of new, temporary access road would be constructed to facilitate equipment movement for the directional drill of Woman Creek. The construction ROW for the access road would not exceed a width of 66 feet. In total, approximately 1.60 acres would be temporarily impacted as a result of access road construction. Arrow would install a 36-inch-diameter corrugated metal pipe (CMP) within the intermittent tributary to prevent any disruption of normal flow regimes.

## **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<sup>®</sup> 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 2011<sup>1</sup>) for the Phase 3 Southwest 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

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

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). 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. 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 occurs during winter, Arrow would partially fill the trench with useable, non-frozen, back-fill soil to the extent possible and 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 seeded 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 would deploy approved weed-free hay across the entire ROW. The presence of hay across the ROW would 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 pipelines are 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 pipelines. Instead, the pipelines 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 September 2, September 7, and October 21, 2011. BIA Environmental Specialist Chris McLaughlin approved the location and proposed alignment of the pipelines on September 7, 2011. 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 one of the following three listed mitigation procedures in order to reduce the potential for impact on migratory birds and their nests: 1) conduct construction outside of the migratory bird breeding season (February 1–July 15); 2) regularly mow vegetation in the ROW prior to February 1 and maintain through July 15; or 3) conduct a field survey for nesting migratory birds within 5 days of construction commencement. One perennial waterbody (Woman Creek) and an intermittent tributary were noted (Figure 1). Additionally, SWCA identified the presence of two palustrine emergent wetlands during their field survey (Figure 1).

The Class III cultural resource inventory was conducted by SWCA on September 2 and October 21, 2011, and area surveyed includes a 200-foot-wide survey corridor centered on the proposed 1.6-mile-long staked pipeline centerline, totaling 38.92 acres. Additionally, a 200-foot-wide corridor centered on the proposed 1,057-foot-long temporary access road, totaling 3.70 acres, was also surveyed. In total, 42.62 acres were inventoried for the project.

A cultural resource inventory of this pipeline route was conducted by personnel of SWCA Environmental Consultants, using an intensive pedestrian methodology. Approximately 42.62 acres were inventoried between September 2 and October 21, 2011 (Riordan and Schleicher 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 21, 2011; however the THPO did not respond within the allotted 30 day comment period.

Riordan, Carolyn, and Jolene Schleicher

(2011) A Class I and Class III Cultural Resource Inventory of the Arrow Skunk Creek #13-18-17-16H & #13-18-17-16H3 Gathering Pipeline and Temporary Access Road, Fort Berthold Indian Reservation, Dunn County, North Dakota. SWCA Environmental Consultants for Arrow Pipeline, LLC, Tulsa, OK.

## **12. Operator-committed Measures**

- Arrow would perform a directional drill or bore to avoid surface impacts of both Woman Creek and associated tributaries as shown in Figure 1. Directional drilling or boring reduces/mitigates traffic disturbances, damage to roads, and environmental impacts (waterways, wetlands, etc.).

- Arrow would conduct two 24-hour open cuts on two wetlands located within the proposed pipeline area (Figure 1). A 24-hour open cut requires the ground be cleared, the trench be excavated, the pipe be placed in the trench, and the trench be filled within a 24-hour period.
- Arrow would deploy erosion control devices as necessary to reduce the potential for sediment in-put into the intermittent tributary and Woman Creek.

### **13. 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 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) (April 2011).

### **14. Applicable NEPA Document(s)**

*Environmental Assessment and Finding of No Significant Impact: Arrow Pipeline, LLC Phase 2 Southeast Pipeline (April 2011).*

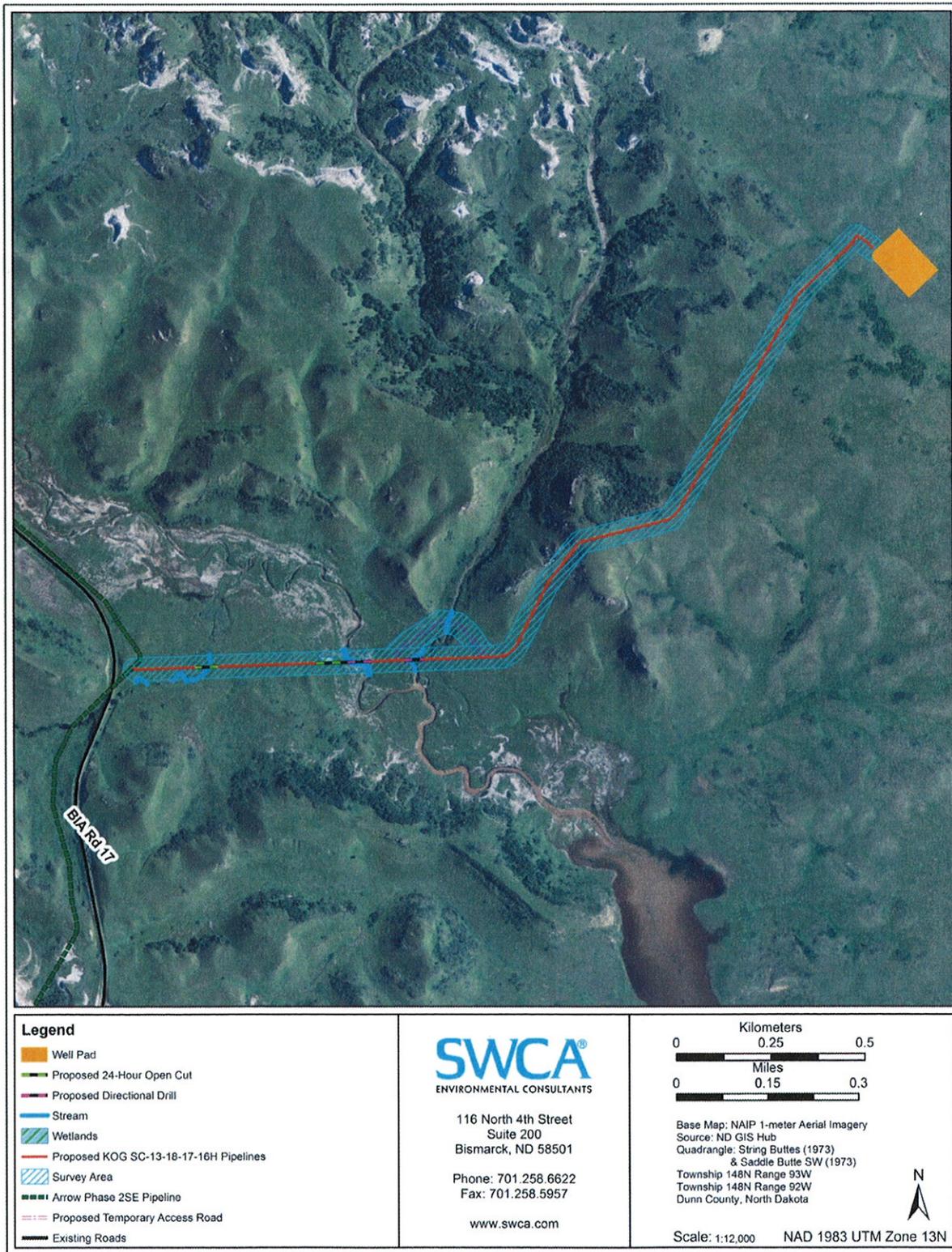
### **15. NEPA Adequacy Criteria**

This document has identified a previously prepared NEPA document, *Environmental Assessment and Finding of No Significant Impact: Arrow Pipeline, LLC Phase 2 Southeast Pipeline (April 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.
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 KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 Wells to the Existing Arrow Phase 2 Southeast Pipeline (January 2012)*



**Figure 1. Proposed KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 Pipeline Alignment.**

*Addendum to Environmental Assessment to Authorize Land Use for Pipelines Connecting the KOG  
Skunk Creek 13-18-17-16H and 13-18-17-16H3 Wells to the Existing Arrow Phase 2 Southeast  
Pipeline (January 2012)*



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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 21 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 proposed Arrow gathering line in Dunn County, North Dakota. Approximately 42.62 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 which appear to 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 therefore reached a determination of **no historic properties affected** for this undertaking. Catalogued as **BIA Case Number AAO-1891/FB/11**, the proposed undertaking, location, and project dimensions are described in the following report:

Riordan, Carolyn, and Jolene Schleicher  
(2011) A Class I and Class III Cultural Resource Inventory of the Arrow Skunk Creek #13-18-17-16H & #13-18-17-16H3 Gathering Pipeline and Temporary Access Road, Fort Berthold Indian Reservation, Dunn County, North Dakota. SWCA Environmental Consultants for Arrow Pipeline, LLC, Tulsa, OK.

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

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

Sincerely,

ACTING Regional Director

Enclosure

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

**APPENDIX A**  
**Pipeline Layout and Pipeline Right-of-Way**  
**for KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 Pipelines**

Sec. 13

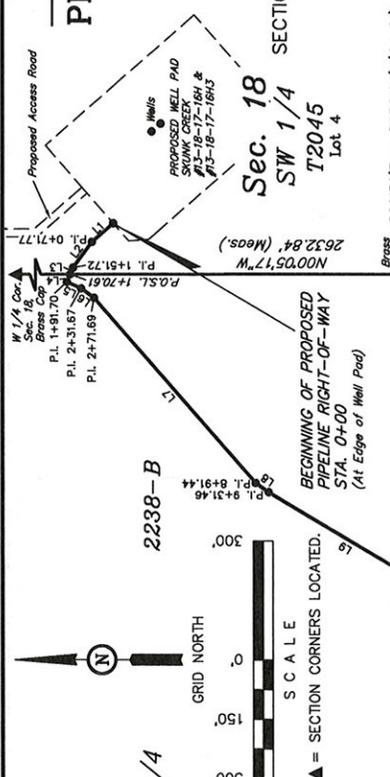
PIPELINE RIGHT-OF-WAY DESCRIPTION

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

SE 1/4

BEGINNING AT A POINT IN LOT 4 OF SECTION 18, T148N, R92W, 5th P.M., WHICH BEARS N09°46'25"E 752.66' FROM THE SOUTHWEST CORNER OF SAID SECTION 18, THENCE N41°03'24"W 71.77', THENCE N54°01'18"W 79.95', THENCE N65°52'18"W 18.89' TO A POINT ON THE WEST LINE OF LOT 4 OF SAID SECTION 18, WHICH BEARS N00°05'17"W 850.55' FROM THE SOUTHWEST CORNER OF SAID SECTION 18, THENCE N65°52'18"W 21.08'; THENCE S24°03'52"W 39.97'; THENCE S38°02'01"W 40.02'; THENCE S48°56'30"W 619.75'; THENCE S34°59'19"W 40.02'; THENCE S30°55'31"W 409.88' TO A POINT ON THE SOUTH LINE OF THE SE 1/4 SE 1/4 OF SECTION 13, T148N, R93W, 5th P.M., WHICH BEARS S89°54'45"W 761.31' FROM THE SOUTHEAST CORNER OF SAID SECTION 13, THENCE S30°55'31"W 1726.99'; THENCE S41°54'00"W 40.01'; THENCE S54°05'26"W 39.97'; THENCE S68°54'35"W 40.08'; THENCE S77°30'16"W 791.31'; THENCE S40°00'41"W 448.22'; THENCE S28°30'13"W 599.96'; THENCE S33°59'47"W 39.94'; THENCE S45°53'52"W 18.45' TO A POINT ON THE SOUTH LINE OF THE SE 1/4 NW 1/4 OF SECTION 24, T148N, R93W, 5th P.M., WHICH BEARS N89°56'13"E 2140.97' FROM THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE S45°55'52"W 21.58'; THENCE S87°04'46"W 40.06'; THENCE S69°56'45"W 39.95'; THENCE S82°00'42"W 40.01'; THENCE S89°48'15"W 2014.24' TO A POINT ON THE WEST LINE OF THE NW 1/4, SW 1/4 OF SAID SECTION 24, WHICH BEARS S00°04'44"E 59.97' FROM THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE S89°54'24"W 1147.03'; THENCE N44°58'14"W 27.62' TO A POINT IN THE NE 1/4 SE 1/4 OF SECTION 23, T148N, R93W, 5th P.M., WHICH BEARS S87°55'23"W 1167.24' FROM THE EAST 1/4 CORNER OF SAID SECTION 23. THE SIDE LINES OF SAID DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANATOR'S PROPERTY LINES. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 9.661 ACRES MORE OR LESS.

SW 1/4



ARROW PIPELINE, LLC

PIPELINE RIGHT-OF-WAY ON TRIBAL LANDS

(For SKUNK CREEK #13-18-17-16H & #13-18-17-16H3)

LOCATED IN SECTION 18, T148N, R92W & SECTIONS 13, 23 & 24, T148N, R93W, 5th P.M., DUNN COUNTY, NORTH DAKOTA

Sec. 18 SW 1/4 T2045 Lot 4

LINE	DIRECTION	LENGTH
L1	N41°03'24"W	71.77'
L2	N54°01'18"W	79.95'
L3	N65°52'18"W	18.89'
L4	N65°52'18"W	21.08'
L5	S24°03'52"W	39.97'
L6	S38°02'01"W	40.02'
L7	S48°56'30"W	619.75'
L8	S34°59'19"W	40.02'
L9	S30°55'31"W	409.88'
L10	S30°55'31"W	1726.99'
L11	S41°54'00"W	40.01'
L12	S54°05'26"W	39.97'
L13	S68°54'35"W	40.08'
L14	S77°30'16"W	791.31'
L15	S40°00'41"W	448.22'
L16	S28°30'13"W	599.96'

BASIS OF BEARINGS

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.



SHEET 1 OF 2

UTAH ENGINEERING & LAND SURVEYING  
85 SOUTH • 200 EAST • (435) 769-1017  
VERNAL, UTAH - 84078

SCALE	1" = 300'	DATE	10-26-11
PARTY	A.K. S.B.	REFERENCES	G.L.O. PLAT
WEATHER	COLD	FILE	51207-A

Sec. 24

PIPELINE RIGHT-OF-WAY DESCRIPTION

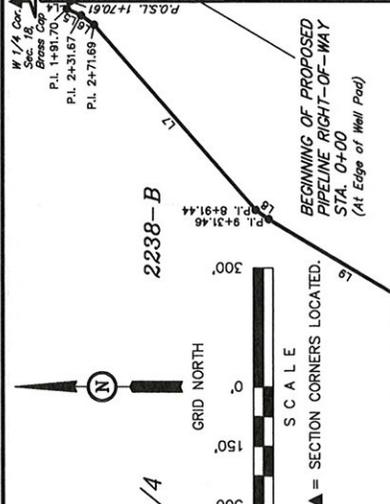
NE 1/4

BEGINNING OF PIPELINE STA. 0+00 BEARS N09°46'25"E 752.66' FROM THE SOUTHWEST CORNER OF SECTION 18, T148N, R92W, 5th P.M.

P.O.S.L. 1+70.61 BEARS N00°05'17"W 850.55' FROM THE SOUTHWEST CORNER OF SECTION 18, T148N, R92W, 5th P.M.

P.O.S.L. 13+41.34 BEARS S89°54'45"W 761.31' FROM THE SOUTHEAST CORNER OF SECTION 13, T148N, R93W, 5th P.M.

NW 1/4



LINE	DIRECTION	LENGTH
L1	N41°03'24"W	71.77'
L2	N54°01'18"W	79.95'
L3	N65°52'18"W	18.89'
L4	N65°52'18"W	21.08'
L5	S24°03'52"W	39.97'
L6	S38°02'01"W	40.02'
L7	S48°56'30"W	619.75'
L8	S34°59'19"W	40.02'
L9	S30°55'31"W	409.88'
L10	S30°55'31"W	1726.99'
L11	S41°54'00"W	40.01'
L12	S54°05'26"W	39.97'
L13	S68°54'35"W	40.08'
L14	S77°30'16"W	791.31'
L15	S40°00'41"W	448.22'
L16	S28°30'13"W	599.96'

BASIS OF BEARINGS

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.



SHEET 1 OF 2

UTAH ENGINEERING & LAND SURVEYING  
85 SOUTH • 200 EAST • (435) 769-1017  
VERNAL, UTAH - 84078

SCALE	1" = 300'	DATE	10-26-11
PARTY	A.K. S.B.	REFERENCES	G.L.O. PLAT
WEATHER	COLD	FILE	51207-A

PROPERTY OWNER	FEET	ACRES	RODS
T2045	170.61	0.196	10.34
2238-B	1170.73	1.344	70.95
T1004A	3744.93	4.299	226.97
T112A	2155.84	2.475	130.66
T128A	1174.65	1.348	71.19
TOTAL	8416.76	9.661	510.11

RIGHT-OF-WAY LENGTHS

CONTINUES ON SHEET 2 OF 2



ARROW PIPELINE, LLC  
SKUNK CREEK #13-18-17-16H & #13-18-17-16H3  
PIPELINE RIGHT-OF-WAY  
SECTION 18, T148N, R92W, &  
SECTIONS 13, 23 & 24, T148N, R93W, 5th P.M.

TOTAL PIPELINE RIGHT-OF-WAY ON TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 8416.76' OR 1.594 MILES. WIDTH OF RIGHT-OF-WAY IS 50' (25' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 9.661 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, 1.594 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.



  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 4654  
STATE OF NORTH DAKOTA

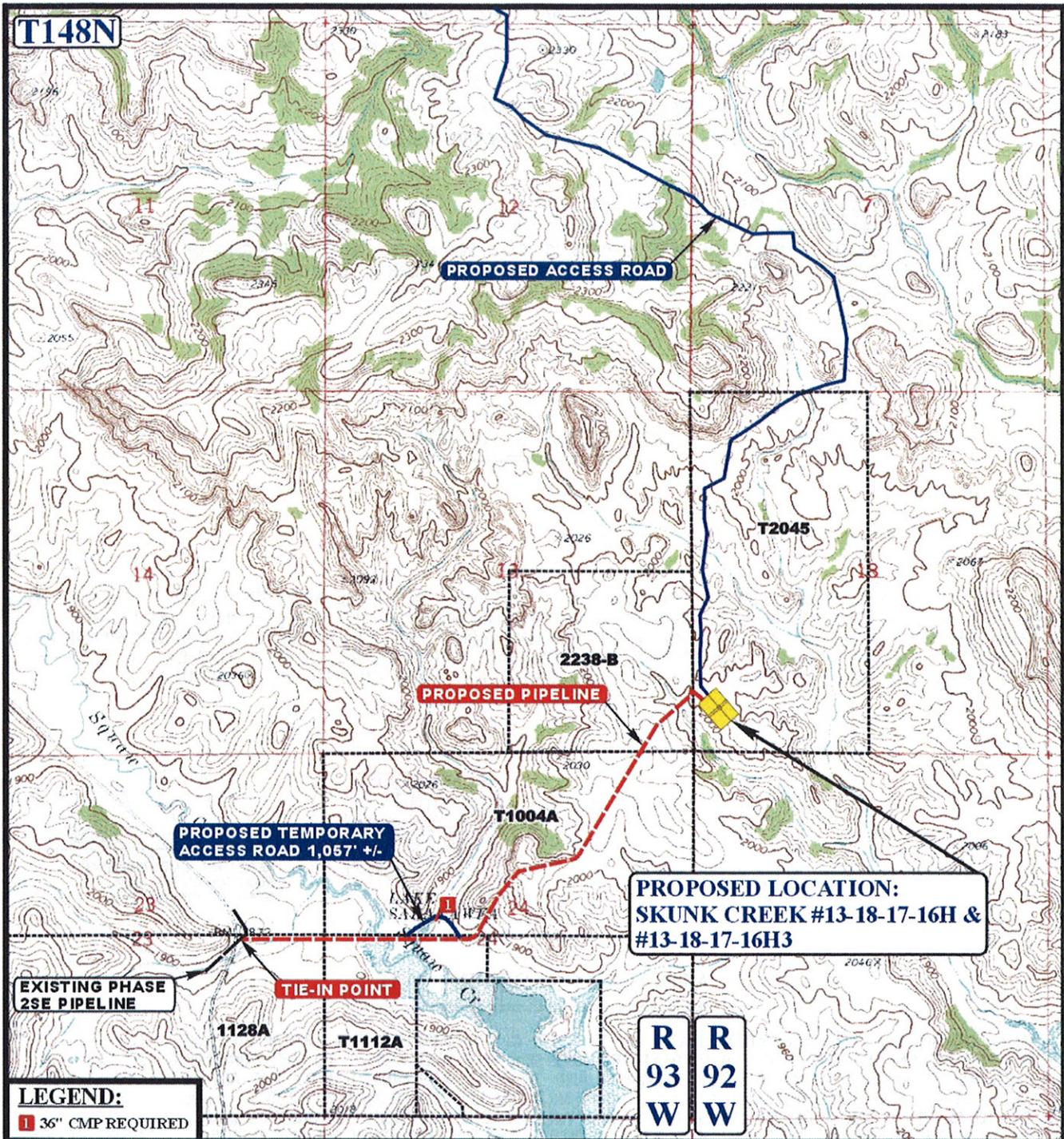
APPLICANT'S CERTIFICATE

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, 1.594 MILES IN LENGTH BEGINNING AT STA. 0+00 AND ENDING AT STA. 84+16.76, 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



**APPROXIMATE TOTAL PIPELINE DISTANCE = 8,417' +/-**

**LEGEND:**

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



**ARROW PIPELINE, LLC**  
 SKUNK CREEK #13-18-17-16H &  
 #13-18-17-16H3  
 SECTION 18, T148N, R92W, 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**   **09**   **14**   **11**  
 MONTH   DAY   YEAR

SCALE: 1" = 2000'   DRAWN BY: S.F.   REVISED: 00-00-00



ARROW PIPELINE, LLC

# TEMPORARY ROAD RIGHT-OF-WAY ON TRIBAL LANDS

(FOR SKUNK CREEK #13-18-17-16H & #13-18-17-16H3)

LOCATED IN SECTION 24, T148N, R93W, 5th P.M., DUNN COUNTY, NORTH DAKOTA

S89°54'45"W  
2632.52' (Meas.)

Brass Cap

### RIGHT-OF-WAY LENGTHS

PROPERTY OWNER	FEET	ACRES	RODS
T1112A	124.27	0.188	7.53
T1004A	933.10	1.414	56.55
TOTAL	1057.37	1.602	64.08

LINE	DIRECTION	LENGTH
L1	N33°17'16"W	66.35'
L2	N33°17'16"W	178.91'
L3	N45°57'12"W	132.62'
L4	N79°34'01"W	142.25'
L5	S58°46'47"W	190.82'
L6	S58°39'49"W	160.27'
L7	S49°08'06"W	121.80'
L8	S07°36'32"W	6.43'
L9	S07°36'32"W	57.92'

### TEMP. ROAD RIGHT-OF-WAY DESCRIPTION

A 66' WIDE RIGHT-OF-WAY 33' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

BEGINNING AT A POINT IN THE NE 1/4 SW 1/4 OF SECTION 24, T148N, R93W, 5th P.M., WHICH BEARS 88°23'20"E 1899.40' FROM THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE N33°17'16"W 66.35' TO A POINT ON THE NORTH LINE OF THE SE 1/4 SW 1/4 OF SAID SECTION 24, WHICH BEARS N89°56'12"E 1862.24' FROM THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE N33°17'16"W 178.91'; THENCE N45°57'12"W 132.62'; THENCE N79°34'01"W 142.25'; THENCE S58°46'47"W 190.82'; THENCE S58°39'49"W 160.27'; THENCE S49°08'06"W 121.80'; THENCE S07°36'32"W 6.43' TO A POINT ON THE SOUTH LINE OF THE SW 1/4 NW 1/4 OF SAID SECTION 24, WHICH BEARS N89°56'12"E 1135.78' FROM THE WEST 1/4 CORNER OF SAID SECTION 24, THENCE S07°36'32"W 57.92' TO A POINT IN THE NW 1/4 SW 1/4 OF SAID SECTION 24, WHICH BEARS S87°09'01"E 1129.51' FROM THE WEST 1/4 CORNER OF SAID SECTION 24. 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 1.602 ACRES MORE OR LESS.

BEGINNING OF TEMP. ROAD STA. 0+00 BEARS S88°23'20"E 1899.40' FROM THE WEST 1/4 CORNER OF SECTION 24, T148N, R93W, 5th P.M.

P.O.P.L. 0+66.35 BEARS N89°56'12"E 1862.24' FROM THE WEST 1/4 CORNER OF SECTION 24, T148N, R93W, 5th P.M.

P.O.P.L. 9+99.45 BEARS N89°56'12"E 1135.78' FROM THE WEST 1/4 CORNER OF SECTION 24, T148N, R93W, 5th P.M.

END OF TEMP. ROAD STA. 10+57.37 BEARS S87°09'01"E 1129.51' FROM THE WEST 1/4 CORNER OF SECTION 24, T148N, R93W, 5th P.M.

S89°56'25"W - 2638.09' (Meas.)

Section Line

Brass Cap

Section Line

N00°03'13"W - 2635.50' (Meas.)

NE 1/4

1/16 Section Line

NW 1/4

1/16 Section Line

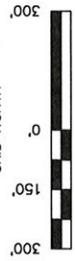
SW 1/4

1/16 Section Line

SE 1/4

1/4 Section Line

Section Line



SCALE  
▲ = SECTION CORNERS LOCATED.

BASIS OF BEARINGS

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

### CERTIFICATE

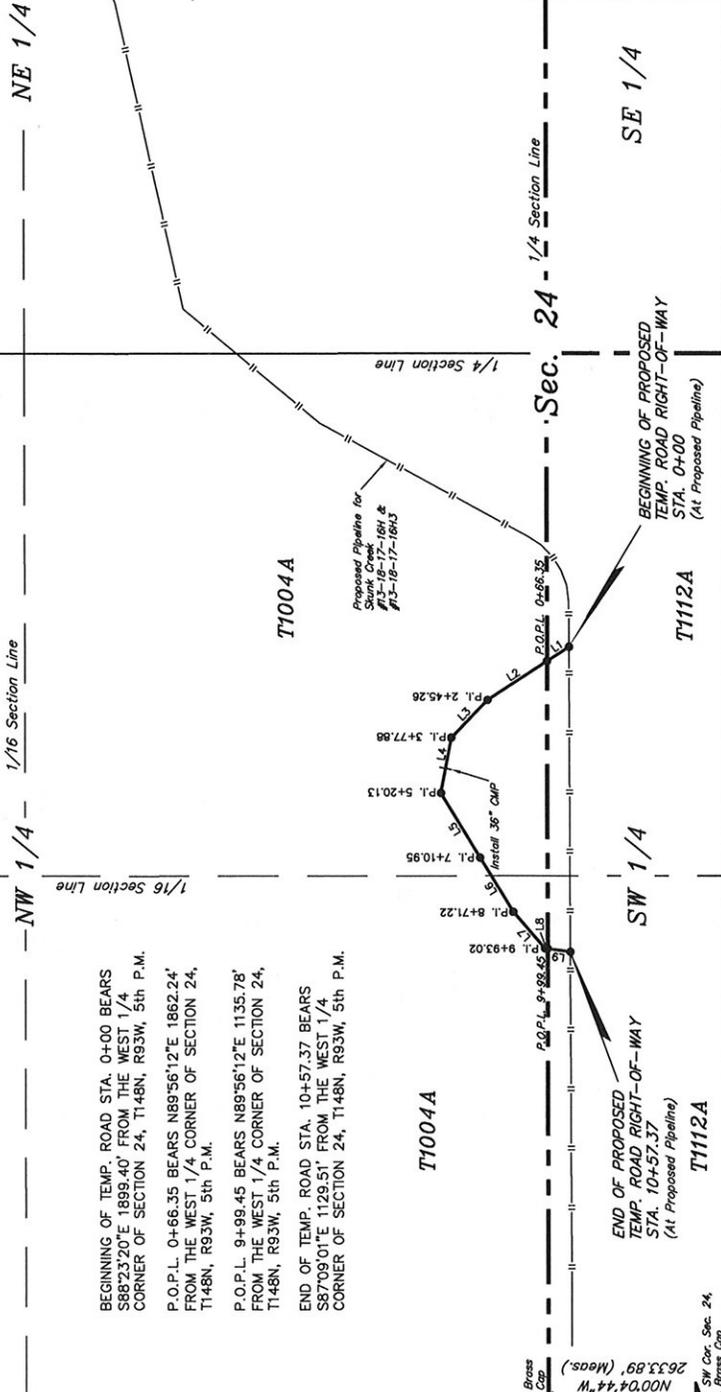
I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



*Roy Jensen*  
REGISTERED LAND SURVEYOR  
NO. 94684  
STATE OF NORTH DAKOTA

UNTAH ENGINEERING & LAND SURVEYING  
85 SOUTH - 200 EAST • (435) 789-1017  
VERNAL, UTAH - 84078

SCALE	1" = 300'	DATE	10-26-11
PARTY	A.K. S.B.	REFERENCES	G.L.O. PLAT
WEATHER	COLD	FILE	5 1 2 0 8



BEGINNING OF PROPOSED TEMP. ROAD RIGHT-OF-WAY STA. 0+00 (At Proposed Pipeline)

END OF PROPOSED TEMP. ROAD RIGHT-OF-WAY STA. 10+57.37 (At Proposed Pipeline)

T1112A

T1112A

T1004A

T1004A

Proposed Pipeline for Skunk Creek #13-18-17-16H & #13-18-17-16H3

Install 36" CMP

P.O.P.L. 0+66.35

P.O.P.L. 9+99.45

P.O.P.L. 10+57.37

P.O.P.L. 10+57.37

P.O.P.L. 10+57.37

P.O.P.L. 10+57.37

1/4 Section Line

ARROW PIPELINE, LLC  
SKUNK CREEK #13-18-17-16H & #13-18-17-16H3  
TEMPORARY ROAD RIGHT-OF-WAY  
SECTION 24, T148N, R93W, 5th P.M.

TOTAL TEMPORARY ROAD RIGHT-OF-WAY ON TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 1057.37' OR 0.200 MILES. WIDTH OF RIGHT-OF-WAY IS 66' (33' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 1.602 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 TEMPORARY 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, 0.200 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, HEREINAFTER 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 TEMPORARY ROAD RIGHT-OF-WAY, 0.200 MILES IN LENGTH BEGINNING AT STA. 0+00 AND ENDING AT STA. 10+57.37, THAT SAID TEMPORARY 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 KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 Wells to the Existing Arrow Phase 2 Southeast Pipeline

**The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to an Addendum to Authorize Land Use for Pipelines Connecting the KOG Skunk Creek 13-18-17-16H and 13-18-17-16H3 Wells to the Existing Arrow Phase 2 Southeast Pipeline on the Fort Berthold Reservation as shown on the attached map. Construction by Arrow Pipeline, L.L.C. is expected to begin in 2012.**

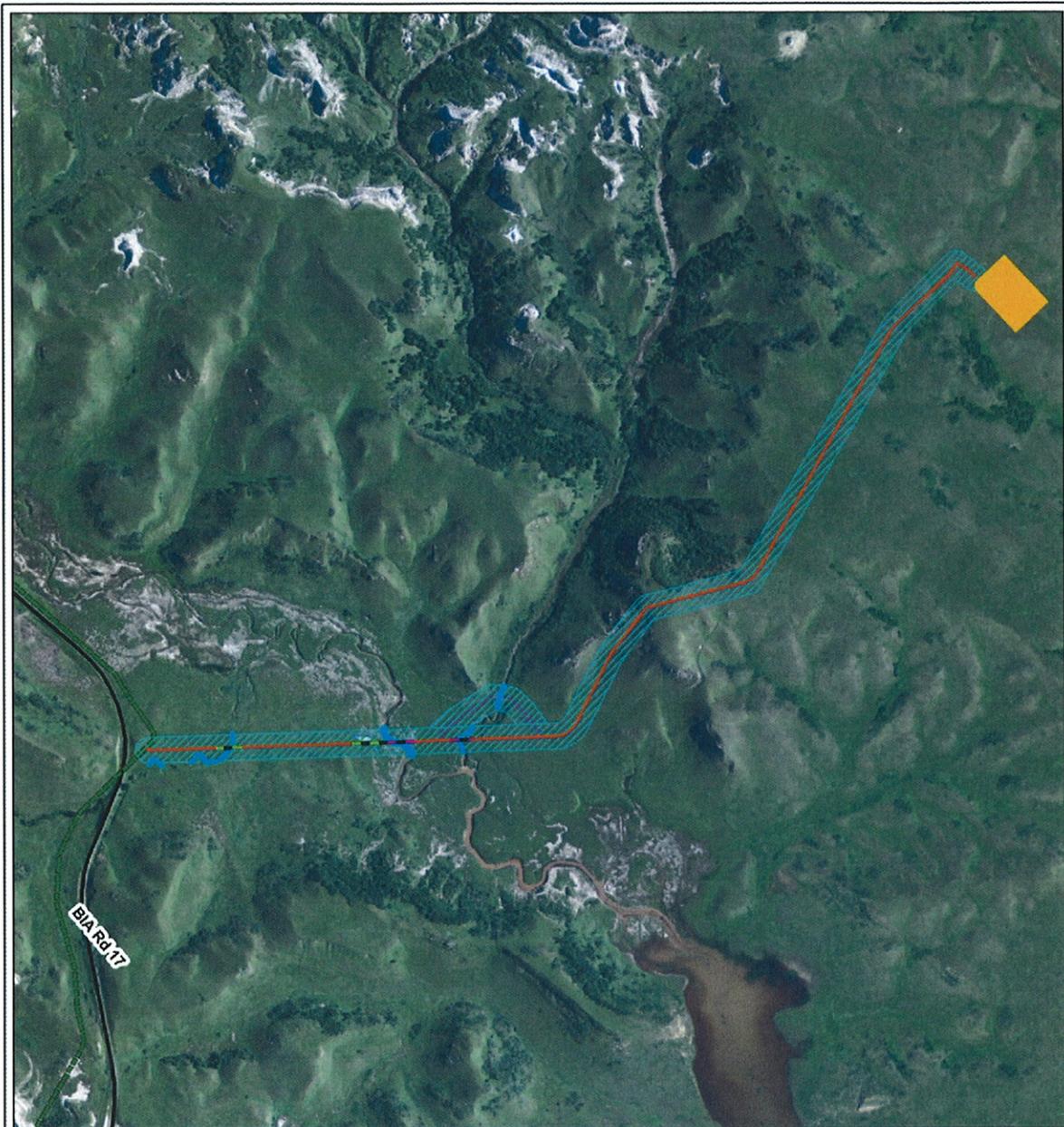
**An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-4707 for more information and/or copies of the EA and the Finding of No Significant 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 23, 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.**

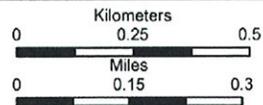


**Legend**

- Well Pad
- Proposed 24-Hour Open Cut
- Proposed Directional Drill
- Stream
- Wetlands
- Proposed KOG SC-13-18-17-16H Pipelines
- Survey Area
- Arrow Phase 2SE Pipeline
- Proposed Temporary Access Road
- Existing Roads



116 North 4th Street  
 Suite 200  
 Bismarck, ND 58501  
 Phone: 701.258.6622  
 Fax: 701.258.5957  
  
[www.swca.com](http://www.swca.com)



Base Map: NAIP 1-meter Aerial Imagery  
 Source: ND GIS Hub  
 Quadrangle: String Buttes (1973)  
 & Saddle Butte SW (1973)  
 Township 148N Range 93W  
 Township 148N Range 92W  
 Dunn County, North Dakota



Scale: 1:12,000 NAD 1983 UTM Zone 13N