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

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
DESCRM
MC-208

FEB 22 2012

MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: ACTING Regional Director, Great Plains Region

SUBJECT: Environmental Assessment Addendum and Finding of No Significant Impact

In compliance with the regulations of the National Environmental Policy Act (NEPA) of 1969, as amended, an Addendum has been completed and a Finding of No Significant Impact (FONSI) has been issued. The addendum authorizes land use for the installation of gathering pipelines connecting the Charles Blackhawk #31-30H wells to the permitted Goodbird #36-25H/Black Hawk #1-12H gathering 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 (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.

Tim LaPointe

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)
Michael Madson, SWCA (with attachment)
Jonathon Shelman, Corps of Engineers
Jeff Hunt, Fort Berthold Agency

Finding of No Significant Impact

Dakota-3 E&P Company, LLC

Addendum to Environmental Assessment to Authorize Land Use for the Installation of Gathering Pipelines Connecting the Charles Blackhawk #31-30H Wells to the Permitted Goodbird #36-25H/Black Hawk #1-12H Gathering Pipeline System

Fort Berthold Indian Reservation
Dunn County, North Dakota

The U.S. Bureau of Indian Affairs (BIA) has received a proposal to authorize land use for the installation of gathering pipelines connecting the Charles Blackhawk #31-30H wells to the permitted Goodbird #36-25H/Black Hawk #1-12H gathering pipeline system on the Fort Berthold Indian Reservation (FBIR). Developments have been proposed across land held in trust by the United States in Dunn County, North Dakota. The proposed pipelines would be located on trust land originating from the northeast side of the well pad in the SW¼ of Section 31, Township 148 North , Range 93 West, 5th Prime Meridian, Dunn County, ND, and run northwest, terminating at the approved Goodbird #36-25H/Black Hawk #1-12H gathering pipeline system (tie in) in the NE¼ of Section 36, Township 148North, Range 93West, 5th P.M. 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 Tim Lonbaker
Regional Director

2-22-12
Date

ENVIRONMENTAL ASSESSMENT
Addendum

United States Bureau of Indian Affairs

Great Plains Regional Office
Aberdeen, South Dakota

WPX Energy Williston, LLC

Addendum to Environmental Assessment to Authorize Land Use for the Installation of Gathering Pipelines Connecting the Charles Blackhawk #31-30H Wells to the Permitted Goodbird #36-25H/Black Hawk #1-12H Gathering Pipeline System

Fort Berthold Indian Reservation

February 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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Appendix

A. Pipeline Layout Plats for the Proposed Charles Blackhawk #31-30H Gathering Pipelines

1. Purpose and Need for the Proposed Action

The purpose of the proposed action is to authorize the land use by WPX Energy Williston, LLC (WPX) 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 Charles Black Hawk #31-30H wells to the approved Goodbird #36-25H/Black Hawk #1-12H gathering pipeline system which will transport produced materials to the Tri-Unit production and storage facility. Buried electric and fiber optic lines will 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 (ND). The Bureau of Indian Affairs (BIA) is the surface management agency for potentially affected tribal lands and 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 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 proposed pipelines would be located on trust land originating from the northeast side of the well pad in the SW¼ of Section 31, Township (T) 148 North (N), Range (R) 93 West (W), 5th Prime Meridian (P.M.), Dunn County, ND, and run northwest, terminating at the approved Goodbird #36-25H/Black Hawk #1-12H gathering pipeline system (tie in) in the NE¼ of Section 36, T148N, R93W, 5th P.M. (Figure 1). This location is approximately 13 miles southeast of Mandaree, ND.

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 steel. The water pipeline would also be no greater than 8 inches in diameter and constructed of Fiberspar® or similar material. Technical descriptions for the materials, corrosion rates, spill response plans, pipeline marking procedures, quality assurance/control, valve locations, boring locations, and reclamation plans are specific to Arrow Pipeline, LLC (Arrow).

Approximately 2,702.72 feet of oil, gas, and produced water pipe would be needed to complete the connection from the utility corridor to the tie in. All construction disturbances would occur within a 130-foot-wide ROW, which has been surveyed for impacts to natural and cultural resources with no significant findings. In total, approximately 8.07 acres will be disturbed as a result of activities associated with the construction of the proposed gathering pipeline. Pipeline plats are provided in Appendix A.

5. Materials Information and Corrosion Rates

WPX proposes to construct the oil, gas, and produced water pipelines according to the specifications used by Arrow Pipeline, LLC (Arrow). These specifications may vary if WPX uses different materials and methods to install the pipelines. If the technical specifications of the materials vary from those contained herein, WPX will provide the BIA with a revised technical specification explanation that contains the same or similar information as disclosed below.

Steel Pipe

Oil and gas pipelines would be constructed using new steel pipe rated by the American Petroleum Institute (API) as 5L X52. Each steel pipe segment is coated with approximately 14 to 16 millimeters of fusion bonded epoxy coating. Further, an active cathodic protection system would be installed for all steel pipes, further reducing the likelihood of external corrosion. Each steel pipe segment would be allotted a 1/16-inch corrosion allowance; however, because of the non-corrosive nature of Bakken crude and the low concentrations of hydrogen sulfide, WPX 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

Produced water pipelines would be constructed 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[1]) 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 plan, apply to the proposed pipelines, so long as Arrow remains the operator. 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

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

[CFR] 194). A project specific spill response plan will be submitted to the BIA prior to the commencement of construction activities.

7. Pipeline Marking Procedures

Pipeline markers would be placed 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

New steel pipe, rated as API 5L X52, would be purchased and inspected at the mill to ensure quality. Quality control inspectors ensure that external epoxy coating is applied to a minimum thickness of 14 millimeters on all purchased steel pipe. 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 pad location while the second valve would be installed at the proposed tie-in. The installation of two valves would allow the proposed gathering pipelines to be isolated if required.

10. Reclamation

Interim Reclamation

Reclamation would continue over the life of the gathering line and would include the return of topsoil, and contouring and seeding of native vegetation. Initial reclamation would be required 6 months after construction, if environmentally feasible, and then following any maintenance work or additions of infrastructure. Reclamation would be required before final abandonment of the decommissioned gathering line. A successful reclamation would at all times be the responsibility of the operator.

The portions of the gathering line not used for functionality would be back-filled, assuming frozen or saturated soils are not present. Topsoil piles would be stored on site during construction. If construction is to occur during winter, non-frozen back-fill soil will be used to the extent possible and the ROW will be covered with straw. Topsoil would be 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 gathering line 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 gathering pipeline ROW would be covered with stockpiled topsoil and reseeded with a seed mixture determined by the BIA. Noxious weeds would be controlled within the ROW by approved chemical or mechanical methods. If seeding of the ROW does not occur due to growing season constraints, approved weed-free hay will be distributed 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. 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 and work areas would be leveled or backfilled as necessary, scarified, recontoured, and seeded.

11. Resource Surveys

SWCA Environmental Consultants (SWCA) conducted natural resource surveys for wetlands, threatened and endangered species and habitat, migratory birds and active nests, and bald and golden eagles and their nests at the well pad location and surrounding area on October 10, 2011. BIA Environmental Specialist Chris McLaughlin approved the location of the proposed pipelines on October 11, 2011. Both migratory bird and potential golden eagle foraging habitat were observed in this area. In addition, surveys conducted in October and November of 2010 provided coverage of portions of the ROW.

A cultural resource inventory of this pipeline route was conducted by personnel of SWCA Environmental Consultants, using an intensive pedestrian methodology. Approximately 16.54 acres were inventoried on October 10, 2011 (Reinhart 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 January 18, 2012; however the THPO did not respond within the allotted 30 day comment period.

Reinhart, Damien S.

(2012)A Class I and Class III Cultural Resource Inventory of the Charles Black Hawk #31-30H Gathering Pipeline, Fort Berthold Indian Reservation, Dunn County, North Dakota. SWCA Environmental Consultants for WPX Energy Williston, LLC, Tulsa, OK.

12. Potential Effects to Cultural and Natural Resources

Potential direct impacts to cultural resources would occur as a result of disturbance and/or the loss of sites eligible for the NHPA. 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, such as using secondary containment on areas where there are steep inclines and drainages, and using matting and straw waddles on those steep areas during construction to minimize erosion. Specifically, the southern edge of the well pad expansion area is near a drainage. Straw waddles would be placed, and matting would be installed, so as to prevent erosion into this drainage. In addition to the berm added as standard BMP, secondary containment in the form of fill would be placed to prevent any event from moving off site.

In total, construction activities would disturb approximately 8.07 acres. Potential indirect effects of the proposal could include release of sediment or fluids from the well pad, construction noise or traffic disturbance of general wildlife, and possible introduction of noxious weeds. Potential cumulative impacts of the proposal plus other foreseeable future oil and gas development on the Fort Berthold Indian Reservation could include habitat fragmentation from construction of other well pads and roads. The cumulative effect of the changed action is anticipated to be negligible. Any potential direct effects would be mitigated by surveying for and avoiding any eligible cultural resource sites; implementing an approved stormwater pollution prevention plan and erosion control devices; avoiding any wetlands and any federally listed threatened or endangered species or designated critical habitat; avoiding nesting migratory birds; and completing reclamation using appropriate native vegetation.

Any potential indirect effects would be mitigated by; stockpiling and re-using topsoil for reclamation; implementing best management practices for controlling introduction of noxious weeds; and minimizing the length of time between pipeline installation and reclamation.

Based on the resource surveys, evaluation of potential effects and mitigation measures, and consistency with the applicable NEPA documents, no significant direct, indirect, or cumulative impacts to natural and cultural resources are anticipated as a result of the changes proposed in this addendum.

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

- Environmental Assessment: Up to 13 Bakken/Three Forks Exploratory Oil and Gas Wells On Three Well Pads: Bird #30-31HC, Charles Blackhawk #31-30HC, Paul Peter Coffee #35HA, #35HC, and #35HD (FONSI November 2011).

- Addendum to Environmental Assessment Authorizing Land Use for Gathering Pipelines Connecting the Good bird #36-25H and Black Hawk #1-12H Wells to the Arrow Phase 2 SE Pipeline (FONSI November 2011)

NEPA Adequacy Criteria

This document has identified one previously prepared NEPA document, 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.

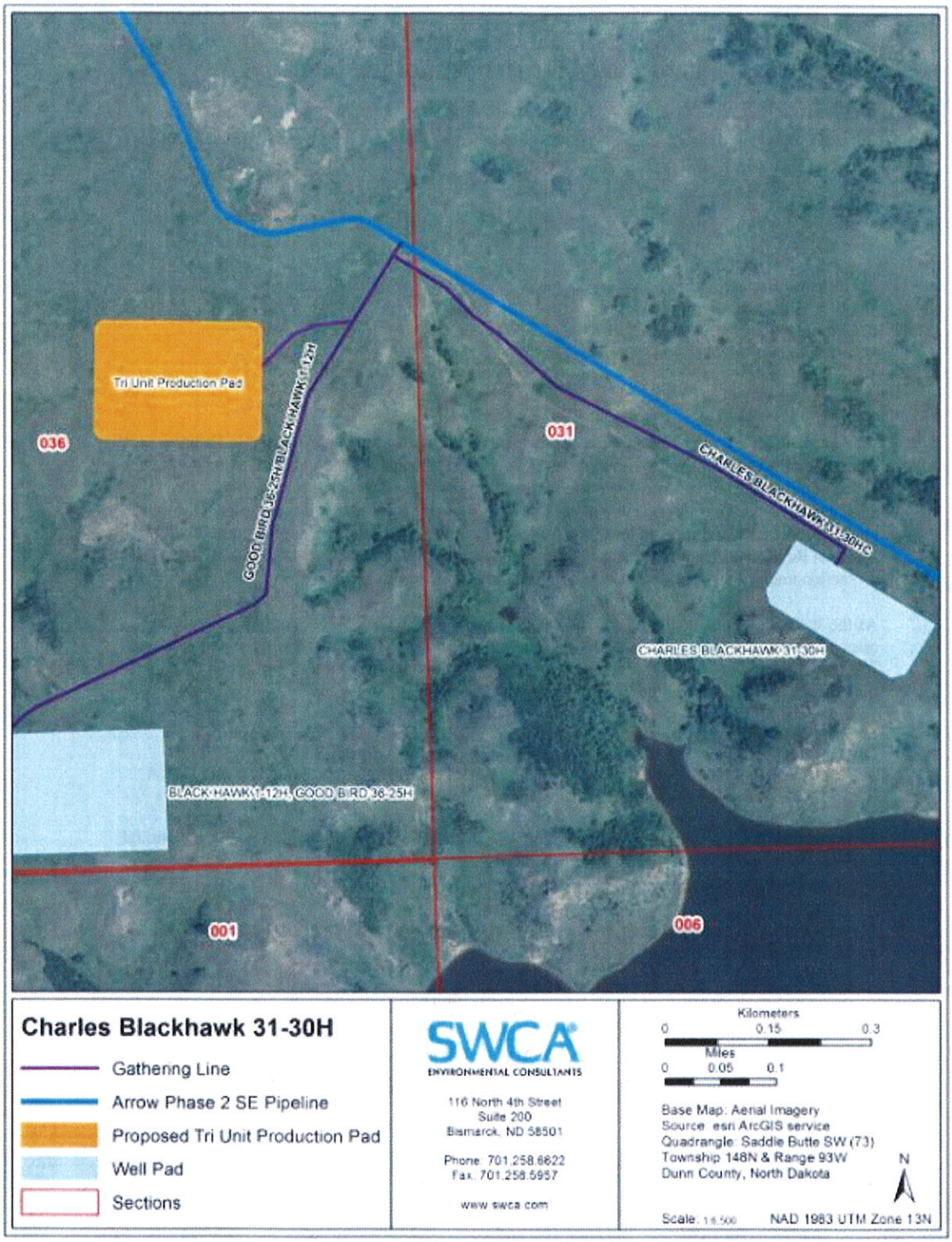


Figure 1. Charles Black Hawk #31-30H well pad and proposed gathering pipelines location.

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

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
DESCRM
MC-208

JAN 18 2012

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

Dear Mr. Crows Breast:

We have considered the potential effects on cultural resources of a gathering line in Dunn County, North Dakota. Approximately 16.54 acres were intensively inventoried using a pedestrian methodology. Potential surface disturbances are not expected to exceed the area depicted in the enclosed report. No historic properties were located that appear to possess the quality of integrity and meet at least one of the criteria (36 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-2054/FB/12**, the proposed undertaking, location, and project dimensions are described in the following report:

Reinhart, Damien S.
(2011) A Class I and Class III Cultural Resource Inventory of the Charles Black Hawk #31-30H Gathering Pipeline, Fort Berthold Indian Reservation, Dunn County, North Dakota. SWCA Environmental Consultants for WPX Energy Williston, 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,

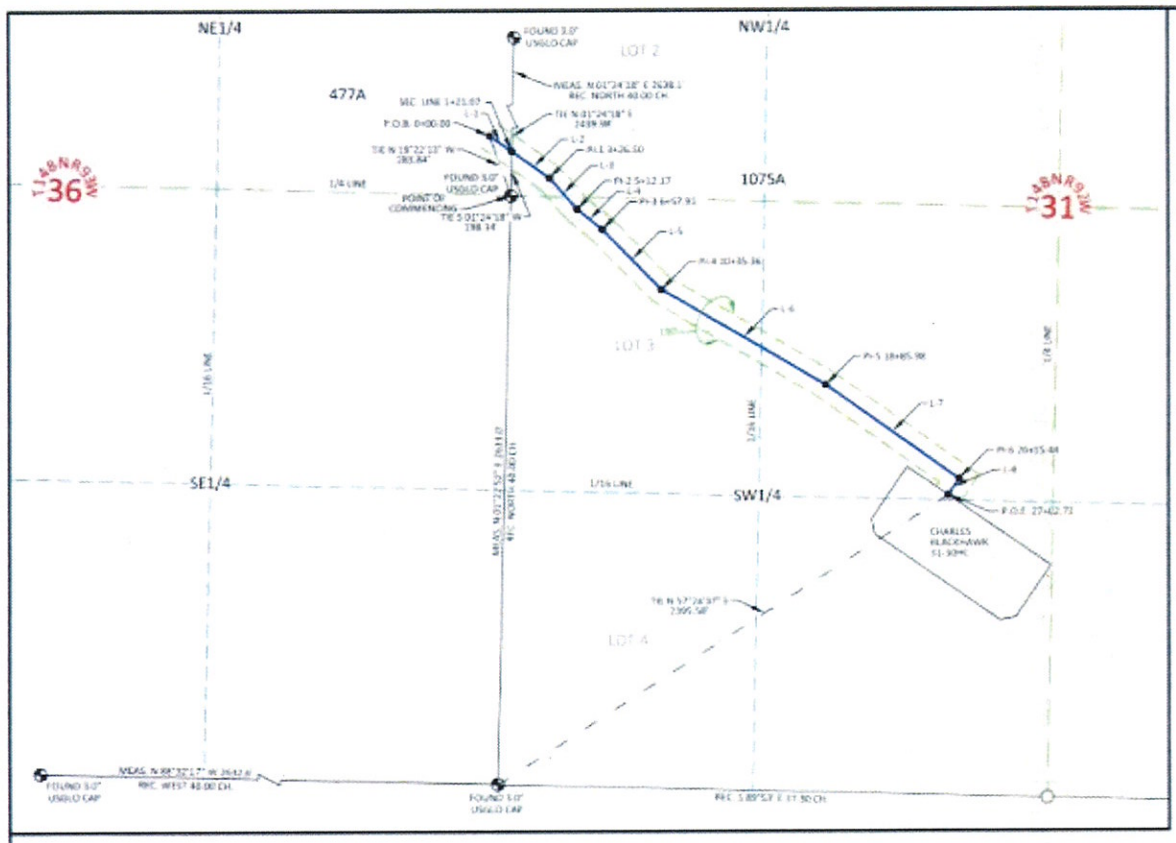
ACTING Regional Director

Enclosure

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

APPENDIX A

Pipeline Layout Plats for the Proposed Charles Black Hawk #31-30H Gathering Pipelines



DAKOTA-3 E&P COMPANY, LLC
PAD, ROAD, PIPELINE, UTILITY, FIBER OPTIC, & ABOVE GROUND APPURTENANCES RIGHT-OF-WAY ON TRIBAL LANDS
(FOR CHARLES BLACKHAWK 31-30HC)

A strip of land located in the Southeast quarter (SE1/4) of the Northeast quarter (NE1/4) of Section 36, Township 148 North, Range 93 West, Lots 2 and 3, and the East half (E1/2) of the Southwest quarter (SW1/4) of Section 31, Township 148 North, Range 92 West, of the 5th Principal Meridian, Dunn County, State of North Dakota, being one hundred thirty feet (130') in width, lying sixty five feet (65') on each side of the following described center line:

Commencing at the East quarter (E1/4) Corner of Section 36, Township 148 North, Range 93 West (Found 3.0" USGLO Brass Cap), thence North 19°22'13" West, a distance of 283.84 feet to the POINT OF BEGINNING;

thence, South 54°51'12" East a distance of 121.07 feet (Sta. 1+21.07), to a point being on the East line of the Northeast quarter of said Section 36 from which the East quarter corner of said section 36 bears South 01°24'18" West a distance of 198.14 feet;
thence, South 54°51'12" East a distance of 205.43 feet (Sta. 3+26.50);
thence, South 41°06'32" East a distance of 185.67 feet (Sta. 5+12.17);
thence, South 50°51'38" East a distance of 145.74 feet (Sta. 6+57.91);
thence, South 44°34'00" East a distance of 377.45 feet (Sta. 10+35.36);
thence, South 59°44'59" East a distance of 850.62 feet (Sta. 18+85.98);
thence, South 54°49'59" East a distance of 729.46 feet (Sta. 26+15.44);
thence, South 34°09'15" West a distance of 87.28 feet (Sta. 27+02.72); to the POINT OF ENDING; said ending point being located North 57°24'37" East a distance of 2395.58 feet from the Southwest Corner of Section 31, Township 148 North, Range 92 West (Found 3.0" USGLO Brass Cap).

Said centerline is 2702.72 feet or 163.80 rods and contains 8.07 Acres more or less.

Bearings are grid bearings based on the North Dakota State Plane Coordinate System South Zone NAD 83 from GPS observations, occupying a WHS control point (5/8" rebar) and having the Location and Elevation derived from an OPUS Solution.
Control Point is located North 20°05'25" West 1149.6 ft. from the East quarter Corner of Section 36, T148N R93W of the 5th P.M.

Distances shown are Ground Distances using a combined scale factor of 1.0000846562

Location shown here on is not an "ASBUILT" location.

SURVEYOR'S CERTIFICATE

William H. Dolezar states he is by occupation a Registered Land Surveyor employed by Dakota-3 E&P Company LLC to make the survey of the right-of-way as described and shown on this map. That the survey of said work was made under his supervision and authority, commencing on the 24th day of August, 2011, and that such survey is accurately represented upon this map.

REGISTERED LAND SURVEYOR WILLIAM H. DOLEZAR LS-6550 12/01/11 NORTH DAKOTA "SEAL"

LEGEND:
- FOUND MONUMENT
- MONUMENT NOT FOUND OR SEARCHED
- POINT OF INTERSECTION
- CENTER LINE OF R-O-W
- EDGE OF R-O-W

DISTURBANCE SUMMARY

ALLOTEE 477A R-O-W DISTURBANCE	0.36 ACRES
ALLOTEE 1075A R-O-W DISTURBANCE	7.71 ACRES
TOTAL DISTURBANCE R-O-W DISTURBANCE	8.07 ACRES

RIGHT-OF-WAY LENGTHS

ALLOTEE	FEET	ACRES	RODS
477A - SE1/4 NE1/4 SEC. 36	121.07	0.36	7.34
1075A - LOTS 2 & 3, NE1/4 SW1/4 SEC. 31	2581.65	7.71	156.46

LINE TABLE

PI #	STATION
P.O.B	0+00.00
SEC. LINE	1+21.07
PI-1	3+26.50
PI-2	5+12.17
PI-3	6+57.91
PI-4	10+35.36
PI-5	18+85.98
PI-6	26+15.44
P.O.E	27+02.72

LINE	BEARING	DISTANCE
L-1	S 54°51'12" E	121.07
L-2	S 54°51'12" E	205.43
L-3	S 41°06'32" E	185.67
L-4	S 50°51'38" E	145.74
L-5	S 44°34'00" E	377.45
L-6	S 59°44'59" E	850.62
L-7	S 54°49'59" E	729.46
L-8	S 34°09'15" W	87.28

WILLIAM H. SMITH & ASSOCIATES P.C.
SURVEYING CONSULTANTS

PAD, ROAD, PIPELINE, UTILITY, FIBER OPTIC, & ABOVE GROUND APPURTENANCES RIGHT-OF-WAY ON TRIBAL LANDS

DAKOTA-3 E&P COMPANY LLC

DRAWN BY: CEO | CHECKED BY: WHD
PROJECT NO: N/A | JOB NO: 2011500
SCALE: 1"=500'
DATE: 12/01/2011 | SHEET 1 OF 1
REVISIONS

CONFIDENTIALITY NOTES

The information contained in this plat is legally privileged and confidential information intended only for the use of the recipients. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this information is strictly prohibited.

Notice of Availability and Appeal Rights

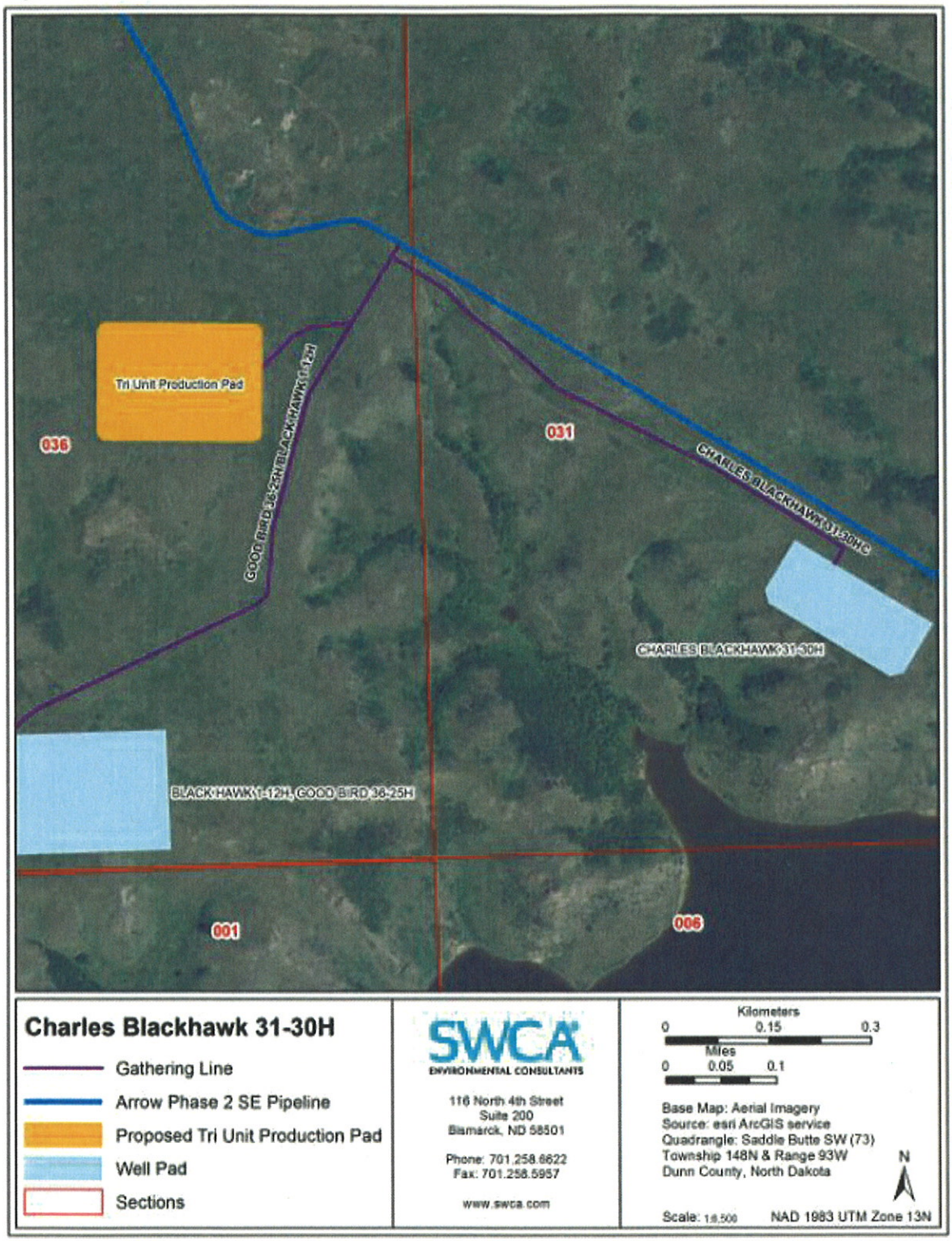
Dakota-3 E&P: Addendum to Environmental Assessment to Authorize Land Use for the Installation of Gathering Pipelines Connecting the Charles Blackhawk #31-30H Wells to the Permitted Goodbird #36-25H/Black Hawk #1-12H Gathering Pipeline System

The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to an Addendum to Authorize Land Use for the Installation of Gathering Pipelines Connecting the Charles Blackhawk #31-30H Wells to the Permitted Goodbird #36-25H/Black Hawk #1-12H Gathering Pipeline System on the Fort Berthold Reservation as shown on the attached map. Construction by Dakota-3 E&P Resources 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 March 22, 2012, by contacting:

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

Procedural details are available from the BIA Fort Berthold Agency at 701-627-4707.

Project locations.