



# 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 authorized land use for the well pad expansion of Adam Good Bear #15-22H well 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.

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)  
Ryan, Carlson McCain (with attachment)  
Eric Wortman, EPA, (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  
Well Pad Expansion of Adam Good Bear #15-22H***

***Fort Berthold Indian Reservation  
Mountrail County, North Dakota***

The U.S. Bureau of Indian Affairs (BIA) has received a proposal for an addendum to the above referenced Environmental Assessment (EA). The purpose of the proposed action is to authorize Dakota-3 E&P to expand the previously approved well pad for the Adam Good Bear #15-22H well bore an additional 200 feet on the west side of the original pad. The pad expansion will allow for two additional well bores (Adam Good Bear #15-22HX and Adam Good Bear #15-22HW) to be drilled on the site. Associated federal actions by BIA include determinations of impacts and effects regarding environmental resources and positive recommendations to the Bureau of Land Management regarding the Applications for Permit to Drill.

The potential of the proposed action to impact the human environment is analyzed in the following Environmental Assessment (EA), as required by the National Environmental Policy Act. Based on the EA, I have determined that the proposed project will not significantly affect the quality of the human or natural 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 action and the No Action alternatives.
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.) (MBTA), the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.) (NEPA), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250) (BGEPA), Executive Order 13186 "Responsibilities of Federal Agencies to Protect Migratory Birds", and the Endangered Species Act (16 U.S.C. 1531 et seq.) (ESA).
4. The proposed action is 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 project will improve the socio-economic condition of the affected Indian community.

ACTING Marilyn Berry  
Regional Director

Date 1/25/12

**ENVIRONMENTAL ASSESSMENT**  
Addendum

United States Bureau of Indian Affairs

Great Plains Regional Office  
Aberdeen, South Dakota



Dakota-3 E&P Company, LLC

Addendum to Environmental Assessment to Authorize  
Well Pad Expansion of Adam Good Bear #15-22H

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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## Appendices

### APPENDIX A

Plats, Drawings, and Diagrams for the Revised Adam Good Bear #15-22H Well Pad

## **1.0 Purpose and Need of Action**

Dakota-3 E&P Company, LLC (Dakota-3 E&P), a subsidiary of Williams, is proposing to drill additional horizontal oil and gas wells on the Fort Berthold Indian Reservation to develop the commercial potential of natural resources. Developments have been proposed on land held in trust by the United States in Mountrail County, North Dakota. The Bureau of Indian Affairs (BIA) is the surface management agency for potentially affected tribal lands and individual allotments. The BIA also holds title to subsurface mineral rights. 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.

The purpose of the proposed action is to authorize Dakota-3 E&P to expand the previously approved well pad for the Adam Good Bear #15-22H well bore an additional 200 feet on the west side of the original pad (Figure 1). The pad expansion will allow for two additional well bores (Adam Good Bear #15-22HX and Adam Good Bear #15-22HW) to be drilled on the site.

The Adam Good Bear will connect to the Van Hook Gathering System as specifically outlined in the Central VHGS Environmental Assessment Addendum (VHGS, 2011). All procedures and commitments made therein will be adhered to. No additional right-of-way space is needed.

## **2.0 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.).

## **3.0 Legal Land Descriptions of Proposed Action**

The Adam Good Bear #15-22H well pad is located in the northwest ¼ of the northwest ¼ of Section 15, Township 150 North, Range 92 West, in Mountrail County, North Dakota.

## **4.0 Scope of Work for Proposed Action**

Dakota-3 E&P proposes to expand the approved well pad working surface for the Adam Good Bear #15-22H approximately 280 feet to the south. The original proposed pad site and access road have been built and interim reclamation has occurred. The proposed expansion area is partially reclaimed from original pad construction and the rest is native prairie pasture. The new total pad surface use (total surface disturbance) for the three well bores will be 9.6 acres. Interim reclamation will reduce the pad size to approximately 3.0 acres or just over 1.0 acres per well. Differing from the original EA, Dakota-3 E&P has committed to drilling these wells with a closed-loop drilling system. No cuttings or fluids pit will be constructed on pad site.

Additional heater treaters and tanks will be erected near existing facilities on the pad and containment structures expanded.

## 5.0 Cultural and Natural Resource Surveys

Carlson McCain was the lead for the natural resource evaluation with cultural resource surveys conducted by SWCA Environmental Consultants (SWCA). Additional resource surveys of the proposed expanded site were performed on July 20, 2011. Right-of-Way on-site inspection with final plats was conducted on October 17, 2011, confirming the plan discussed at original onsite and presented within this addendum.

A cultural resource inventory of this well pad and utility corridor expansion was conducted by personnel of SWCA Environmental Consultants, using an intensive pedestrian methodology. Approximately 73.76 acres were inventoried on July 20, 2011 (Yost et al. 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 14, 2011; however, the THPO did not respond within the allotted 30 day comment period.

The proposed well pad expansion area is located in native prairie pasture. The area is currently used as a horse pasture and at the time of on-site investigation, residual cover was high. Western wheatgrass (*Agropyron smithii*), needle-and-thread (*Stipa viridula*), needle-and-thread (*Stipa comata*) with invading Kentucky bluegrass (*Poa pratensis*) dominated the lower portions of the area. Blue gramma (*Bouteloua gracilis*) and threadleaf sedge (*Carex filifolia*) are the dominant grass species found on the higher hillside. Infestation of yellow sweet clover (*Melilotus officinalis*) was evident along with scattered forb species across the site including fringed sagebrush (*Artemisia frigida*), purple prairie clover (*Dalea purpureum*), purple coneflower (*Echinacea angustifolia*), ground plum (*Astragalus crassicaarpus*), silver leaf scurfpea (*Psoralea argophylla*), green milkweed (*Asclepias viridiflora*), skeleton weed (*Lygodesmia juncea*), and the occasional bull thistle (*Cirsium vulgare*). Field bindweed (*Convolvus arvensis*) was growing on the topsoil pile.

Wildlife species surveys conducted did not reveal any nesting migratory birds or raptors at this time largely due to timing of survey. Suitable raptor and migratory bird nesting habitat is found across the area and 5-day pre-construction migratory bird survey will be conducted if site is to be built between February 1 and July 15.

Surface water runoff at the Adam Good Bear #15-22H well site will flow overland 650 feet to the southwest before reaching Little Shell Creek. Little Shell Creek then meanders approximately 1.7 miles to the south and east before reaching the shores of Lake Sakakawea.

An 18-inch containment berm will be built on top of the pad to contain surface water from transferring off of the pad during drilling. Dakota-3 E&P and BIA resource officers will conduct monitoring of berm and all other potential erosion areas periodically to ensure proper functioning condition. Topsoil depth across site is approximately six inches. Topsoil stockpiles will be expanded around the east and south side of the pad to aid in water diversion. Spoil piles will be placed on west side to act as secondary containment.

It is BIA policy and Dakota-3 E&P is committed to good faith efforts toward interim reclamation to start within six months of the additional disturbance. The 18-inch containment berm will remain and continue to divert water around the pad after interim reclamation. Use of BMPs (soil compaction, berms, straw matting, wattles, fabric etc.) will be used to reduce erosion potential. Indefinite monitoring of seeding success and weed species control and maintenance will occur as needed to maintain environmental protections.

Dakota-3 E&P will drill these wells with a closed-loop drilling system. No cuttings or fluids pit will be constructed on the well pad. Cuttings and fluids will be contained in tanks and periodically removed and disposed of at approved waste disposal facilities.

## **6.0 Applicable National Environmental Policy Act (NEPA) Document(s)**

*Environmental Assessment: Zenergy Operating Company, LLC, D-3 Adam Good Bear #15-22H, D-3 Mandan #13-14H, D-3 Skunk Creek #1-12H. December, 2009. Finding of No Significant Impact: Zenergy Operating Company, LLC, D-3 Adam Good Bear #15-22H, D-3 Mandan #13-14H, D-3 Skunk Creek #1-12H. January 2010.*

## **7.0 Other Relevant Documentation**

VHGS, 2011. Environmental Assessment Addendum: Dakota-3 Exploration and Production, LLC, Central Van Hook Gathering System (VHGS) Report submittal to BIA: November, 2011

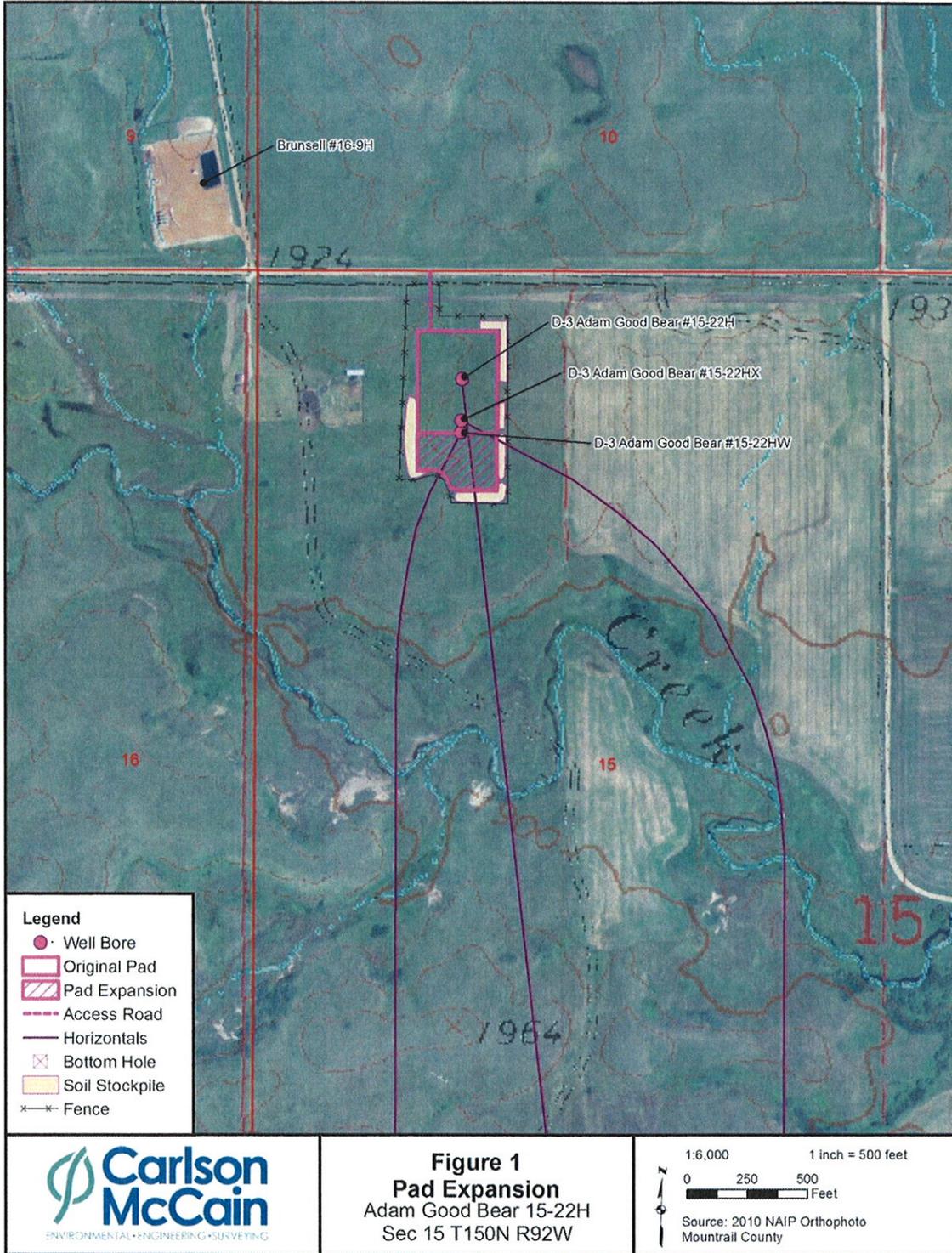
Yost, 2011. A Class I and Class III Cultural Resource Inventory of the Adam Good Bear #15-22H Well Pad Expansion and Utility Corridor, Fort Berthold Indian Reservation, Mountrail County, North Dakota. Report submittal to BIA: December 6, 2011.

## **8.0 NEPA Adequacy Criteria**

This document has identified a previously prepared NEPA document *Environmental Assessment: Zenergy Operating Company, LLC, D-3 Adam Good Bear #15-22H, D-3 Mandan #13-14H, D-3 Skunk Creek #1-12H (December, 2009)*, 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. Adam Good Bear #15-22H Pad Expansion

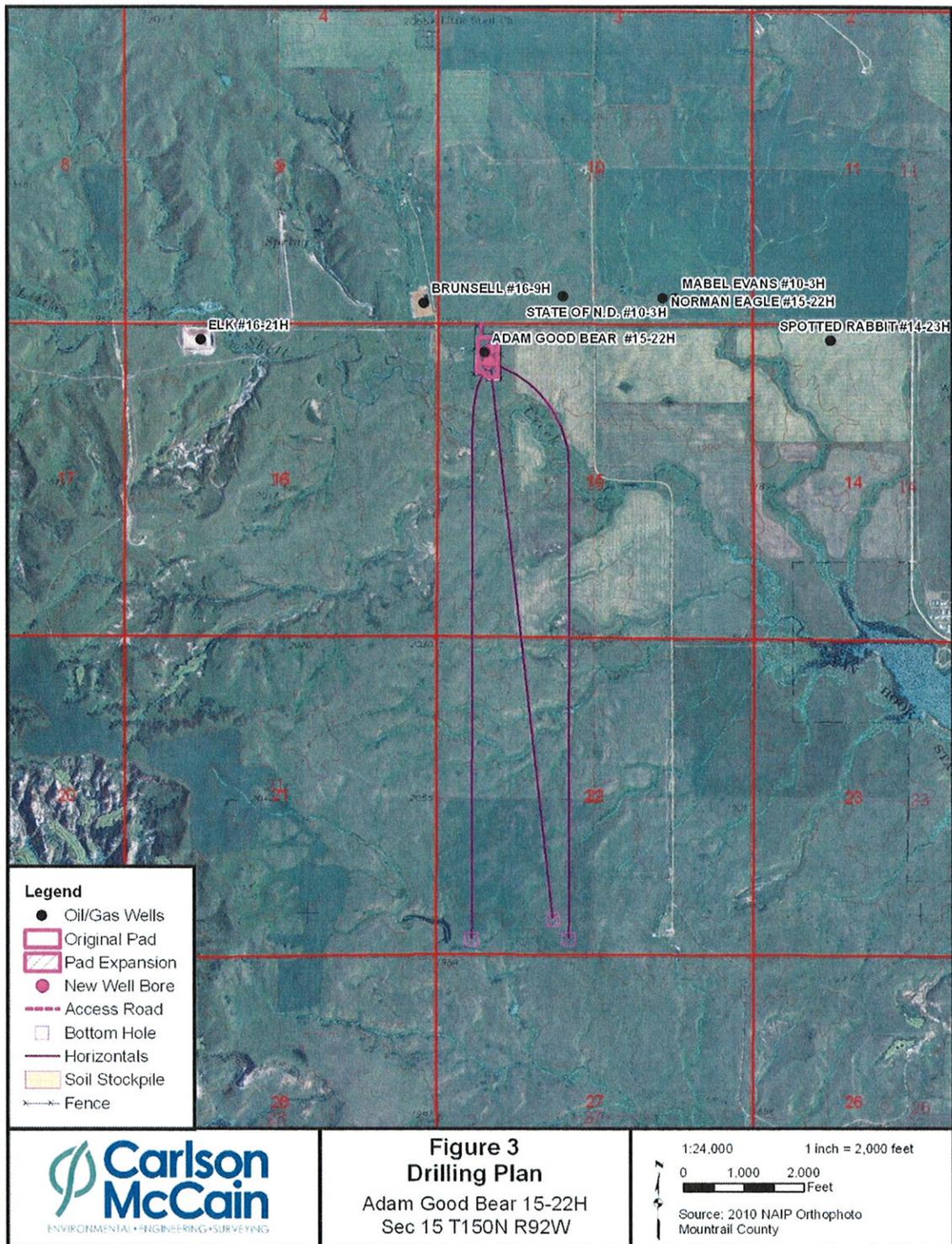


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Figure 2. Photograph of expansion area in native prairie pasture south of existing pad.



Figure 3. Adam Good Bear #15-22H Drill Plan



R:\projects\W113461 - Adam Good Bear 15-22H expansion\maps\10\_3 Adam Good Bear #15-22H Drill Plan.mxd

APPENDIX A

Plats, Drawings, and Diagrams for the  
Revised Adam Good Bear #15-22H Well Pad

**DAKOTA-3 E&P COMPANY, LLC**  
**ADAM GOOD BEAR #15-22HX & #15-22HW**  
 LOCATED IN MOUNTRAIL COUNTY, NORTH DAKOTA  
 SECTION 15, T150N, R92W, 5th P.M.

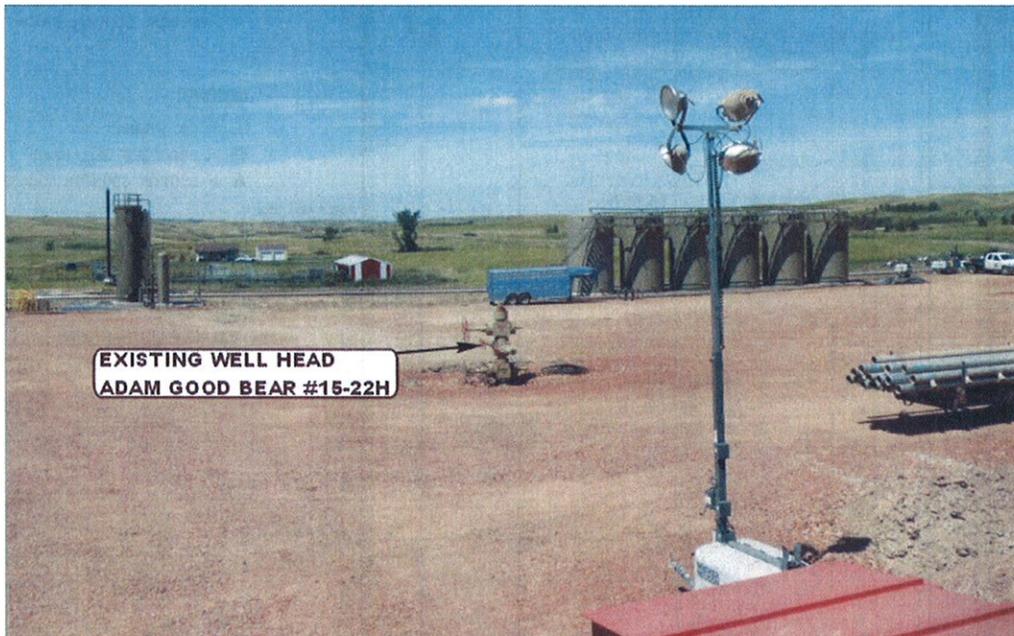


PHOTO: VIEW OF EXISTING WELL HEAD

CAMERA ANGLE: WESTERLY



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

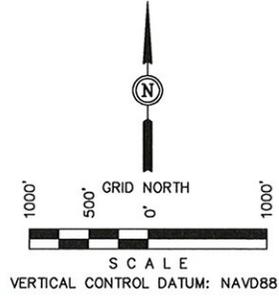
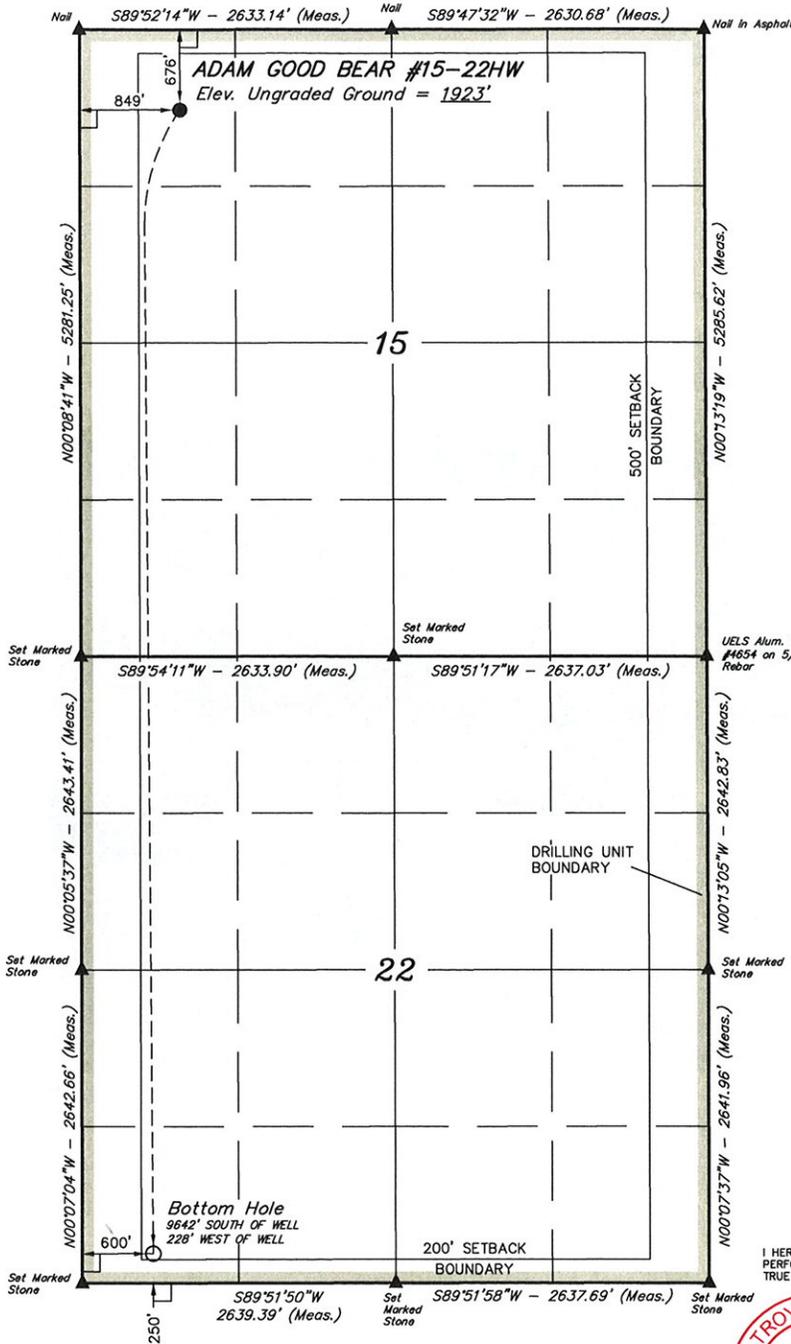
<b>LOCATION PHOTO</b>	<b>12</b>	<b>01</b>	<b>09</b>	<b>PHOTO</b>
	MONTH	DAY	YEAR	
TAKEN BY: T.G.	DRAWN BY: J.H.		REV: 08-05-11 C.A.G.	

# WELL LOCATION PLAT

## T150N, R92W, 5th P.M.

DAKOTA-3 E&P COMPANY, LLC

Well location, ADAM GOOD BEAR #15-22HW, located as shown in the NW 1/4 NW 1/4 of Section 15, T150N, R92W, 5th P.M., Mountrail County, North Dakota.



- LEGEND:**
- └ = 90° SYMBOL
  - = PROPOSED WELL HEAD.
  - ▲ = SECTION CORNERS LOCATED.

NOTE:  
DRILLING PATH HAS BEEN PROVIDED BY DAKOTA-3 E&P COMPANY, LLC.

**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. 4654  
STATE OF NORTH DAKOTA

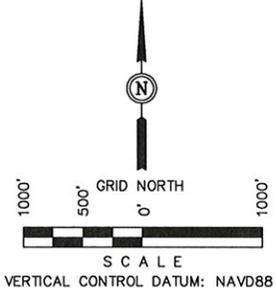
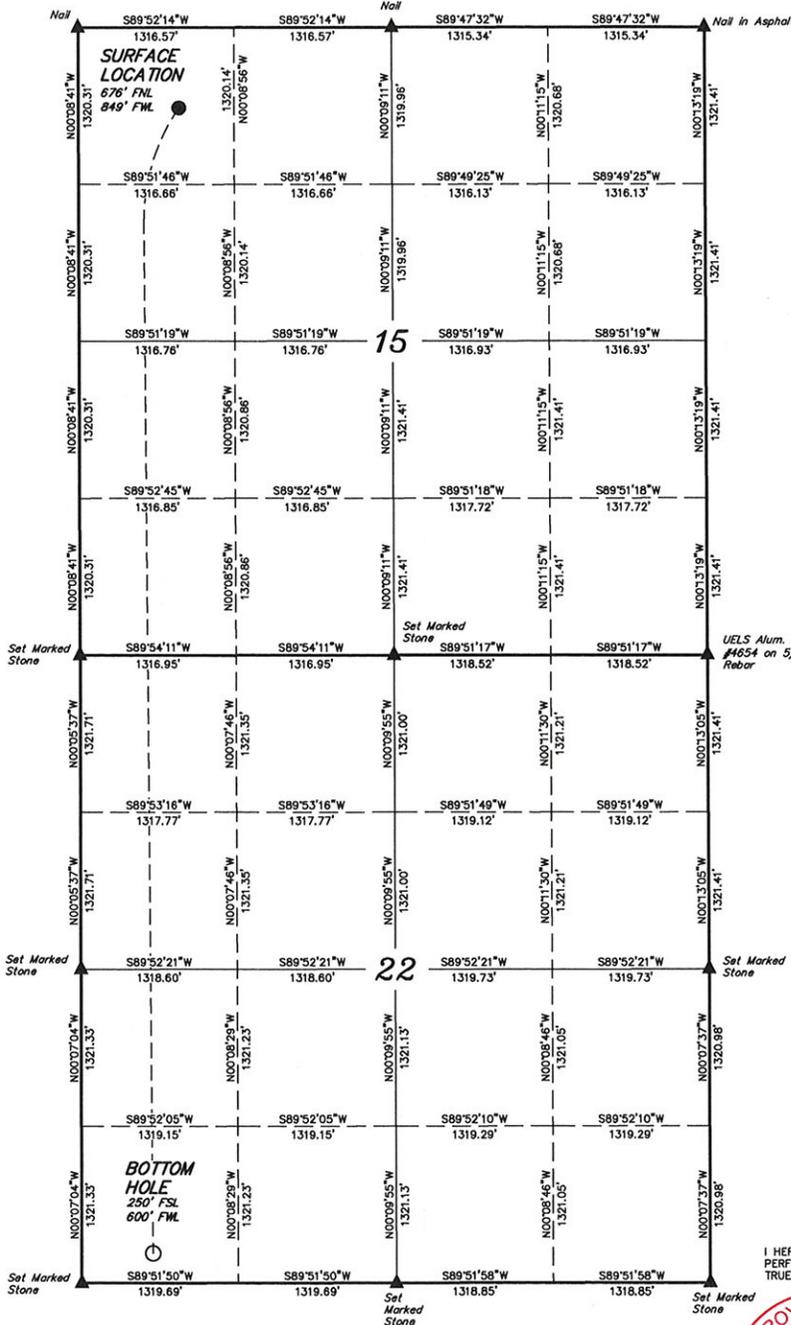
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LONGITUDE = 102°26'51.68" (102.447689)	LONGITUDE = 102°26'48.13" (102.446703)
NAD 27 (TARGET BOTTOM HOLE)	NAD 27 (SURFACE LOCATION)
LATITUDE = 47°47'25.51" (47.790419)	LATITUDE = 47°49'00.85" (47.816847)
LONGITUDE = 102°26'50.02" (102.447228)	LONGITUDE = 102°26'46.47" (102.446242)
NAD 27 UTM 13N (TARGET BOTTOM HOLE)	NAD 27 UTM 13N (SURFACE LOCATION)
N: 17375108.56 E: 2267696.20	N: 17384751.99 E: 2267619.97

<b>UINTAH ENGINEERING &amp; LAND SURVEYING</b> 85 SOUTH 200 EAST - VERNAL, UTAH 84078 (435) 789-1017	
SCALE 1" = 1000'	DATE SURVEYED: 07-22-11
PARTY G.R. D.F. D.P.	DATE DRAWN: 09-14-11
WEATHER 80' CLEAR	REFERENCES G.L.O. PLAT
	FILE DAKOTA-3 E&P COMPANY, LLC

**SECTION BREAKDOWN**  
**T150N, R92W, 5th P.M.**

Well location, ADAM GOOD BEAR #15-22HW,  
located as shown in the NW 1/4 NW 1/4 of  
Section 15, T150N, R92W, 5th P.M., Mountrail  
County, North Dakota.



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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. 4654  
STATE OF NORTH DAKOTA

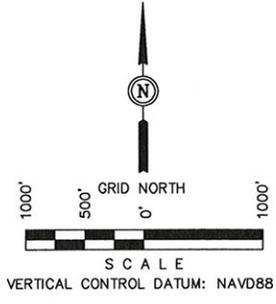
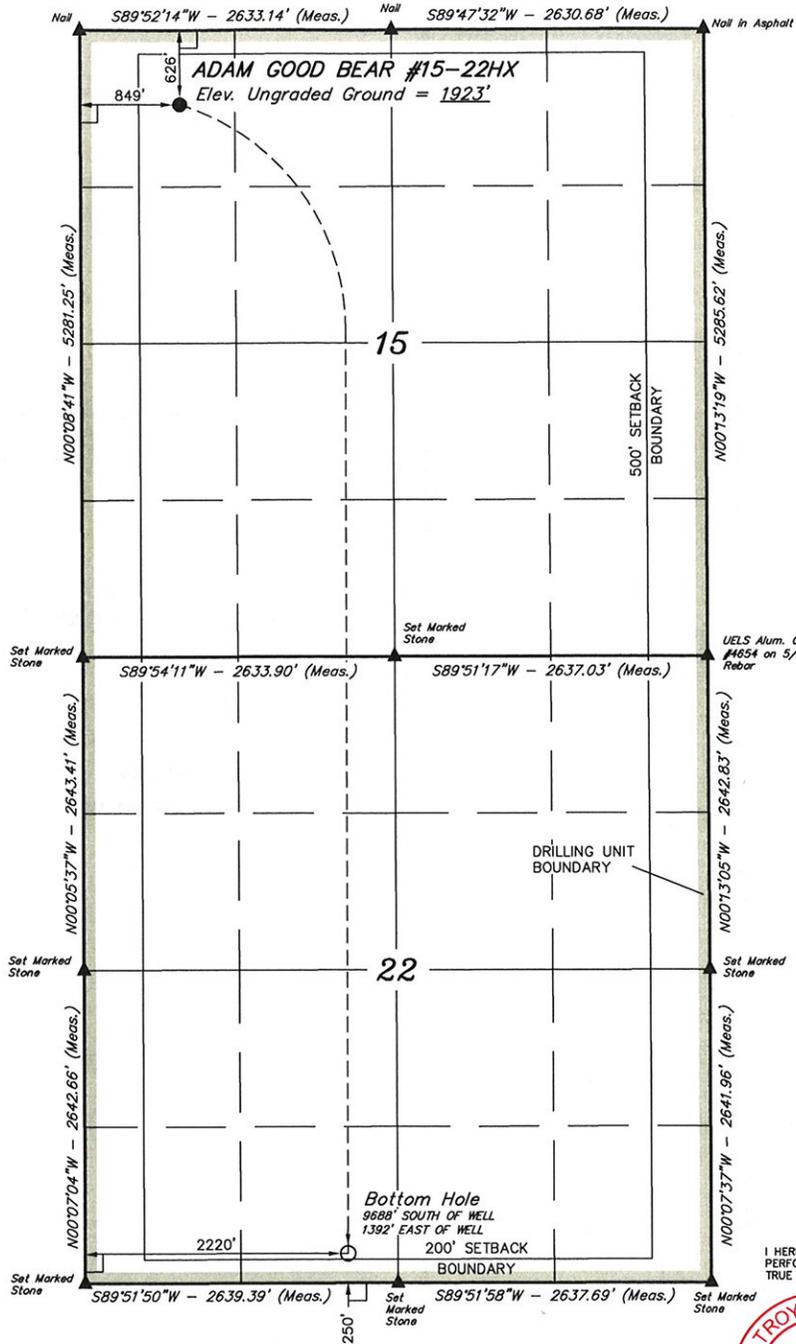
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<b>UINTAH ENGINEERING &amp; LAND SURVEYING</b> 85 SOUTH 200 EAST - VERNAL, UTAH 84078 (435) 789-1017		
SCALE	DATE SURVEYED:	DATE DRAWN:
1" = 1000'	07-22-11	09-14-11
PARTY	REFERENCES	
G.R. D.F. D.P.	G.L.O. PLAT	
WEATHER	FILE	
80' CLEAR	DAKOTA-3 E&P COMPANY, LLC	

**WELL LOCATION PLAT**  
**T150N, R92W, 5th P.M.**

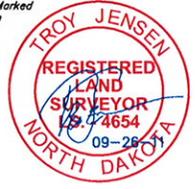
Well location, ADAM GOOD BEAR #15-22HX,  
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 PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS  
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{ derived from: N.G.S. O.P.U.S. Solution REF FRAME: NAD\_83(CORS98)(EPOCH:2002.0000) }

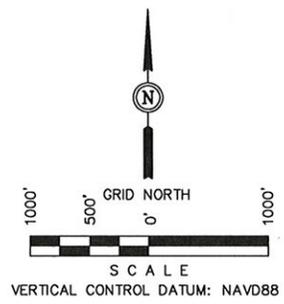
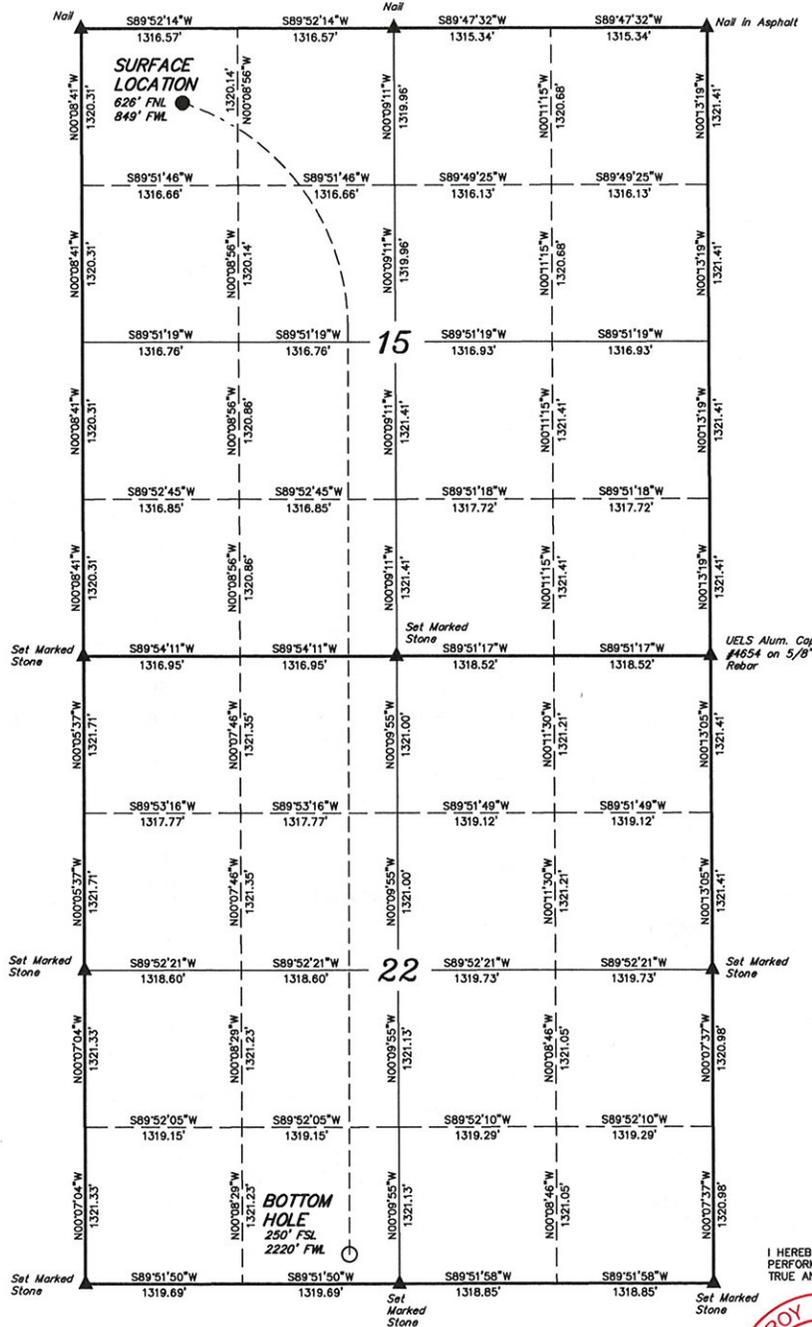
NAD 83 (TARGET BOTTOM HOLE)	NAD 83 (SURFACE LOCATION)
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LONGITUDE = 102°26'27.96" (102.441100)	LONGITUDE = 102°26'48.13" (102.446703)
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LATITUDE = 47°47'25.52" (47.790422)	LATITUDE = 47°49'01.15" (47.816986)
LONGITUDE = 102°26'26.30" (102.440639)	LONGITUDE = 102°26'46.47" (102.446242)
NAD 27 UTM 13N (TARGET BOTTOM HOLE)	NAD 27 UTM 13N (SURFACE LOCATION)
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<b>UINTAH ENGINEERING &amp; LAND SURVEYING</b> 85 SOUTH 200 EAST - VERNAL, UTAH 84078 (435) 789-1017	
SCALE 1" = 1000'	DATE SURVEYED: 07-22-11
PARTY G.R. D.F. D.P.	DATE DRAWN: 09-14-11
WEATHER 80° CLEAR	REFERENCES G.L.O. PLAT
	FILE DAKOTA-3 E&P COMPANY, LLC

# SECTION BREAKDOWN T150N, R92W, 5th P.M.

DAKOTA-3 E&P COMPANY, LLC

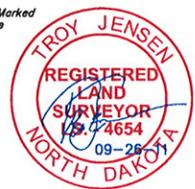
Well location, ADAM GOOD BEAR #15-22HX,  
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Section 15, T150N, R92W, 5th P.M., Mountrail  
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I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS WORK  
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SCALE 1" = 1000'	DATE SURVEYED: 07-22-11	DATE DRAWN: 09-14-11
PARTY G.R. D.F. D.P.	REFERENCES G.L.O. PLAT	
WEATHER 80' CLEAR	FILE DAKOTA-3 E&P COMPANY, LLC	

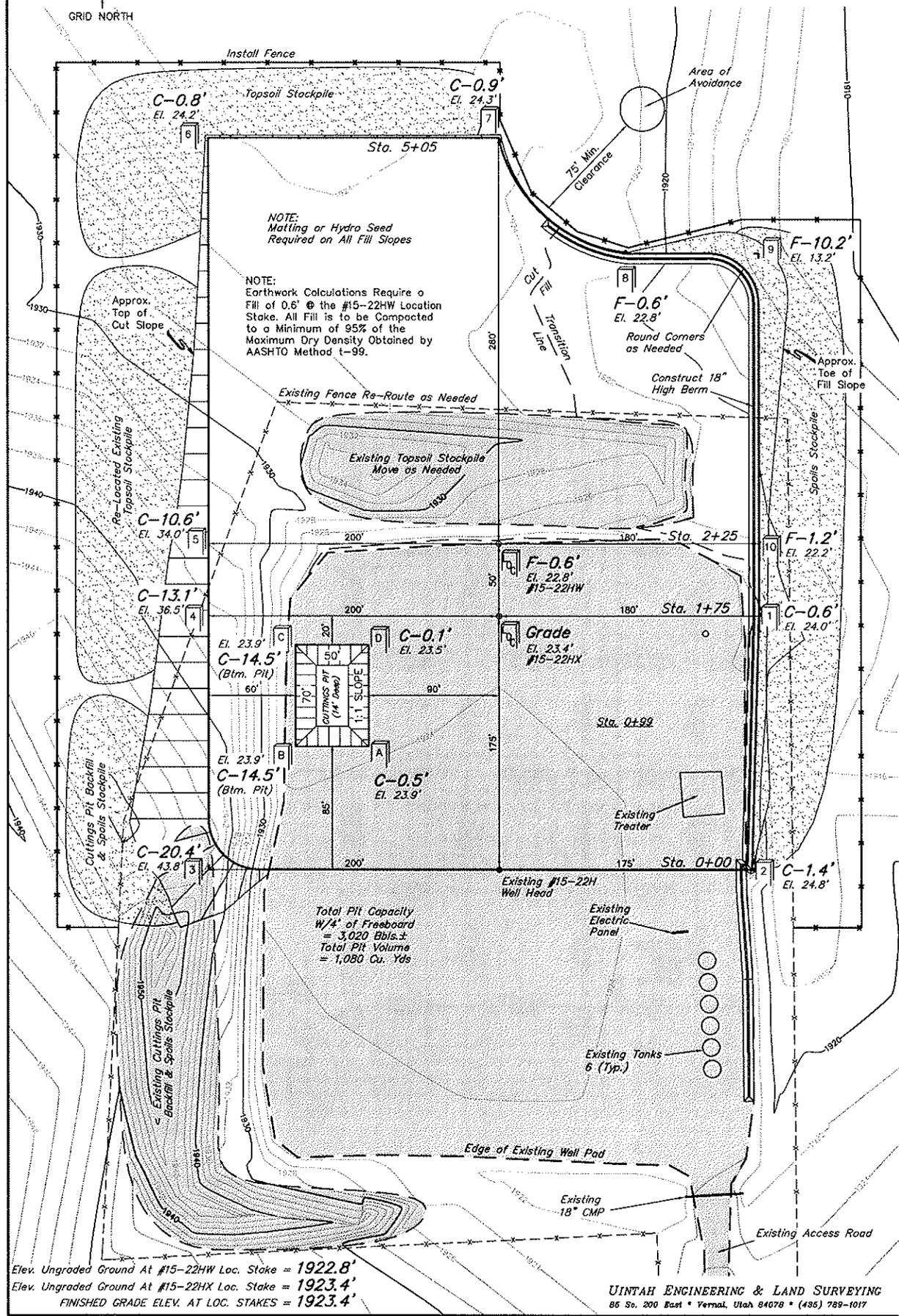
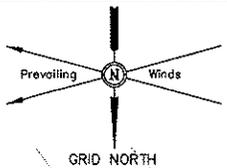
DAKOTA-3 E&P COMPANY, LLC

PAD LAYOUT FOR

ADAM GOOD BEAR #15-22HX & #15-22HW  
SECTION 15, T150N, R92W, 5th P.M.  
NW 1/4 NW 1/4

FIGURE #1

SCALE: 1" = 60'  
DATE: 09-14-11  
DRAWN BY: D.P.

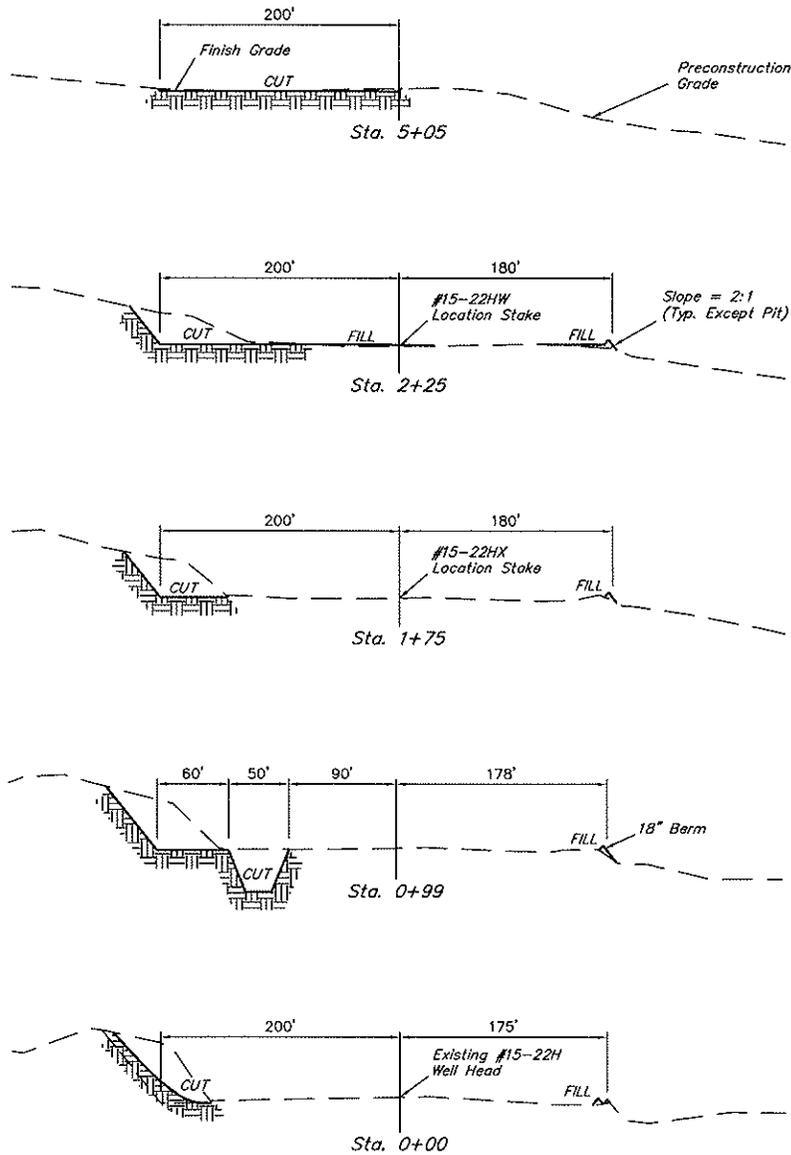


Elev. Ungraded Ground At #15-22HW Loc. Stake = 1922.8'  
Elev. Ungraded Ground At #15-22HX Loc. Stake = 1923.4'  
FINISHED GRADE ELEV. AT LOC. STAKES = 1923.4'

1" = 40'  
 X-Section  
 Scale  
 1" = 100'  
 DATE: 09-14-11  
 DRAWN BY: D.P.

DAKOTA-3 E&P COMPANY, LLC  
 TYPICAL CROSS SECTIONS FOR  
 ADAM GOOD BEAR #15-22HX & #15-22HW  
 SECTION 15, T150N, R92W, 5th P.M.  
 NW 1/4 NW 1/4

FIGURE #2



APPROXIMATE YARDAGES

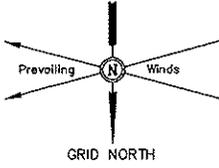
(6") Topsoil Stripping	= 2,450 Cu. Yds.
(New Construction Only)	
Remaining Location	= 14,530 Cu. Yds.
Cuttings Pit Cut	= 1,080 Cu. Yds.
<b>TOTAL CUT</b>	<b>= 18,060 CU.YDS.</b>
<b>FILL</b>	<b>= 3,520 CU.YDS.</b>

\* NOTE:  
 FILL QUANTITY INCLUDES  
 5% FOR COMPACTION

EXCESS MATERIAL	= 14,540 Cu. Yds.
Topsoil & Pit Backfill	= 2,990 Cu. Yds.
(1/2 Pit Vol.)	
EXCESS UNBALANCE	= 11,550 Cu. Yds.
(After Interim Rehabilitation)	

APPROXIMATE ACREAGES

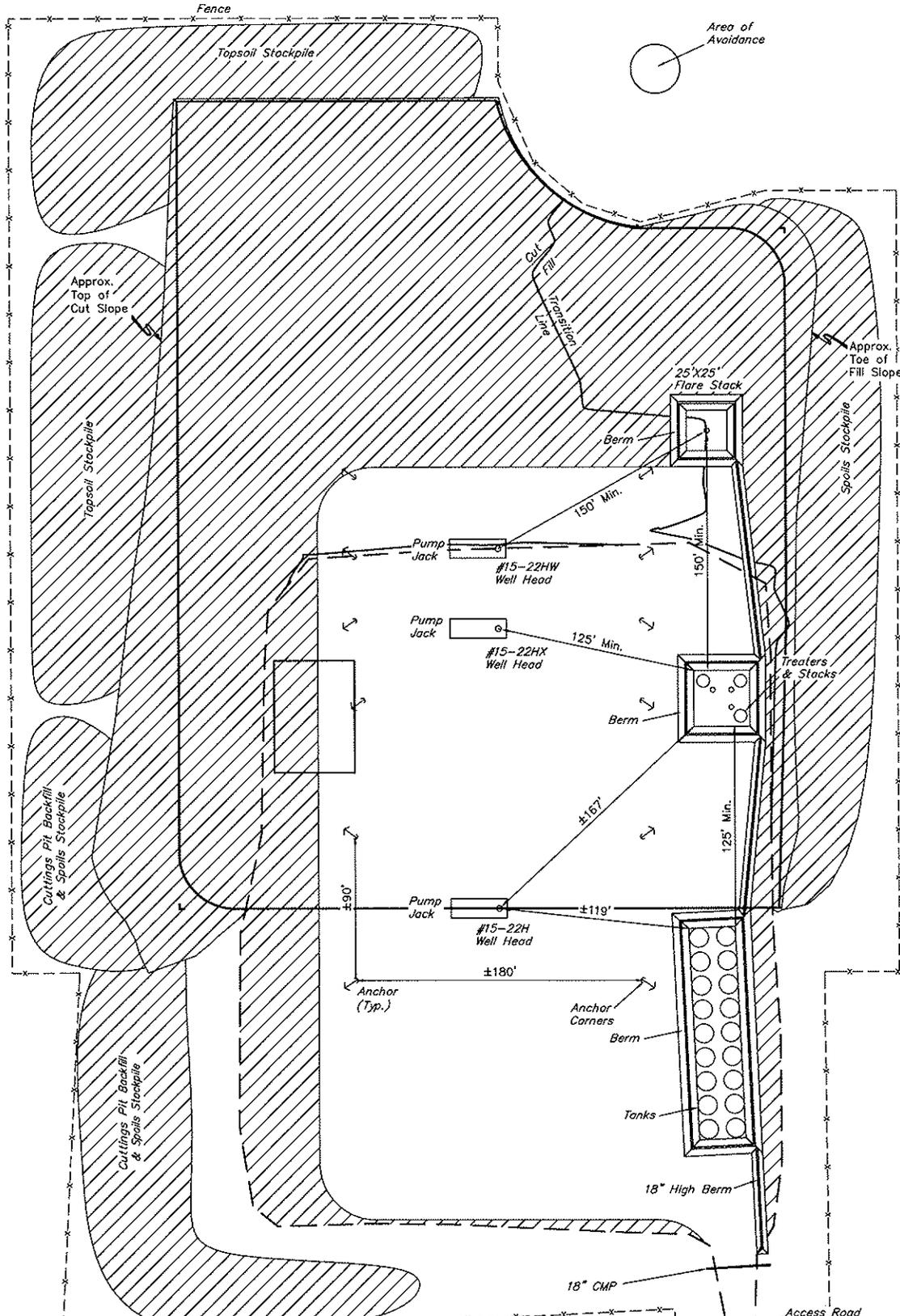
EXISTING WELL SITE AREA OF LOSS	= ± 6.072 ACRES
NEW CONSTRUCTION WELL SITE AREA OF LOSS	= ± 3.541 ACRES
<b>TOTAL</b>	<b>= ± 9.613 ACRES</b>



DAKOTA-3 E&P COMPANY, LLC  
 PRODUCTION FACILITY LAYOUT FOR  
 ADAM GOOD BEAR #15-22HX & #15-22HW  
 SECTION 15, T150N, R92W, 5th P.M.  
 NW 1/4 NW 1/4

FIGURE #3

SCALE: 1" = 60'  
 DATE: 09-14-11  
 DRAWN BY: D.P.



INTERIM RECLAMATION

APPROXIMATE ACREAGES  
 NEW CONSTRUCTION UN-RECLAIMED = ± 0.008 ACRES  
 EXISTING UN-RECLAIMED = ± 3.022 ACRES  
 TOTAL UN-RECLAIMED = ± 3.030 ACRES

UINTAH ENGINEERING & LAND SURVEYING  
 85 So. 200 East • Vernal, Utah 84078 • (435) 789-1017

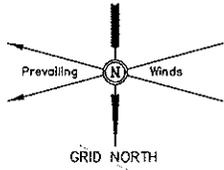
DAKOTA-3 E&P COMPANY, LLC

FINAL RECLAMATION

ADAM GOOD BEAR #15-22HX & #15-22HW  
SECTION 15, T150N, R92W, 5th P.M.  
NW 1/4 NW 1/4

FIGURE #4

SCALE: 1" = 60'  
DATE: 09-14-11  
DRAWN BY: D.P.



DAKOTA-3 E&P COMPANY, LLC  
ADAM GOOD BEAR #15-22HX & #15-22HW  
SECTION 16, T150N, R92W, 5<sup>th</sup> P.M.

PROCEED IN A SOUTHERLY DIRECTION FROM NEW TOWN, NORTH DAKOTA ALONG 88<sup>th</sup> AVE. NW APPROXIMATELY 7.2 MILES TO THE JUNCTION OF THIS ROAD AND 32<sup>nd</sup> ST. NW TO THE EAST; TURN LEFT AND PROCEED IN AN EASTERLY DIRECTION APPROXIMATELY 2.0 MILES TO THE JUNCTION OF THIS ROAD AND 86<sup>th</sup> AVE. NW TO THE SOUTH; TURN RIGHT AND PROCEED IN A SOUTHERLY DIRECTION APPROXIMATELY 2.1 MILES TO THE JUNCTION OF THIS ROAD AND 30<sup>th</sup> ST. NW TO THE EAST; TURN LEFT AND PROCEED IN AN EASTERLY DIRECTION APPROXIMATELY 1.0 MILES TO THE JUNCTION OF THIS ROAD AND 85<sup>th</sup> AVE. NW TO THE SOUTH; TURN RIGHT AND PROCEED IN A SOUTHERLY, THEN WESTERLY DIRECTION APPROXIMATELY 3.8 MILES TO THE JUNCTION OF THIS ROAD AND AN EXISTING ROAD TO THE SOUTH; TURN LEFT AND PROCEED IN A SOUTHERLY DIRECTION APPROXIMATELY 238' TO THE PROPOSED LOCATION.

TOTAL DISTANCE FROM MANDAREE, NORTH DAKOTA TO THE PROPOSED WELL LOCATION IS APPROXIMATELY 16.1 MILES.

DAKOTA-3 E&P COMPANY, LLC  
ADAM GOOD BEAR #15-22H, #15-22HX & #15-22HW  
PAD, ROAD, PIPELINE, UTILITY, FIBER OPTIC & ABOVE GROUND APPURTENANCES  
RIGHTS-OF-WAY  
SECTION 15, T150N, R92W, 5th P.M.

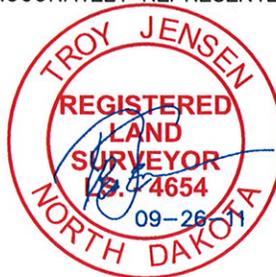
TOTAL PAD, ROAD, PIPELINE, UTILITY, FIBER OPTIC & ABOVE  
GROUND APPURTENANCES RIGHTS-OF-WAY ON TRIBAL LANDS

TOTAL LENGTH OF RIGHTS-OF-WAY IS 714.73' OR 0.135 MILES. WIDTH OF RIGHT-OF-WAY IS 130' (65' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE, OR 45' ON THE RIGHT SIDE AND 85' ON THE LEFT SIDE). CONTAINS 2.133 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 DAKOTA-3 E&P COMPANY, LLC, THAT THESE SURVEYS WERE MADE BY HIM (OR UNDER HIS SUPERVISION): THAT HE HAS EXAMINED THE FIELD NOTES OF THE SURVEYS OF THE SURFACE USE AREA AND PAD, ROAD, PIPELINE, UTILITY, FIBER OPTIC & ABOVE GROUND APPURTENANCES RIGHTS-OF-WAY AS DESCRIBED AND SHOWN ON THIS MAP, THAT THIS MAP WAS PREPARED UNDER HIS DIRECTION FROM SAID FIELD NOTES; AND THAT SAID RIGHTS-OF-WAY, BEGINNING AND ENDING AS SHOWN ON THIS MAP ARE ACCURATELY REPRESENTED.



  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 4654  
STATE OF NORTH DAKOTA

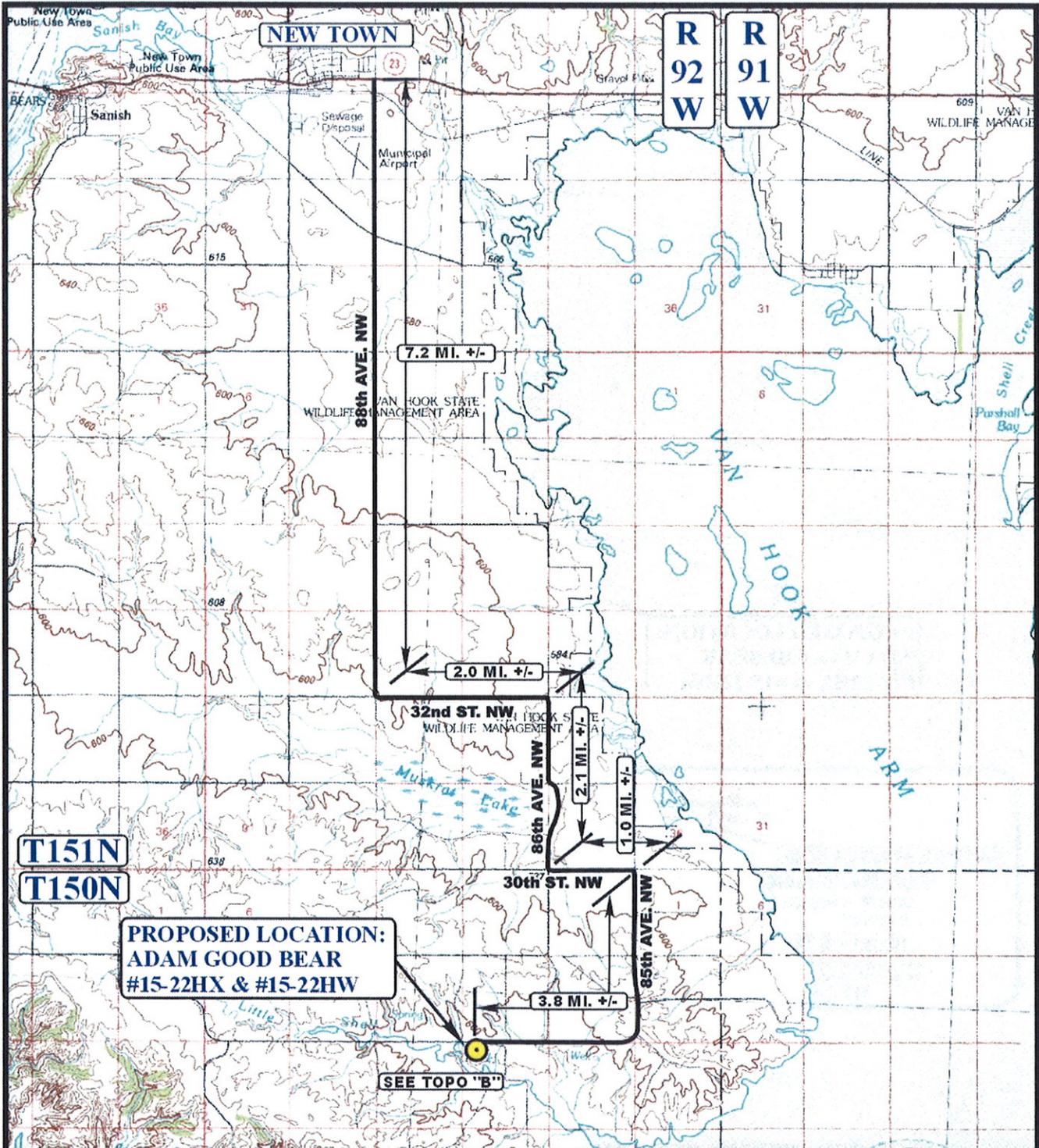
APPLICANT'S CERTIFICATE

I, \_\_\_\_\_, DO HEREBY CERTIFY THAT I AM THE AGENT FOR, DAKOTA-3 E&P COMPANY, 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 THESE PAD, ROAD, PIPELINE, UTILITY, FIBER OPTIC & ABOVE GROUND APPURTENANCES RIGHTS-OF-WAY, BEGINNING AND ENDING AS SHOWN, THAT SAID PAD, ROAD, PIPELINE, UTILITY, FIBER OPTIC & ABOVE GROUND APPURTENANCES RIGHTS-OF-WAY ARE 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 RIGHTS-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

\_\_\_\_\_  
TITLE





**LEGEND:**

● PROPOSED LOCATION

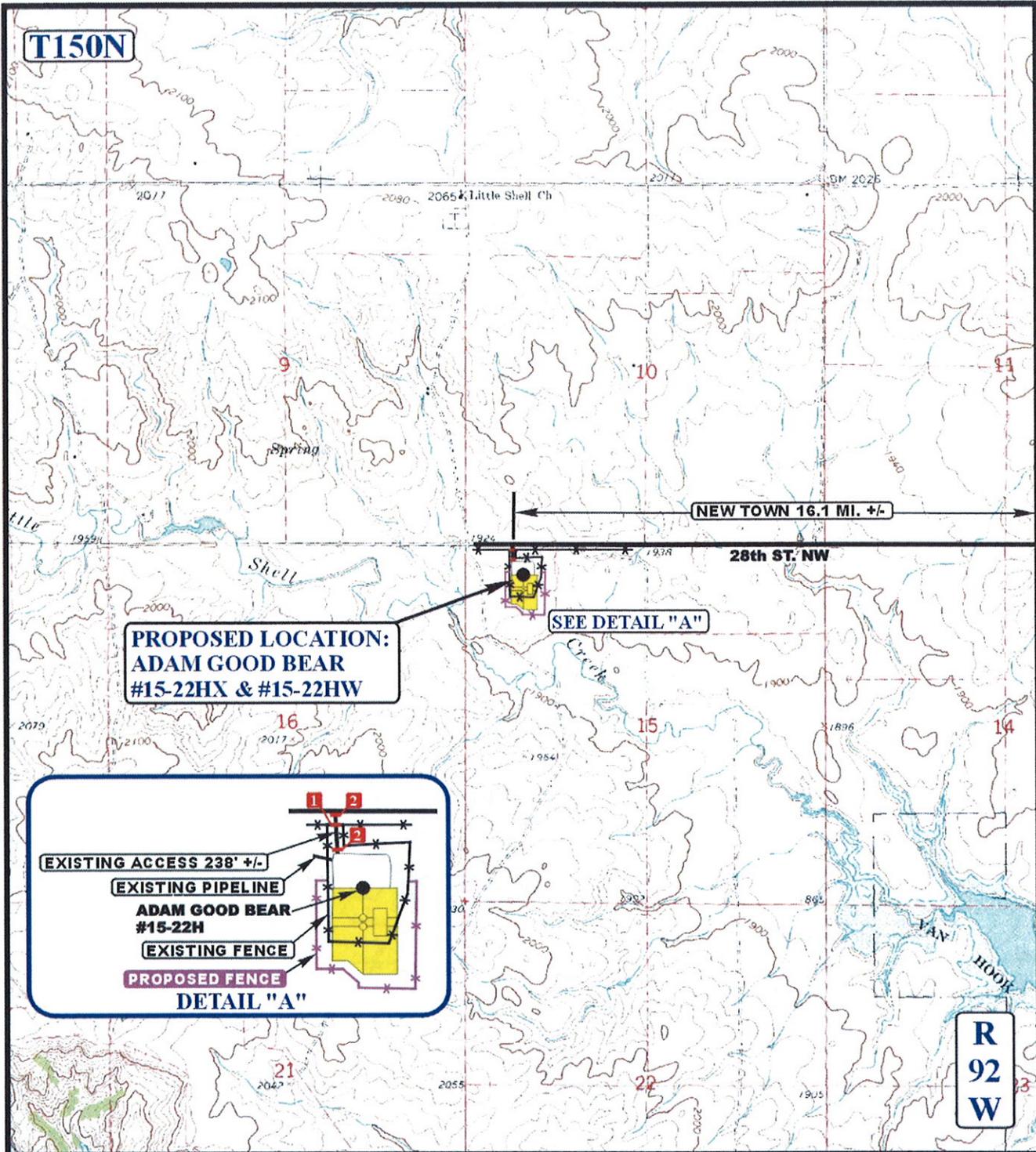


**DAKOTA-3 E&P COMPANY, LLC**  
**ADAM GOOD BEAR #15-22HX & #15-22HW**  
 SECTION 15, T150N, R92W, 5th P.M.  
 NW 1/4 NW 1/4

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

**TOPOGRAPHIC MAP** 12 01 09  
 MONTH DAY YEAR  
 SCALE: 1:100,000 DRAWN BY: J.H. REV: 08-05-11 C.A.G.





**LEGEND:**

- EXISTING ROAD
- PROPOSED ACCESS ROAD
- EXISTING FENCE
- EXISTING CATTLE GUARD
- EXISTING 18" CMP

**DAKOTA-3 E&P COMPANY, LLC**

**ADAM GOOD BEAR #15-22HX & #15-22HW**  
**SECTION 15, T150N, R92W, 5th P.M.**  
**NW 1/4 NW 1/4**



**Uintah Engineering & Land Surveying**  
 85 South 200 East Vernal, Utah 84078  
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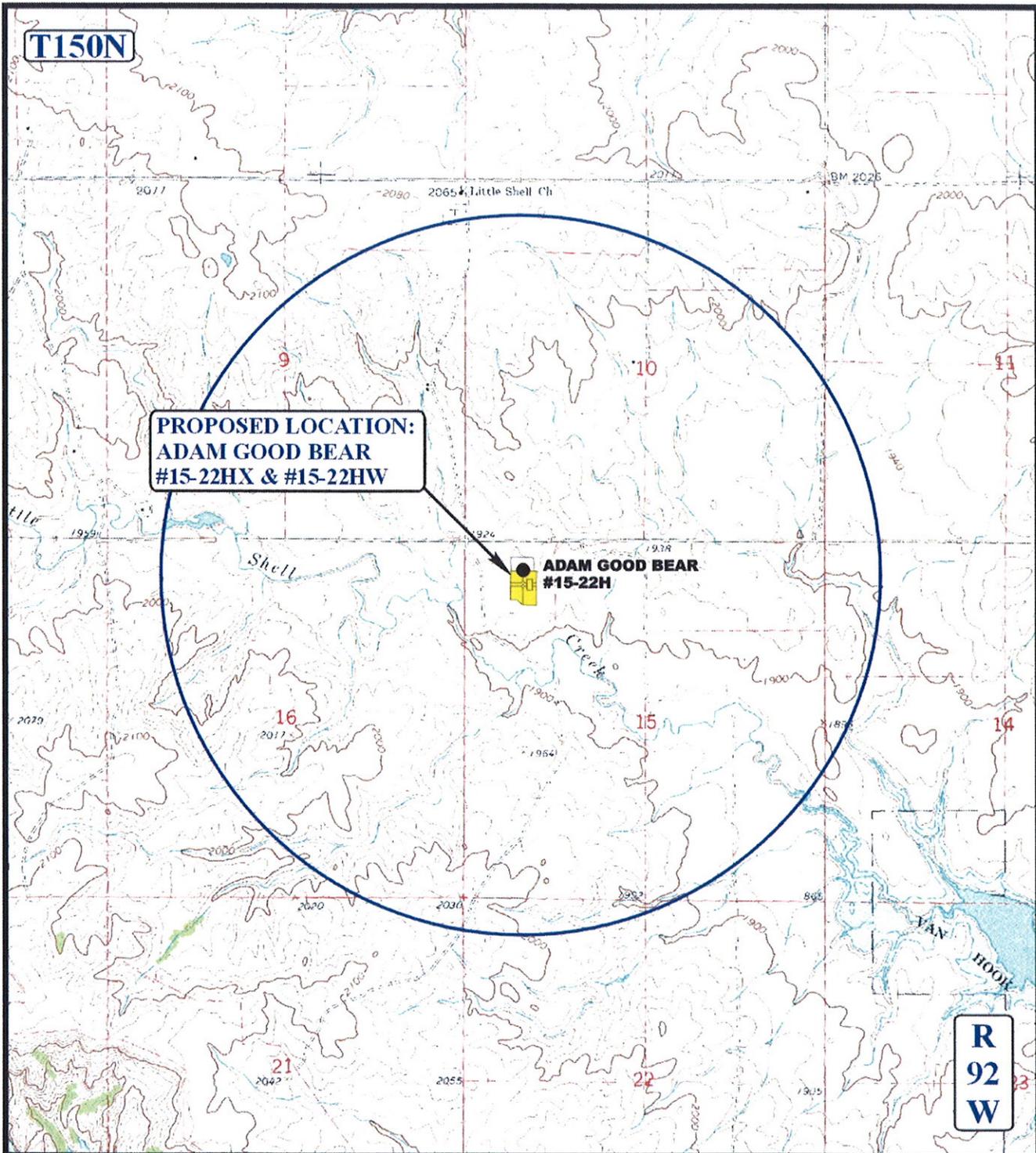


**TOPOGRAPHIC MAP**

**12 01 09**  
 MONTH DAY YEAR



SCALE: 1" = 2000' DRAWN BY: J.H. REV: 08-05-11 C.A.G.



**PROPOSED LOCATION:  
ADAM GOOD BEAR  
#15-22HX & #15-22HW**

**ADAM GOOD BEAR  
#15-22H**

**R  
92  
W**

**LEGEND:**

- ∅ DISPOSAL WELLS
- PRODUCING WELLS
- SHUT IN WELLS
- ◆ ABANDONED WELLS
- TEMPORARILY ABANDONED



**DAKOTA-3 E&P COMPANY, LLC**  
**ADAM GOOD BEAR #15-22HX & #15-22HW**  
**SECTION 15, T150N, R92W, 5th P.M.**  
**NW 1/4 NW 1/4**

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

**TOPOGRAPHIC** **12 01 09**  
**MAP** MONTH DAY YEAR  
**SCALE: 1" = 2000'** DRAWN BY: J.H. REV: 08-05-11 C.A.G.

**C**  
**TOPO**

# **Notice of Availability and Appeal Rights**

Dakota-3 E&P: Addendum to Environmental Assessment to Authorize  
Well Pad Expansion of Adam Good Bear #15-22H

**The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to an Addendum to Environmental Assessment to Authorize Well Pad Expansion of Adam Good Bear #15-22H on the Fort Berthold Reservation as shown on the attached map. Construction by Dakota-3 E&P Resources is expected to begin in 2012.**

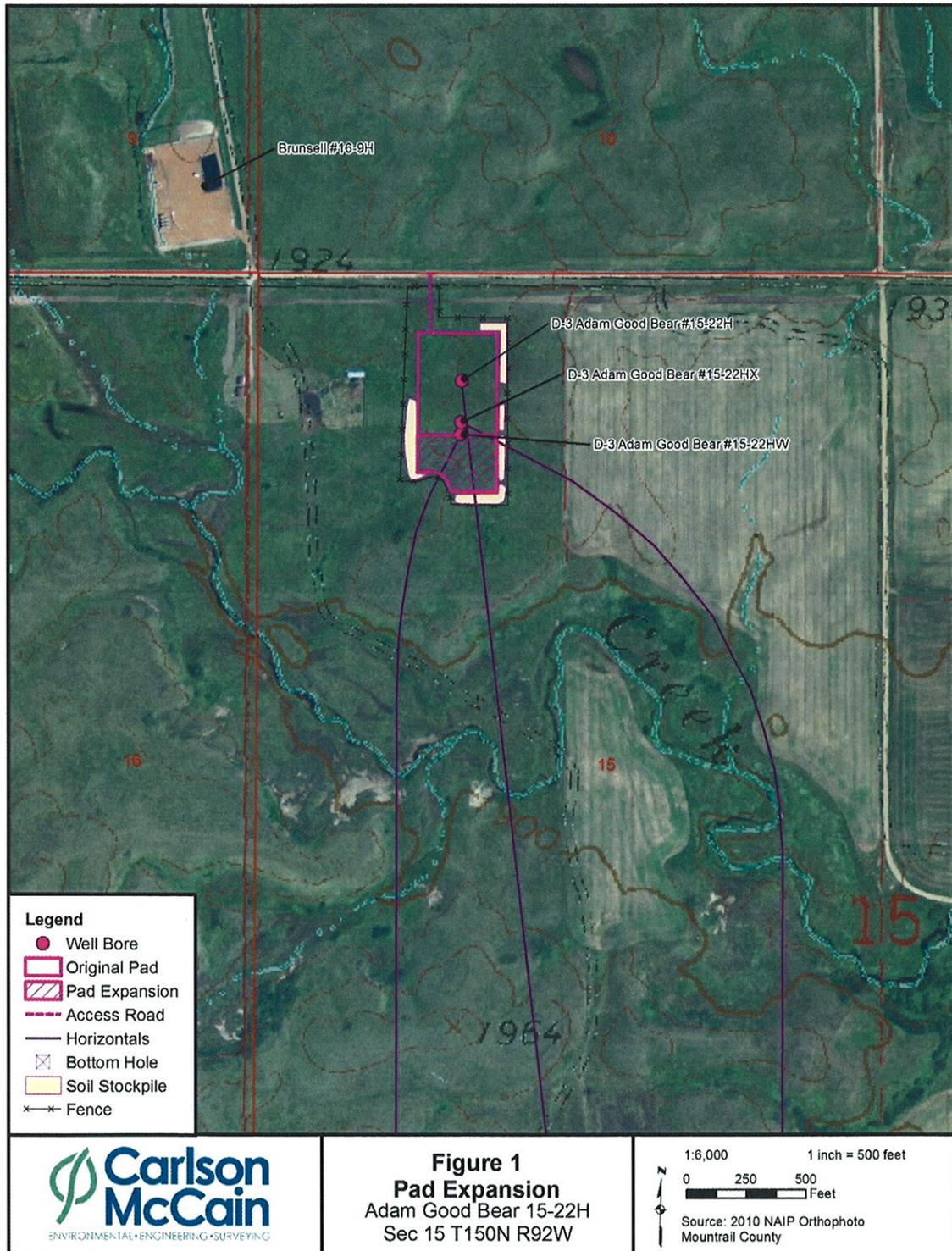
**An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-4707 for more information and/or copies of the EA and the Finding of No Significant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



R:\projects\WML\3481 - Adam Good Bear 15-22H expansion\maps\D-3 Adam Good Bear #15-22H pad Expansion.mxd