



# 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

JUL 03 2012

## MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: 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 Environmental Assessment Addendum has been completed and a Finding of No Significant Impact (FONSI) has been issued. The Addendum authorizes land use for the expansion of the Rubia #16-24H Well Pad to accommodate one additional Oil and Gas Well the Rubia #16-24HD on the Fort Berthold Indian Reservation.

All the necessary requirements of the National Environmental Policy Act have been completed. Attached for your files is a copy of the Addendum, FONSI and Notice of Availability. The Council on Environmental Quality (CEQ) regulations require that there be a public notice of availability of the (40 C.F.R. Section 1506.6(b)). Please post the attached notice of availability at the Agency and Tribal buildings for 30 days.

If you have any questions, please call Marilyn Bercier, Regional Environmental Scientist, Division of Environment, Safety and Cultural Resources Management, at (605) 226-7656.

Attachment

cc: Tex Hall, Chairman, Three Affiliated Tribes (with attachment)  
Elgin Crows Breast, Tribal Historic Preservation Officer (with attachment)  
Derek Enderud, BLM, Bureau of Land Management (with attachment)  
Carson Hood/Fred Fox, MHS Nation Energy Dept. (with attachment)  
Michael Madson, SWCA (with attachment)  
Jonathon Shelman, Corps of Engineers  
Jeff Hunt, Fort Berthold Agency

*Finding of No Significant Impact*

*WPX Energy Williston, LLC*

*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of  
the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well the  
Rubia #16-24HD*

*Fort Berthold Indian Reservation  
McKenzie County, North Dakota*

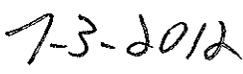
The U.S. Bureau of Indian Affairs (BIA) has received a proposal to authorize land use the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well the Rubia #16-24HD on the Fort Berthold Reservation. The proposed expansion is located approximately 2.62 miles southeast of Mandaree, North Dakota, in the SE¼ SE¼ of Section 24, Township (T) 149 North (N), Range (R) 94 West (W), McKenzie County, North Dakota. The proposed bottom hole for the Rubia #16-24HD well is approximately 550 feet from the east line and 250 feet from the north line in the NE¼ NE¼ of Section 24, T149N, R94W McKenzie County, North Dakota. 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.

  
Regional Director

  
Date

# **Notice of Availability and Appeal Rights**

WPX Energy: Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well the Rubia #16-24HD

The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well the Rubia #16-24HD located on the Berthold Reservation as shown on the attached map. Construction by WPX Energy is expected to begin in 2012.

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

The FONSI is only a finding on environmental impacts – it is not a decision to proceed with an action and *cannot* be appealed. BIA's decision to proceed with administrative actions *can* be appealed until August 1, 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**

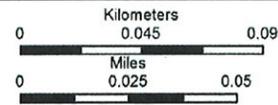
- Proposed Rubia #16-24H Expansion Well
- Existing Rubia #16-24H Well
- Proposed Rubia #16-24H Pad Expansion



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: Aerial Imagery  
Source: esri ArcGIS service  
Quadrangle: Mandaree (1973)  
T. 149N, R. 94W  
McKenzie County, North Dakota



Scale: 1:2,000 NAD 1983 UTM Zone 13N

**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 Expansion of  
the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well the  
Rubia #16-24HD**

**Fort Berthold Indian Reservation**

**June 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 Plats, Drawings, and Diagrams for the Proposed Rubia #16-24H Well Pad Expansion

## **1. Purpose and Need for the Proposed Action**

The purpose of the proposed action is to authorize land use by WPX Energy Williston, LLC (WPX) for the construction and installation associated with the expansion of the previously authorized Rubia #16-24H well pad (well pad) to accommodate the addition of the Rubia #16-24HD oil and gas well (expansion). Developments have been proposed on land held in trust by the United States within the Fort Berthold Indian Reservation, McKenzie County, North Dakota.

The Bureau of Indian Affairs (BIA) is the surface management agency for potentially affected tribal lands and individual allotments and 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 Nation 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 expansion is located approximately 2.62 miles southeast of Mandaree, North Dakota, in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 24, Township (T) 149 North (N), Range (R) 94 West (W), McKenzie County, North Dakota (Figure 1).

The proposed bottom hole for the Rubia #16-24HD well is approximately 550 feet from the east line and 250 feet from the north line in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 24, T149N, R94W McKenzie county, North Dakota (Figure 1).

## **4. Scope of Work for Proposed Action**

WPX proposes to increase the size of the approved well pad to accommodate ancillary equipment and storage tanks necessary for the operation of one additional oil and gas well. Figure 1 and Appendix A provide a detailed project area map and plat schematics for the proposed expansion. The proposed expansion of the approved well pad to accommodate an additional well would disturb an additional 1.4 acres, however previous disturbances that were used in the installation of the access road and original well pad surface disturbance comprise 0.88 acres of the 1.4 acre expansion, and so only 0.52 acres would be newly disturbed as a result of the proposed expansion. Further, the Rubia #16-24HD well would use a 640-acre spacing unit. The technical drilling specifications would be similar to those of the

approved Rubia #16-24H well which has been previously surveyed for impacts to natural and cultural resources with no significant findings (see Section 8: Applicable NEPA Documents).

## **5. 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 April 26, 2011. No protected species including threatened and endangered species, migratory birds, or bald/golden eagles were observed during the natural resource survey. SWCA observed one perennial stream southeast of the proposed expansion; however, through the use of primary, secondary, and tertiary erosion/sediment control devices agreed upon at the onsite meetings with the BIA, SWCA does not anticipate any impact to the stream.

A cultural resource inventory of this well pad expansion was conducted by personnel of SWCA Environmental Consultants, using an intensive pedestrian methodology. Approximately 34.88 acres were inventoried on April 22, 2012 (Leroy 2012). One archaeological site was located that may 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, as archaeological site will be avoided. This determination was communicated to the THPO on May 31, 2012; however the THPO did not respond within the allotted 30 day comment period.

Leroy, Adam

(2012) A Class I and Class III Cultural Resource Inventory of the Rubia #16-24H Well Pad Expansion, Fort Berthold Indian Reservation, McKenzie County, North Dakota. SWCA Environmental Consultants for WPX Energy Williston, LLC, Tulsa, OK.

## **6. 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. However, no cultural resources were located during the field survey; therefore, no direct impacts are anticipated.

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 and sediment transport off-site. In addition to the synthetically enhanced berm added as a standard primary erosion/sediment control BMP, and secondary containment in the form of fill would be placed at the top of drainages to prevent any event from moving off site, silt fences were

agreed upon at the onsite meetings that would comprise the tertiary containment for this proposed expansion.

In total, construction disturbance would affect approximately 2.97 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 facilities including well pads and roads. The cumulative effect of the changed action is anticipated to be negligible. Any potential direct effects were mitigated by surveying for eligible cultural resource sites; implementing an approved stormwater pollution prevention plan and erosion control devices; avoiding wetlands and any federally listed threatened and endangered species or designated critical habitat; avoiding active migratory bird nests; 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 drilling 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.

## **7. Reclamation**

### **Interim Reclamation**

Reclamation would continue over the life of the well pad 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 well pad. A successful reclamation would at all times be the responsibility of the operator.

Applicable short- and long-term best management practices would be used to minimize and control erosion in disturbed areas. To reduce compaction, the well pad expansion area 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 disturbed area outside of the working well pad would be covered with stockpiled topsoil and reseeded with a seed mixture determined by the BIA. WPX would control noxious weeds within the proposed expansion area by approved chemical or mechanical methods. If seeding of the disturbed area does not occur due to growing season constraints, WPX will deploy approved weed-free hay across the entire disturbance. The

presence of hay covering the disturbance would reduce the potential for excessive erosion as a result of spring snow melt and precipitation.

The entire expansion area would be monitored for erosion, subsidence, and noxious weeds. In areas where problems are found to occur, reclamation efforts would continue until the BIA feels the disturbance 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 well pad expansion area, 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 well pad is decommissioned. All disturbed areas would be reclaimed, reflecting the BIA's view of oil and gas exploration and production as temporary intrusions on the landscape. All facilities would be removed and all work areas would be leveled or backfilled as necessary, scarified, recontoured, and seeded.

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

*Environmental Assessment; Five Bakken Exploratory Oil Wells: Dakota-3 Black Hawk #15-34H, Dakota-3 Rubia #16-24H, Dakota-3 Beaks #36-35H, Dakota-3 Stevenson #15-8H, and Dakota-3 KYW #27-34H, Zenergy Operating Company, LLC (FONSI April 2010).*

## **9. NEPA Adequacy Criteria**

This document has identified the above-mentioned previously prepared NEPA document, which adequately describes the environmental consequences of the newly proposed action described herein, and meets the following NEPA Adequacy Criteria.

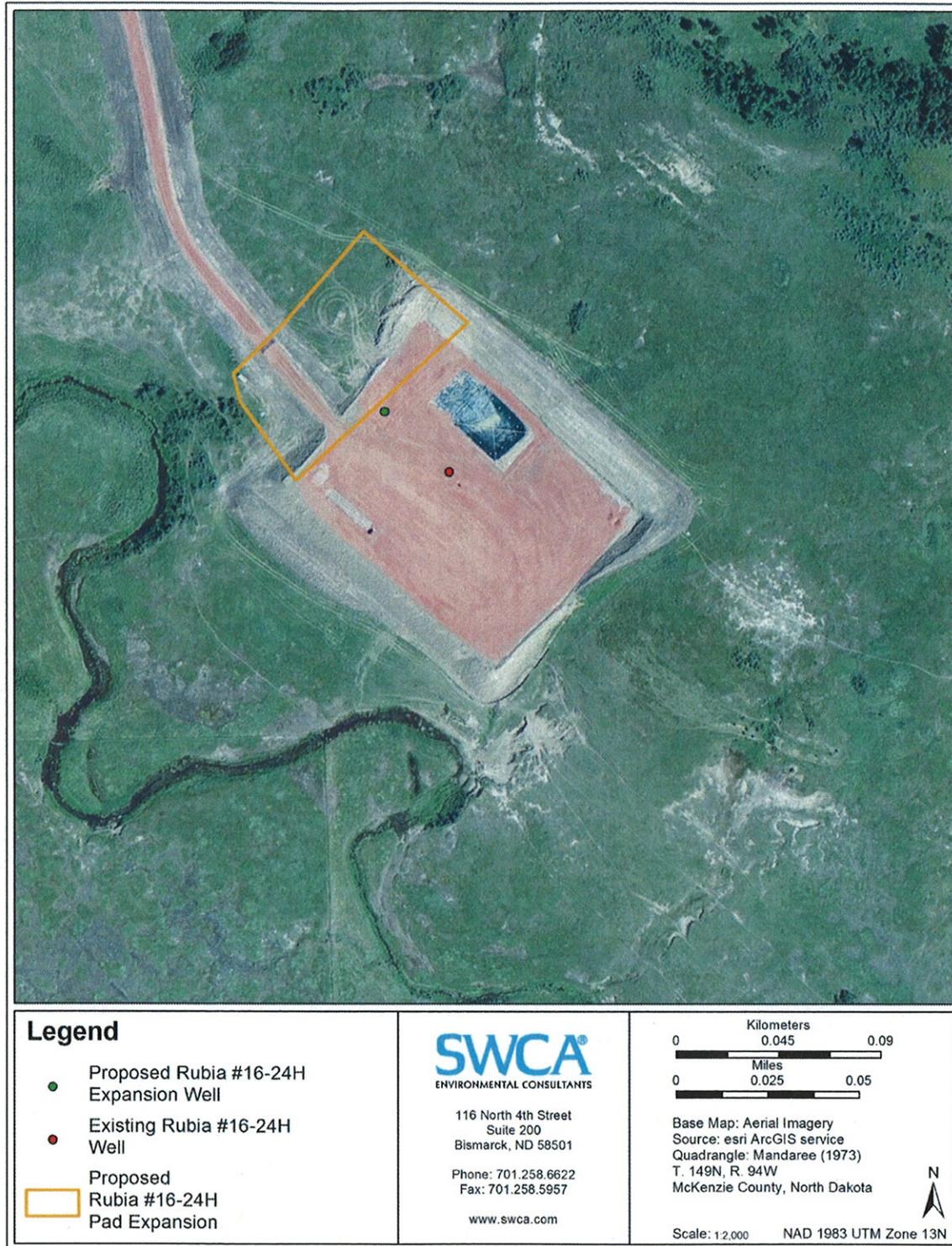
1. The proposed action is substantially the same action and at the site specifically analyzed in the existing NEPA document.
2. The range of alternatives is reasonable with respect to the current proposed action in the existing NEPA document, which appropriately considers and analyzes current environmental 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.

*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well*  
*(June 2012)*

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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 the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well  
(June 2012)*



**Figure 1. Map of the Approved Rubia #16-24HD Well Pad Location and Proposed Expansion Area.**

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(June 2012)*



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

MAY 31 2012

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

Dear Mr. Crows Breast:

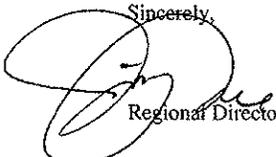
We have considered the potential effects on cultural resources of an oil well pad expansion project in McKenzie County, North Dakota. Approximately 34.88 acres were intensively inventoried using a pedestrian methodology. Potential surface disturbances are not expected to exceed the area depicted in the enclosed report. One archaeological site (32MZ2345), previously recorded as an isolated find, was located that may possess the quality of integrity and meet at least one of the criteria (36 CFR 60.4) for inclusion on the National Register of Historic Places. No properties were located that appear to qualify for protection under the American Indian Religious Freedom Act (42 USC 1996).

As the surface management agency, and as provided for in 36 CFR 800.5, we have reached a determination of **no historic properties affected** for this undertaking, as the archaeological site will be avoided. Catalogued as **BIA Case Number AAO-2092/FB/12**, the proposed undertaking, location, and project dimensions are described in the following report:

Leroy, Adam  
(2012) A Class I and Class III Cultural Resource Inventory of the Rubia #16-24H Well Pad Expansion, Fort Berthold Indian Reservation, McKenzie 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,  
  
Regional Director

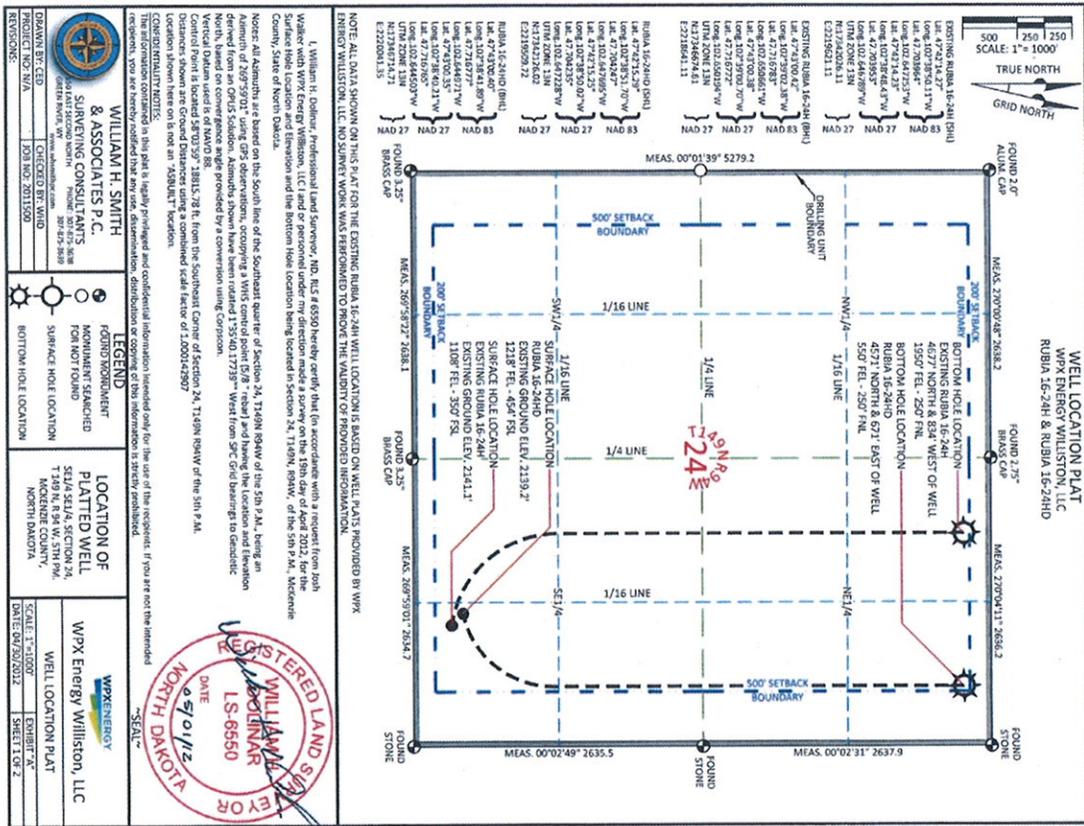
Enclosure

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

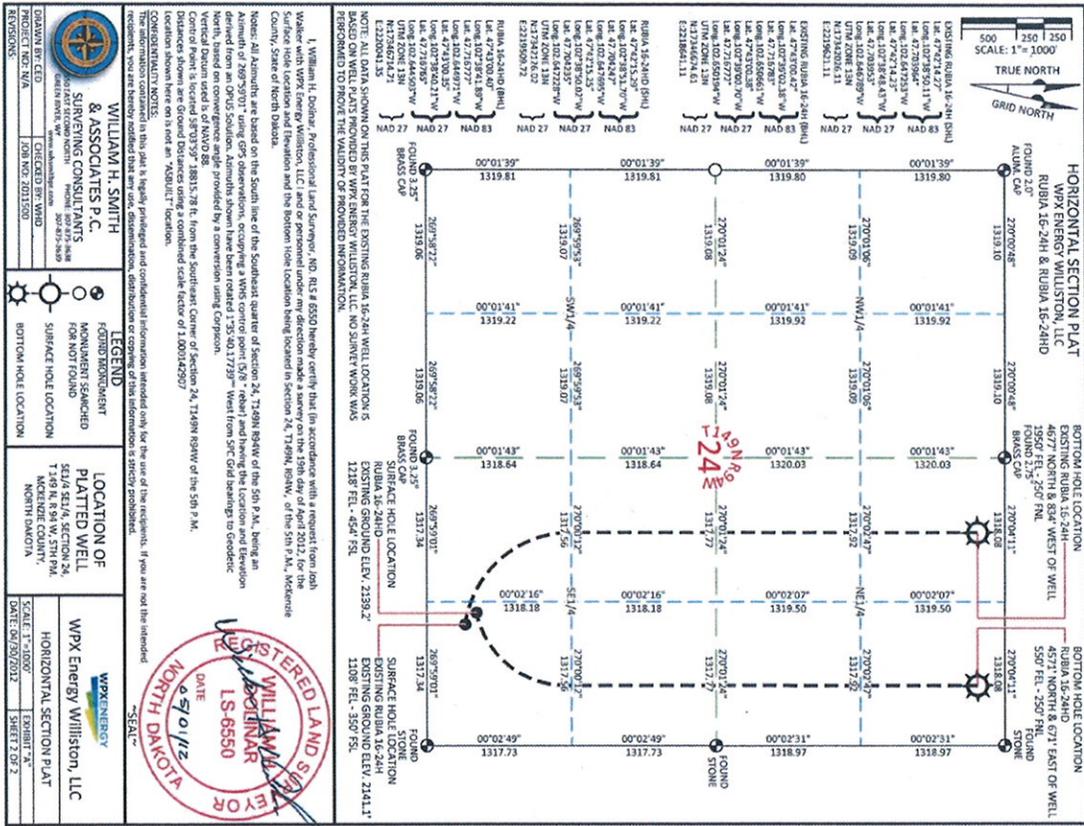
**APPENDIX A**

Plats, Drawings, and Diagrams for the proposed Rubia #16-24H well pad expansion

**Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well**  
(June 2012)

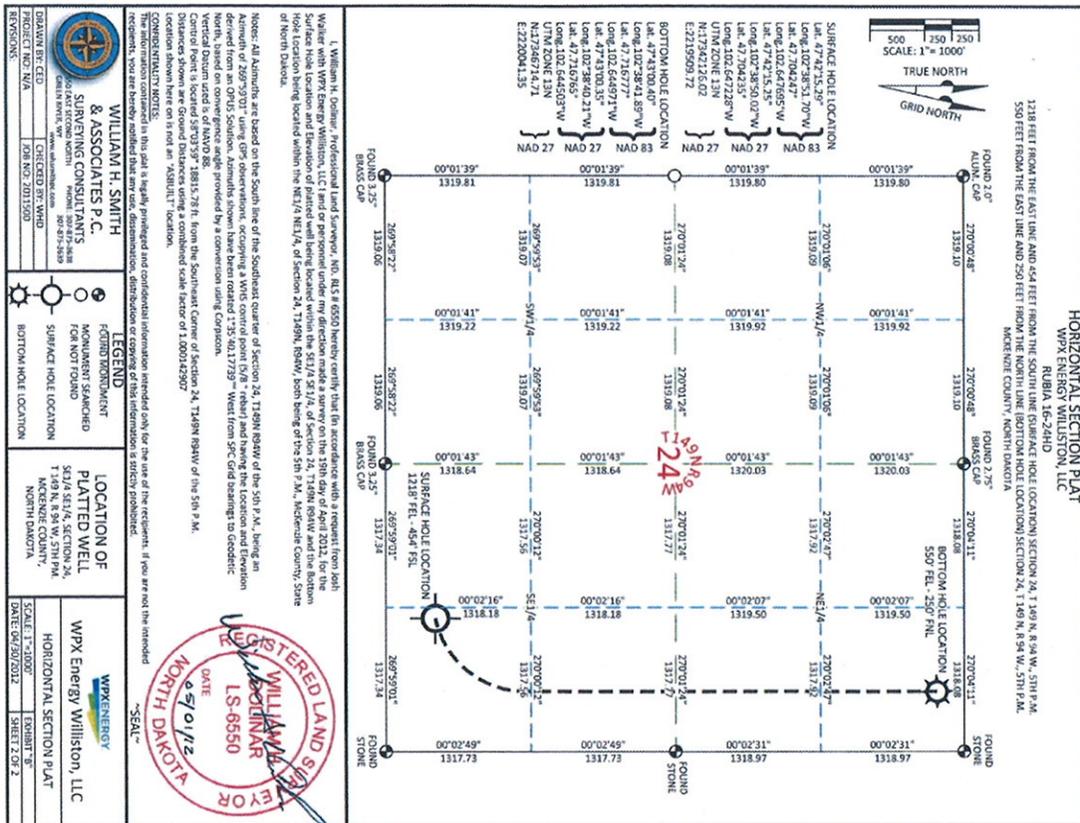


**Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well**  
(June 2012)





**Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well**  
(June 2012)



*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well  
(June 2012)*

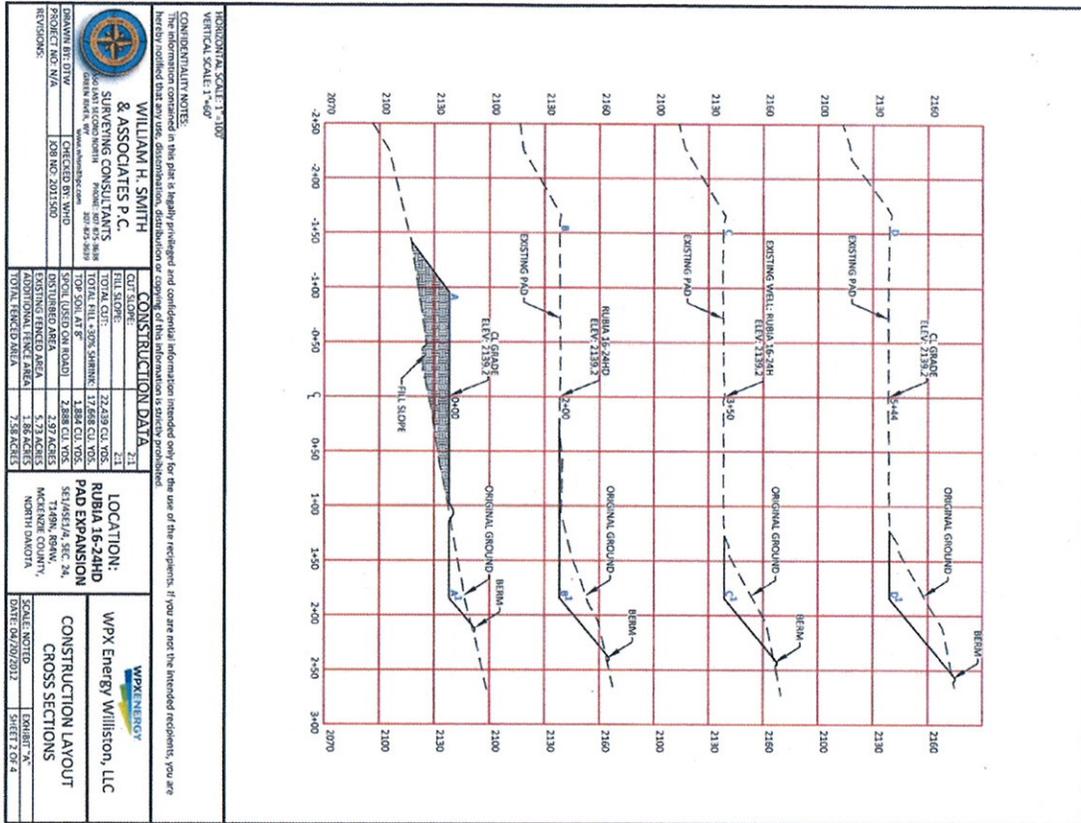
WELL COORDINATE LIST WPX ENERGY WILLISTON, LLC RUBIA 16-24H																	
Geographic NAD 83						Geographic NAD 27				UTM Zone 13 NAD 27							
Deg. Min. Decimal Seconds		Decimal Degrees		Deg. Min. Decimal Seconds		Decimal Degrees		Northing	Easting	Footage	SEC	TWN	RNG.				
Latitude	Longitude	Latitude	Longitude	Latitude	Longitude	Latitude	Longitude										
RUBIA 16-24HD (SHL)	47°42'15.29"	102°38'51.70"	47.704247°	102.647695°	47°42'15.25"	102°38'50.02"	47.704235°	102.647228°	17342126.02	2219509.72	1218'	FEL	454'	FSL	24	149N	94W
RUBIA 16-24HD (BHL)	47°43'00.40"	102°38'41.89"	47.716777°	102.644971°	47°43'00.35"	102°38'40.21"	47.716765°	102.644503°	17346714.71	2220041.35	550'	FEL	250'	FNL	24	149N	94W

 <p><b>WILLIAM H. SMITH &amp; ASSOCIATES P.C.</b> SURVEYING CONSULTANTS 300 EAST SECOND NORTH GREEN RIVER, WY PHONE: 307-475-3838 307-475-3838 www.willsmithinc.com</p> <p>DRAWN BY: CEO      CHECKED BY: WHD PROJECT NO: N/A      JOB NO: 2011500</p> <p>REVISIONS:</p>	<p><b>LOCATION</b> RUBIA 16-24H SE1/4 SE1/4, SECTION 24, T 149 N, R 94 W, 5TH PM. MCKENZIE COUNTY, NORTH DAKOTA</p>	 <p><b>WPX Energy Williston, LLC</b></p> <p style="text-align: center;">WELL COORDINATE LIST</p> <p>DATE: 05/01/2012      SHEET 1 OF 1</p>
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(June 2012)



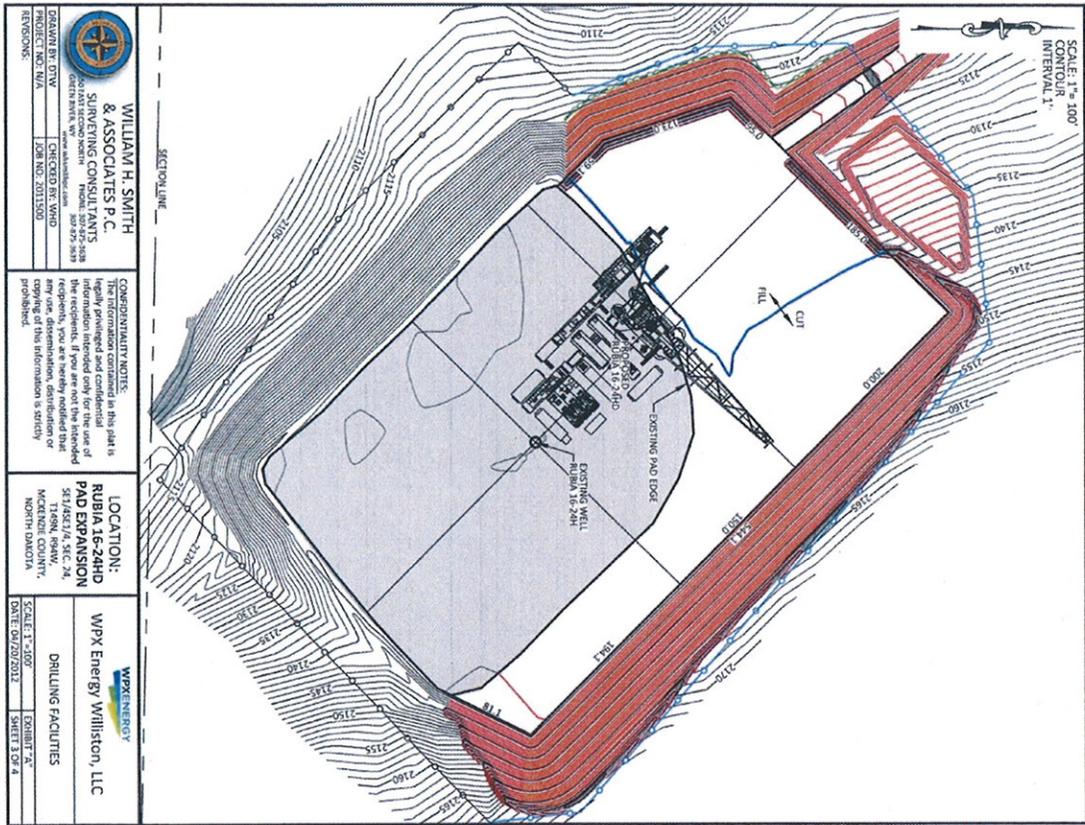
HORIZONTAL SCALE: 1"=100'  
VERTICAL SCALE: 1"=40'

CONFIDENTIALITY NOTES:  
The information contained in this plot is highly 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.

<b>WILLIAM H. SMITH &amp; ASSOCIATES P.C.</b> SURVEYING CONSULTANTS 400 EAST SECOND NORTH COLUMBIA, SC 29201 PHONE: 803.852.8888 WWW.WHSMITH.COM		<b>CONSTRUCTION DATA</b>	
DATE: 06/20/2012	PROJECT NO: 2011500	GRID SYSTEM: NAD 83	SCALE: 1"=40'
DRAWN BY: DTW	CHECKED BY: WND	TOTAL FILL: 32,439 CU YDS	DATE: 06/20/2012
PROJECT NO: N/A	JOB NO: 2011500	TOP SOIL AT 8"	SHEET 2 OF 4
		SPECIAL USES ON ROAD: 1,888 CU YDS	
		DISTURBED AREA: 2,97 ACRES	
		ADDITIONAL TEST AREA: 1.58 ACRES	
		TOTAL TESTED AREA: 7.58 ACRES	

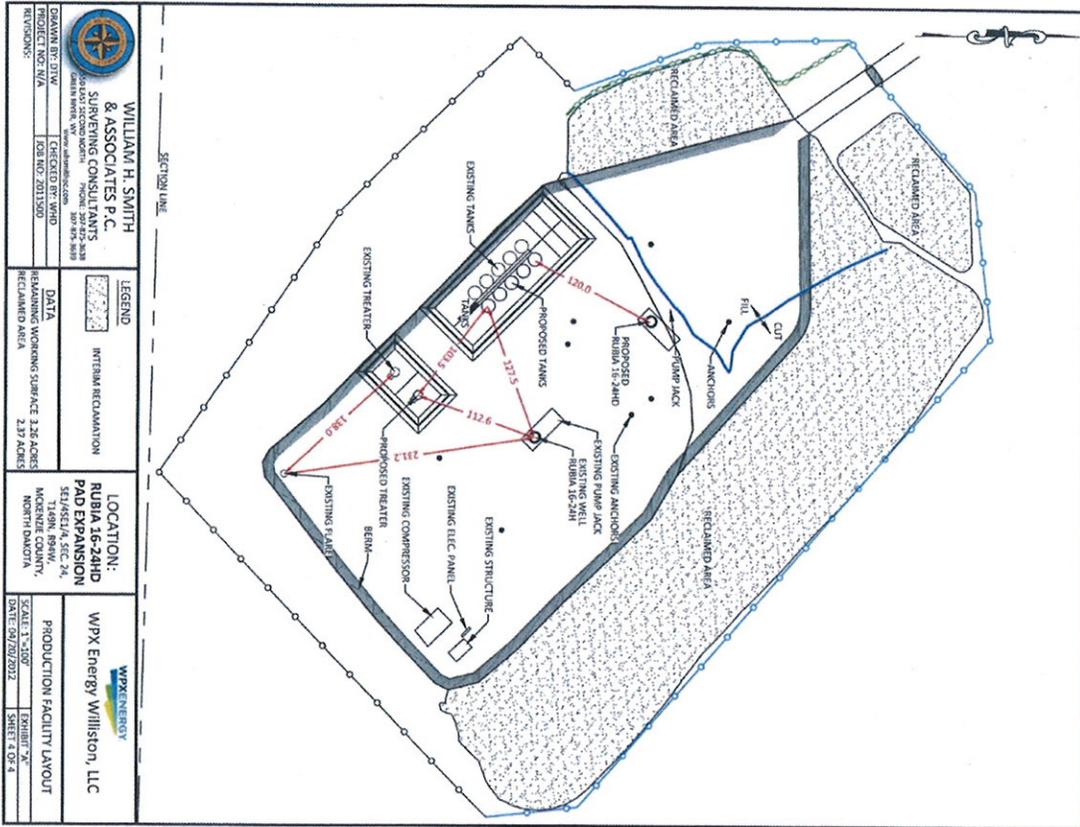
<b>LOCATION:</b> RUBIA 16-24HD PAD EXPANSION SE1/4SE1/4, SEC. 24, T148N, R69W, NORTH DAVOTA COUNTY, FLORIDA		<b>WPP ENERGY WILLISTON, LLC</b> CONSTRUCTION LAYOUT CROSS SECTIONS	
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*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well  
(June 2012)*



 <p><b>WILLIAM H. SMITH &amp; ASSOCIATES P. C.</b> SURVEYING CONSULTANTS 1001 W. 13TH ST. SUITE 200 GRAND FORK, ND 58005 PHONE: 701.775.1234 FAX: 701.775.1235 WWW.WHSMITH.COM</p>	<p><b>COMPROHENSIBILITY NOTES:</b> The information contained in this plan is highly prepared and confidential. It is intended for the use of the recipient. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this information is strictly prohibited.</p>	<p><b>LOCATION:</b> RUBIA 16-24HD PAD EXPANSION TERRON ENERGY SECTION 14, S4C. 24 NORTH DAKOTA</p>
<p><b>DRAWN BY:</b> TFW <b>DATE:</b> 06/27/2012 <b>REVISIONS:</b></p>	<p><b>CONCEDED BY:</b> WVO <b>DATE:</b> 06/27/2012</p>	<p style="text-align: center;"> <b>WPX Energy by Williston, LLC</b> DRILLING FACILITIES</p> <p>SCALE: 1"=500' DATE: 06/27/2012 SHEET 3 OF 4</p>

*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well  
(June 2012)*



<p><b>WILLIAM H. SMITH &amp; ASSOCIATES P.C.</b> SUPERVISING CONSULTANTS 150 EAST SECOND NORTH MILWAUKEE, WI 53202 PHONE: 312.422.3438 FAX: 312.422.3439 WWW.WHSMITH.COM</p>	<p><b>LEGEND</b></p> <p>INTERIM RECLAMATION</p>	<p><b>LOCATION:</b></p> <p><b>RUBIA 16-24H PAD EXPANSION</b> SE1/4SE1/4, SEC. 24, T149N, R99W, MORRIS COUNTY, NORTH DAKOTA</p>	<p><b>WPX ENERGY</b></p> <p>WPX Energy Williston, LLC</p>

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(June 2012)*

WPK ENERGY WILLISTON, LLC  
RUBIA 16-24H & 26-33HD PAD EXPANSION  
ADDITIONAL PAD, UTILITY, FIBER OPTIC, & ABOVE GROUND APPURTENANCES RIGHT-OF-WAY ON  
TRIBAL LANDS

SECTION 19, TOWNSHIP 149 NORTH, RANGE 93 WEST, 5TH P.M.  
DUNN COUNTY, NORTH DAKOTA  
SECTION 24, TOWNSHIP 149 NORTH, RANGE 94 WEST, 5TH P.M.  
MCKENZIE COUNTY, NORTH DAKOTA

ADDITIONAL PAD RIGHT-OF-WAY ON TRIBAL LANDS

Existing area of Pad Right-Of-Way contains 4.19 Acres more or less. Total additional area of Pad Right-Of-Way contains 3.99 Acres more or less. Total combined additional and existing area of Pad Right-Of-Way contains 7.69 Acres more or less.

TOTAL UTILITY, FIBER OPTIC, & ABOVE GROUND APPURTENANCES RIGHT-OF-WAY ON TRIBAL LANDS  
Total length of Right-Of-Way is 10,522.71 feet or 1.993 miles, which of Right-Of-Way is 66' 03" perpendicular on each side of the centerline. Contains 15.94 Acres more or less.

TOTAL ESTABLISHED ON TRIBAL LANDS  
Total combined Pad, Utility, Fiber Optic, and Above Ground Appurtenances Right-Of-Way contains 23.23 Acres more or less.

STATE OF NORTH DAKOTA }  
COUNTY OF DUNN AND MCKENZIE } SS  
SURVEYOR'S AFFIDAVIT

William H. Dollnar, being first duly sworn, deposes and states that he is the registered land surveyor for WPK Energy Williston, LLC, that these surveys were made by him (or under his supervision); that he has examined the field notes of the surveys of the pad, utility, fiber optic and above ground appurtenances right-of-ways as described and shown on this map; that this map was prepared under his direction from said field notes; and that said right-of-ways, 1.993 miles in length beginning and ending as shown on this map is accurately represented.



WILLIAM H. DOLLNAR  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 6550  
STATE OF NORTH DAKOTA

*William H. Dollnar*

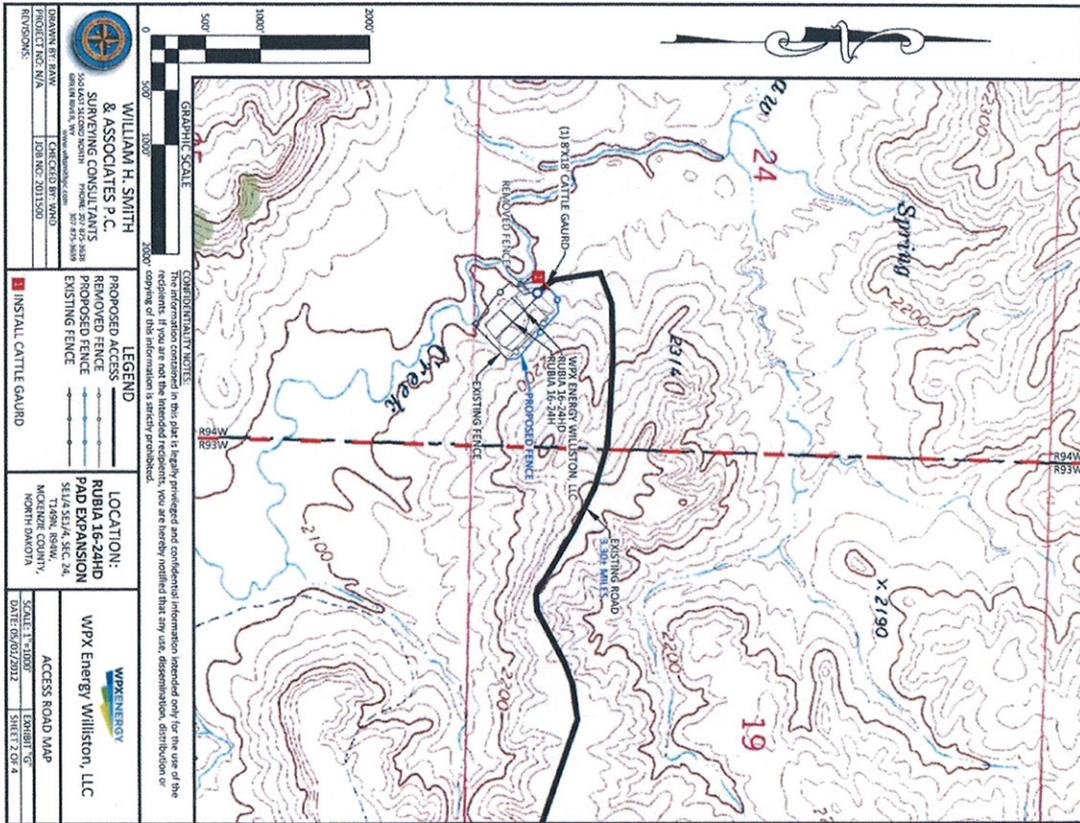
APPLICANT'S CERTIFICATE

I, \_\_\_\_\_ do hereby certify that I am the agent for WPK Energy Williston, LLC, hereinafter designated the applicant; that William H. Dollnar, 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 pad, utility, fiber optic, & above ground appurtenances Right-Of-Ways, 1.993 miles in length beginning at Sta. 0+00.00 and ending at Sta. 105+22.71, that said pad, utility, fiber optic, & above ground appurtenances Right-Of-Ways 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 Right-Of-Ways thereby shown; and that the map has been prepared to be filed with the Secretary of the Interior of his duty, authorized representative as part of the application for said Right-Of-Ways 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 that the fee for the right in the applicant, its successors and assigns to transfer this Right-Of-Ways by assigned, grant, or otherwise.

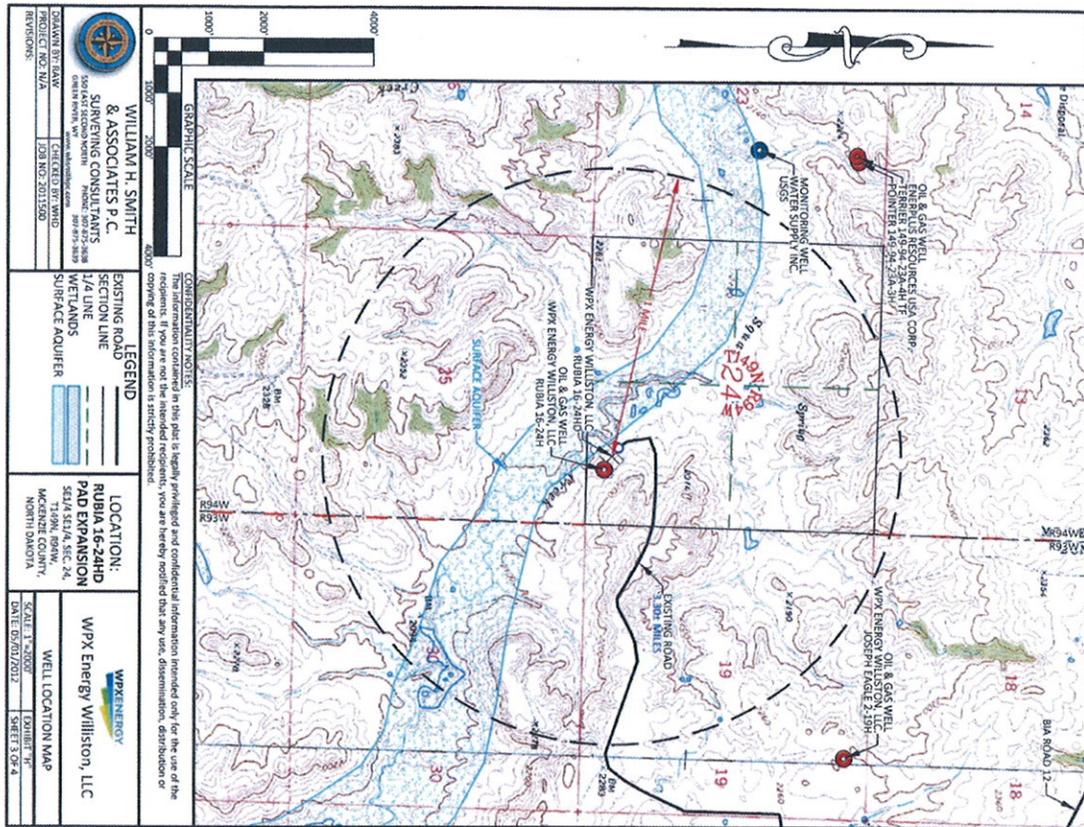
APPLICANT \_\_\_\_\_  
TITLE \_\_\_\_\_



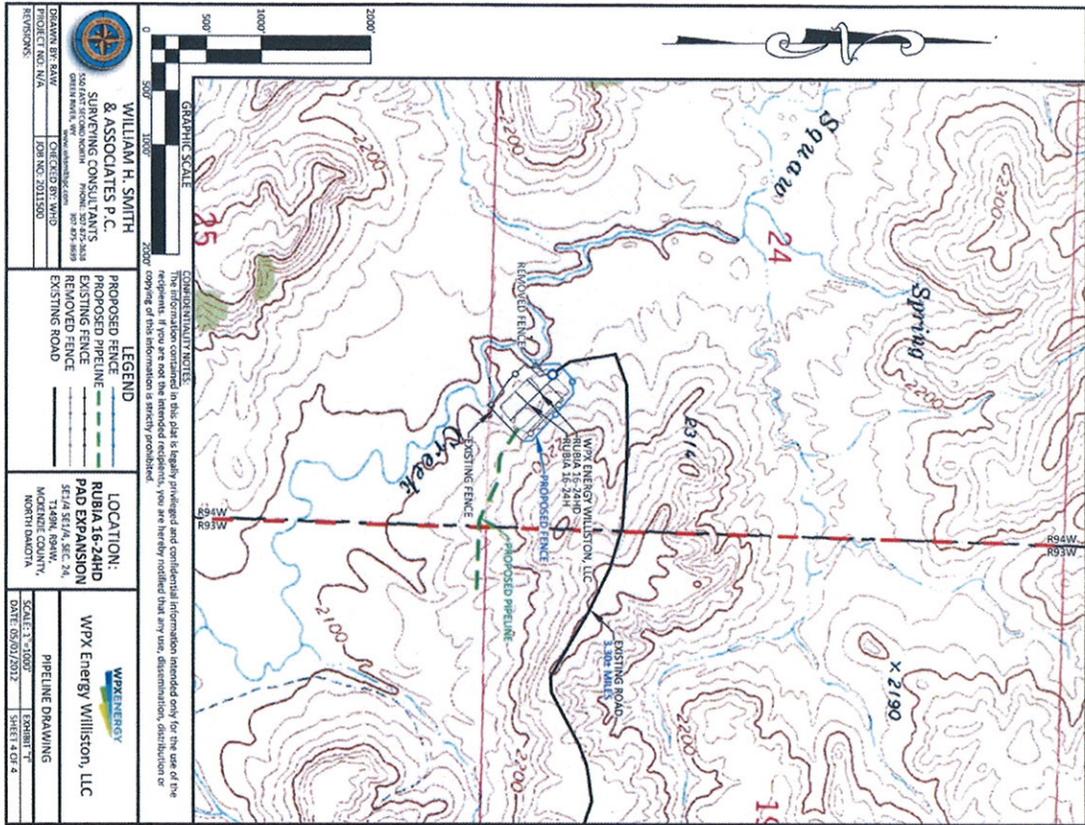
*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Rubia #16-24H Well Pad to Accommodate One Additional Oil and Gas Well  
(June 2012)*



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(June 2012)*



**WPX ENERGY WILLISTON, LLC  
RUBIA 16-24HD PAD EXPANSION**

SECTION 24, TOWNSHIP 149 NORTH, RANGE 94 WEST, 5TH P.M.  
MCKENZIE COUNTY, NORTH DAKOTA

Proceed in a Easterly direction from Mandaree, North Dakota along BIA 12 approximately 3.27 miles to the junction of this road and existing road to the South; turn right and proceed in a Southwesterly direction approximately 3.3 miles to the entrance of existing Rubia 16-24H well pad.

Total distance from Mandaree, North Dakota to the proposed well location is approximately 6.57 miles.