

**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 Spotted Horn #26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas
Wells**

Fort Berthold Indian Reservation

July 2012

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

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1. Purpose and Need for the Proposed Action

The purpose of the Proposed Action is to authorize land use by WPX Energy Williston, LLC (WPX), for the construction and installation associated with the expansion of the existing Spotted Horn #26-35H well pad (well pad) to accommodate the addition of the HA, HW, and HY oil and gas wells (wells). 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 well pad is located approximately 2.80 miles south of Mandaree, North Dakota, in the NW $\frac{1}{4}$ of Section 26, Township (T) 149 North (N), Range (R) 94 West (W), McKenzie County, North Dakota (Figure 1). The bottom hole of each proposed well would be located in Section 35, T149N, R94W, McKenzie County, North Dakota (Figure 1). Specifically, the bottom holes are proposed to be located as follows:

- **Spotted Horn #26-35HA:** approximately 550 feet from the west line and 250 feet from the south line in the SW $\frac{1}{4}$ SW $\frac{1}{4}$.
- **Spotted Horn #26-35HW:** approximately 1,246 feet from the west line and 250 feet from the south line in the SW $\frac{1}{4}$ SW $\frac{1}{4}$.
- **Spotted Horn #26-35HY:** approximately 2,634 feet from the west line and 250 feet from the south line in the S $\frac{1}{2}$ S $\frac{1}{2}$.

4. Scope of Work for Proposed Action

WPX proposes to increase the size of the approved well pad to accommodate drilling and ancillary storage equipment, in addition to well surface holes, pertinent to the addition of three oil and gas wells. Figure 1 and Appendix A provide a detailed project area map and plat schematics for the proposed well pad expansion. The total disturbance area of the proposed expansion would be 5.16 acres, however, only 1.21 acres would be newly disturbed. The other

3.95 acres would be part of the original pad's interim reclamation that would be re-disturbed. The proposed wells would use a 1,280-acre spacing unit. The technical drilling specifications would be similar to those of the approved Spotted Horn #26-35H well which is covered in a previous Environmental Assessment (see Section 8: Applicable NEPA Documents).

5. Resource Surveys

SWCA Environmental Consultants (SWCA) conducted natural resource surveys for wetlands, noxious weeds, threatened and endangered species and habitat, migratory bird habitat, and bald and golden eagles and their nests at the well pad location and surrounding area on May 03, 2012. While some habitat for protected species does exist near the project area, no primary or secondary indications of protected species occurrences were observed during the field surveys.

A cultural resource inventory of this well pad expansion project was conducted by personnel of SWCA Environmental Consultants, using an intensive pedestrian methodology. Approximately 85.44 acres were inventoried on May 3, 2012 (Reinhart 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 the archaeological site will be avoided. This determination was communicated to the THPO on June 18, 2012; however the THPO did not respond within the allotted 30 day comment period.

Reinhart, Damien

(2012) A Class I and Class III Cultural Resource Inventory of the Spotted Horn #26-35H 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

There would be no potential direct impacts to cultural resources as a result of disturbance and/or the loss of sites eligible for the NHPA. No cultural resources that are potentially eligible for listing on the National Register are known to be present in the project area; therefore, there would be no adverse impacts to cultural resources as a result of the Proposed Action.

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. Straw waddles would be placed, and matting would be installed to prevent

erosion into drainages. In addition to the berm added as a standard BMP, fill would be placed at the tops of drainages to act as a secondary containment to prevent any event from moving off site.

In total, construction disturbance would newly affect approximately 1.21 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 proposed action 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. By expanding existing well pads, disturbance is kept to a minimum, and so SWCA anticipates the cumulative effect of the proposed action 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 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 any noxious weeds within the ROW and other applicable facilities by approved chemical or mechanical methods, according to the weed management plan

developed by the BIA to treat known or likely to occur noxious weed species. If seeding of the ROW does not occur due to growing season constraints, WPX will deploy approved weed-free hay across the entire ROW to reduce the potential for excessive erosion as a result of spring snow melt and precipitation.

The entire ROW 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 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 the new seeding is not successful after two growing seasons, the BIA may require additional efforts to establish vegetation.

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. Access roads and work areas would be leveled or backfilled as necessary, scarified, recontoured, and seeded.

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

Environmental Assessment; Two Bakken Exploratory Oil Wells: Dakota-3 Plenty Sweet Grass #18-19H and Dakota-3 Spotted Horn #26-35H, Zenergy Operating Company, LLC (FONSI March 2011)

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.

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#26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells
(July 2012)*

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.

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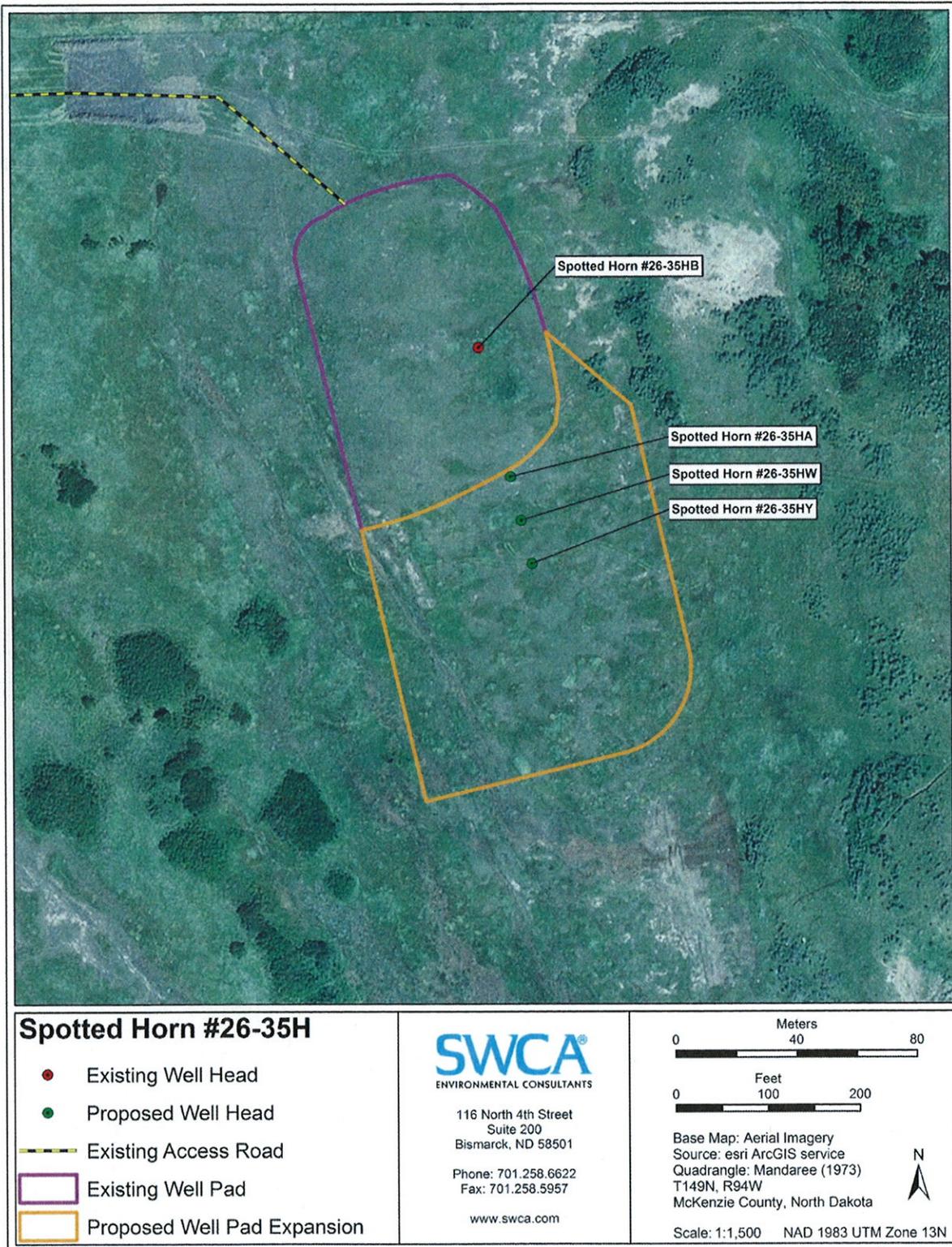


Figure 1. Map of the Approved Spotted Horn #26-35H Well Pad Location and Proposed Expansion Area.

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#26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells
(July 2012)*



IN REPLY REFER TO:
DESCRM
MC-208

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Great Plains Regional Office
115 Fourth Avenue S.E., Suite 400
Aberdeen, South Dakota 57401

JUN 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 three oil well pad project in McKenzie County, North Dakota. Approximately 184.3 acres were intensively inventoried using a pedestrian methodology. Potential surface disturbances are not expected to exceed the area depicted in the enclosed reports. One archaeological site (32MZ2374) 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. One property was located that may 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 these undertakings, as the archaeological site and traditional cultural property are outside the respective project Areas of Potential Effect. Catalogued as **BIA Case Number AAO-2092/TB/12**, the proposed undertakings, locations, and project dimensions are described in the following reports:

Herson, Chandler S.

(2012) A Class I and Class III Cultural Resource Inventory of the Bearstail #32-29H Well Pad Expansion, Fort Berthold Indian Reservation, McKenzie County, North Dakota. SWCA Environmental Consultants for WPX Energy Williston, LLC, Tulsa, OK.

Leroy, Adam D.

(2012) A Class I and Class III Cultural Resource Inventory of the Lucy Evans #29-32 Well Pad and Utility Corridor, Fort Berthold Indian Reservation, McKenzie County, North Dakota. SWCA Environmental Consultants for WPX Energy Williston, LLC, Tulsa, OK.

Reinhart, Damien

(2012) A Class I and Class III Cultural Resource Inventory of the Spotted Horn #26-35H Well Pad Expansion, Fort Berthold Indian Reservation, McKenzie County, North Dakota. SWCA Environmental Consultants for WPX Energy Williston, LLC, Tulsa, OK.

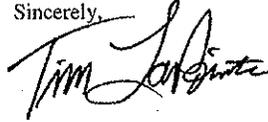
If your office concurs with this determination, consultation will be completed under the National Historic Preservation Act and its implementing regulations. We will adhere to the Standard Conditions of Compliance.

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(July 2012)*

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

Sincerely,



Acting Regional Director

Enclosures

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

APPENDIX A

Plats, Drawings, and Diagrams for the proposed Spotted Horn #26-35HA, HW,
and HY well locations

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#26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells
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WELL COORDINATE LIST WPX ENERGY WILLISTON, LLC SPOTTED HORN 26-35H															
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								
SPOTTED HORN 26-35HA (SHL)	47°42'06.07"	102°40'48.23"	47.701685	102.680077	47°42'06.02"	102°40'48.59"	47.701678	102.679609	1733095.130	2211568.16	1349	FWL 487'	FWL 26	149N	94W
SPOTTED HORN 26-35HA (BHL)	47°42'29.27"	102°40'59.99"	47.704789	102.683330	47°40'29.23"	102°40'58.50"	47.674786	102.682864	17331124.37	2211060.72	550	FWL 250'	FSL 35	149N	94W
SPOTTED HORN 26-35HW (SHL)	47°42'05.58"	102°40'48.14"	47.701551	102.680038	47°42'05.54"	102°40'46.45"	47.701539	102.679570	17340502.63	2211579.73	359	FWL 536'	FWL 26	149N	94W
SPOTTED HORN 26-35HW (BHL)	47°42'29.27"	102°40'49.82"	47.704788	102.680505	47°40'29.23"	102°40'48.14"	47.674786	102.680038	17331144.95	2211786.33	1246	FWL 250'	FSL 35	149N	94W
SPOTTED HORN 26-35HY (SHL)	47°42'05.10"	102°40'48.00"	47.701416	102.679999	47°42'05.06"	102°40'46.31"	47.701404	102.679531	17340583.87	2211580.31	1869	FWL 536'	FSL 35	149N	94W
SPOTTED HORN 26-35HY (BHL)	47°42'29.27"	102°40'59.54"	47.704797	102.674872	47°40'29.22"	102°40'27.86"	47.674784	102.674409	17331186.12	2211343.50	2634	FWL 250'	FSL 35	149N	94W



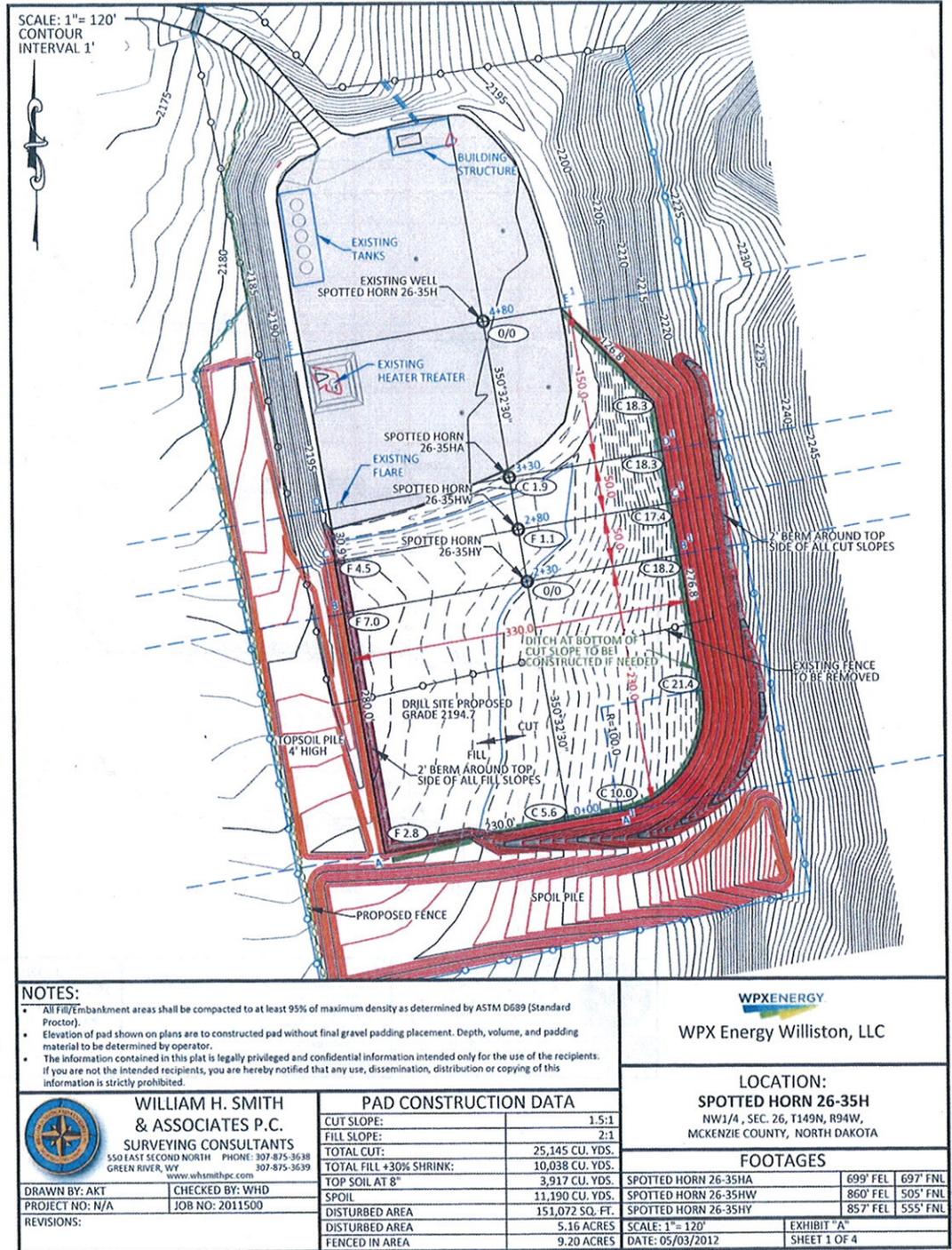
**WILLIAM H. SMITH
& ASSOCIATES P.C.**
SURVEYING CONSULTANTS
614 EAST SIOUX CITY, IOWA 50243
GREEN RIVER, WY Phone: 307-875-3688
www.willsmithpc.com 307-875-3689

DRAWN BY: CEO CHECKED BY: WHD
PROJECT NO: N/A JOB NO: 2011500
REVISIONS:

**LOCATION
SPOTTED
HORN 26-35H**
NE1/4 NW1/4, SECTION 26,
T 149 N, R 94 W, 5TH PM.
MCKENZIE COUNTY,
NORTH DAKOTA

WPX ENERGY
WPX Energy Williston, LLC
WELL COORDINATE LIST
DATE: 05/09/2012 SHEET 1 OF 1

*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn
#26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells
(July 2012)*



NOTES:

- All Fill/Embankment areas shall be compacted to at least 95% of maximum density as determined by ASTM D699 (Standard Proctor).
- Elevation of pad shown on plans are to constructed pad without final gravel padding placement. Depth, volume, and padding material to be determined by operator.
- 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 recipients, you are hereby notified that any use, dissemination, distribution or copying of this information is strictly prohibited.



WPX Energy Williston, LLC

LOCATION:

SPOTTED HORN 26-35H
NW1/4, SEC. 26, T149N, R94W,
MCKENZIE COUNTY, NORTH DAKOTA

FOOTAGES

SPOTTED HORN 26-35HA	699' FEL	697' FNL
SPOTTED HORN 26-35HW	860' FEL	505' FNL
SPOTTED HORN 26-35HY	857' FEL	555' FNL

WILLIAM H. SMITH & ASSOCIATES P.C.
SURVEYING CONSULTANTS
550 EAST SECOND NORTH GREEN RIVER, WY
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307-875-3639
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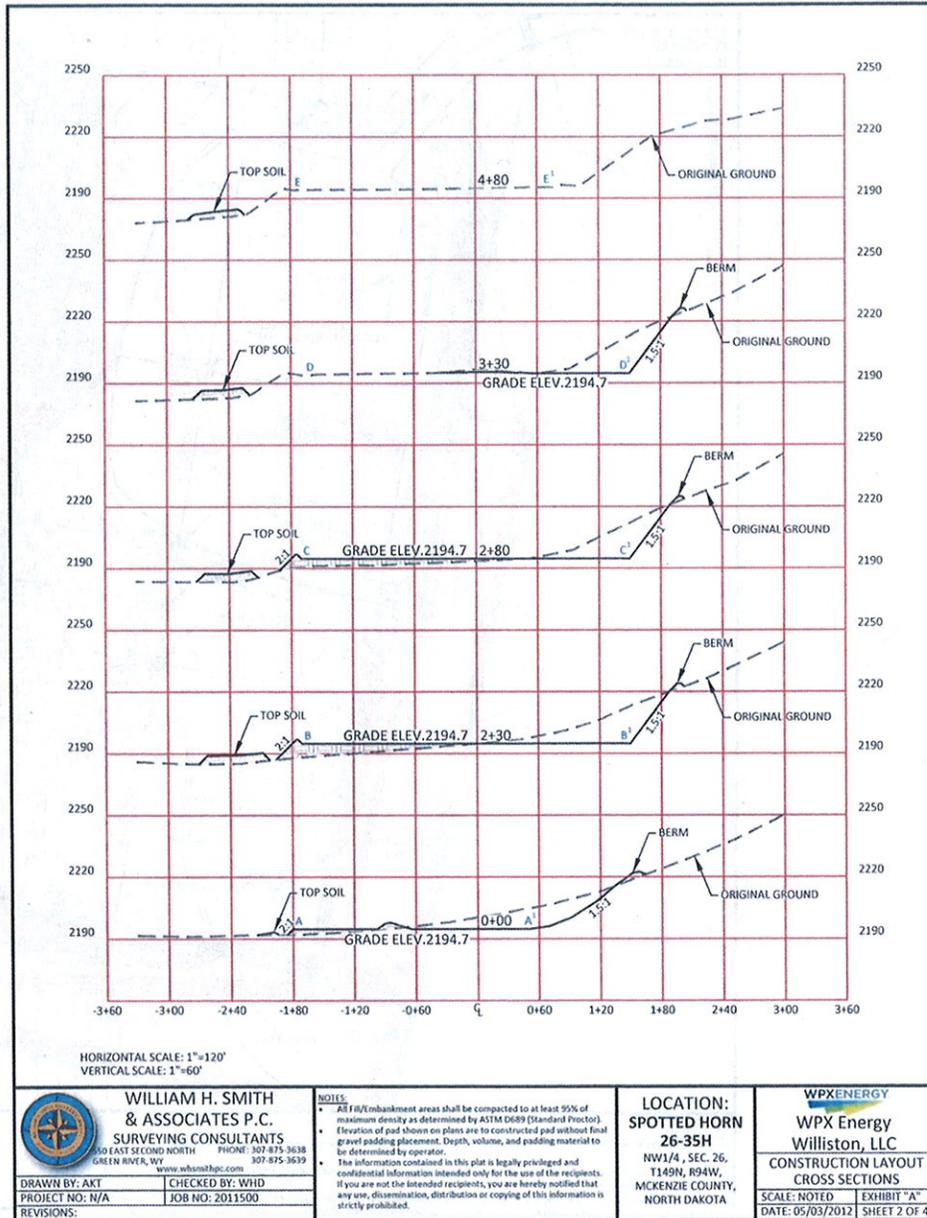
DRAWN BY: AKT	CHECKED BY: WHD
PROJECT NO: N/A	JOB NO: 2011500
REVISIONS:	

PAD CONSTRUCTION DATA

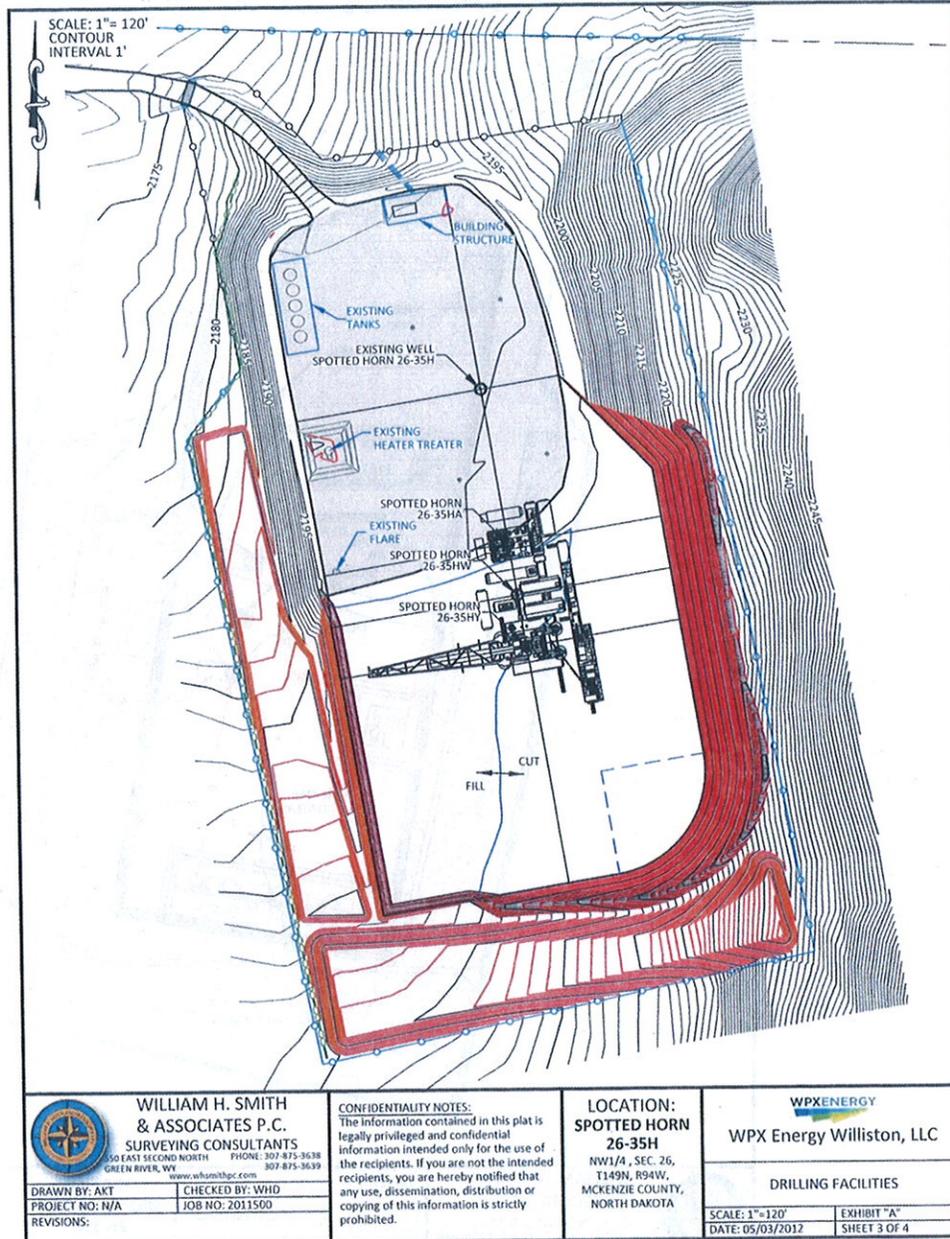
CUT SLOPE:	1.5:1
FILL SLOPE:	2:1
TOTAL CUT:	25,145 CU. YDS.
TOTAL FILL +30% SHRINK:	10,038 CU. YDS.
TOP SOIL AT 8"	3,917 CU. YDS.
SPOIL	11,190 CU. YDS.
DISTURBED AREA	151,072 SQ. FT.
DISTURBED AREA	5.16 ACRES
FENCED IN AREA	9.20 ACRES

SCALE: 1" = 120'	EXHIBIT "A"
DATE: 05/03/2012	SHEET 1 OF 4

*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn
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(July 2012)*



*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn
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**WILLIAM H. SMITH
& ASSOCIATES P.C.**
SURVEYING CONSULTANTS
550 EAST SECOND NORTH PHONE: 307-875-3638
GREEN RIVER, WY 307-875-3639
www.williamsmithpc.com

DRAWN BY: AKT	CHECKED BY: WHD
PROJECT NO: N/A	JOB NO: 2011500
REVISIONS:	

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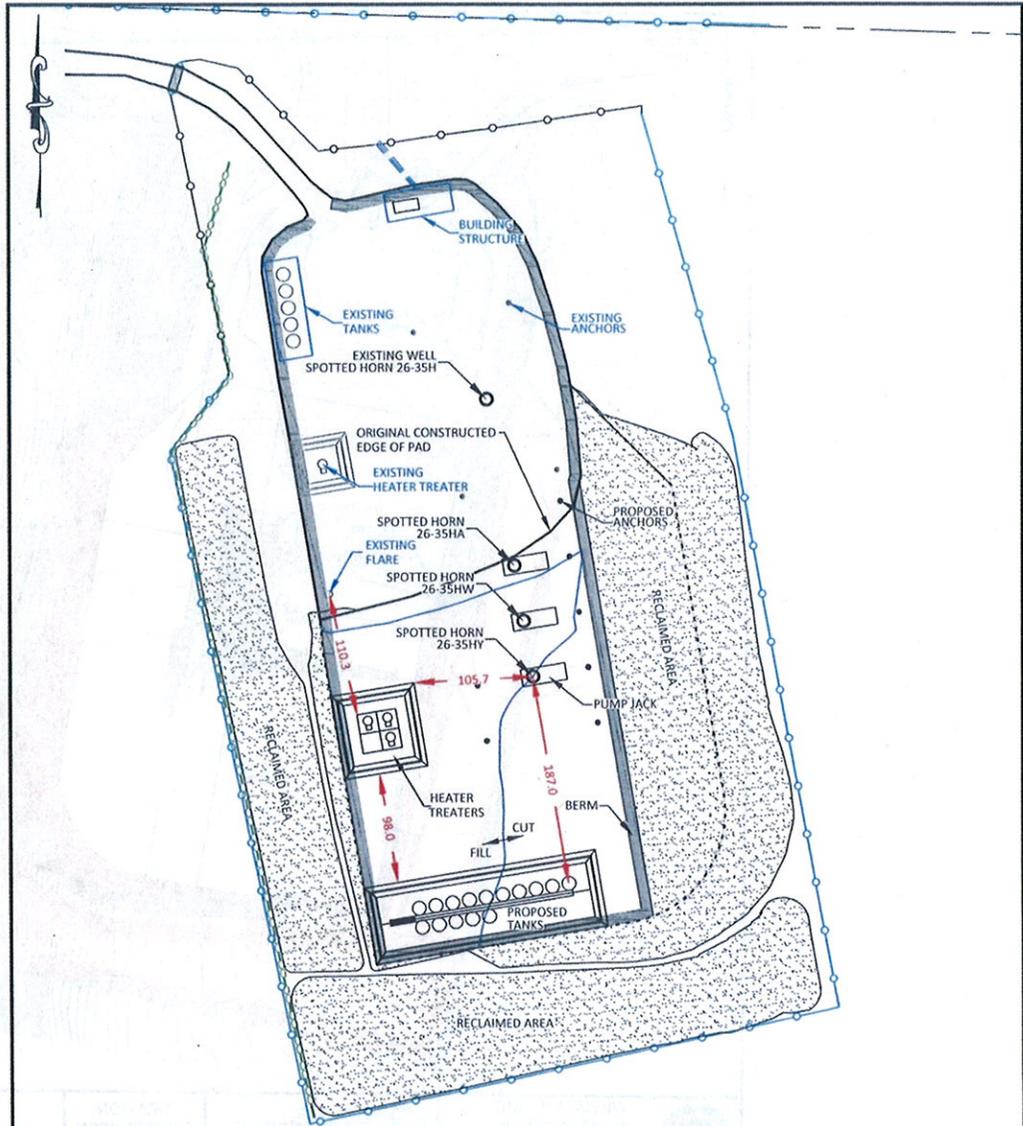
LOCATION:
**SPOTTED HORN
26-35H**
NW1/4, SEC. 26,
T149N, R94W,
MCKENZIE COUNTY,
NORTH DAKOTA

WPXENERGY
WPX Energy Williston, LLC

DRILLING FACILITIES

SCALE: 1"=120'	EXHIBIT "A"
DATE: 05/03/2012	SHEET 3 OF 4

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330 EAST SECOND NORTH GREEN RIVER, WY
PHONE: 307-875-3638
307-875-3639
www.wsmithpc.com

LEGEND	
	INTERIM RECLAMATION

LOCATION:
**SPOTTED HORN
26-35H**
NW1/4, SEC. 26,
T149N, R94W,
MCKENZIE COUNTY,
NORTH DAKOTA

WPXENERGY
WPX Energy Williston, LLC

DRAWN BY: AKT	CHECKED BY: WHD
PROJECT NO: N/A	JOB NO: 2011500
REVISIONS:	

DATA	
REMAINING WORKING SURFACE	3.81 ACRES
RECLAIMED AREA	3.25 ACRES

PRODUCTION FACILITY LAYOUT	
SCALE: 1"=120'	EXHIBIT "A"
DATE: 05/03/2012	SHEET 4 OF 4

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WPX ENERGY WILLISTON, LLC
SPOTTED HORN 26-35H, 26-35HA, 26-35HW, & 26-35HY
ADDITIONAL PAD RIGHT-OF-WAY ON TRIBAL LANDS
SECTION 26, 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 4.88 Acres more or less. Total additional area of Pad Right-Of-Way contains 4.33 Acres more or less. Total combined additional and existing area of Pad Right-Of-Way contains 9.21 Acres more or less.

SURVEYOR'S AFFIDAVIT

STATE OF NORTH DAKOTA }
COUNTY OF MCKENZIE } SS

William H. Dolinar, being first duly sworn, deposes and states that he is the registered land surveyor for WPX 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 additional pad right-of-way as described and shown on this map; that this map was prepared under his direction from said field notes; and that said additional right-of-way, containing 4.33 acres as shown on this map is accurately represented.



William H. Dolinar
REGISTERED LAND SURVEYOR
REGISTRATION NO. 6550
STATE OF NORTH DAKOTA

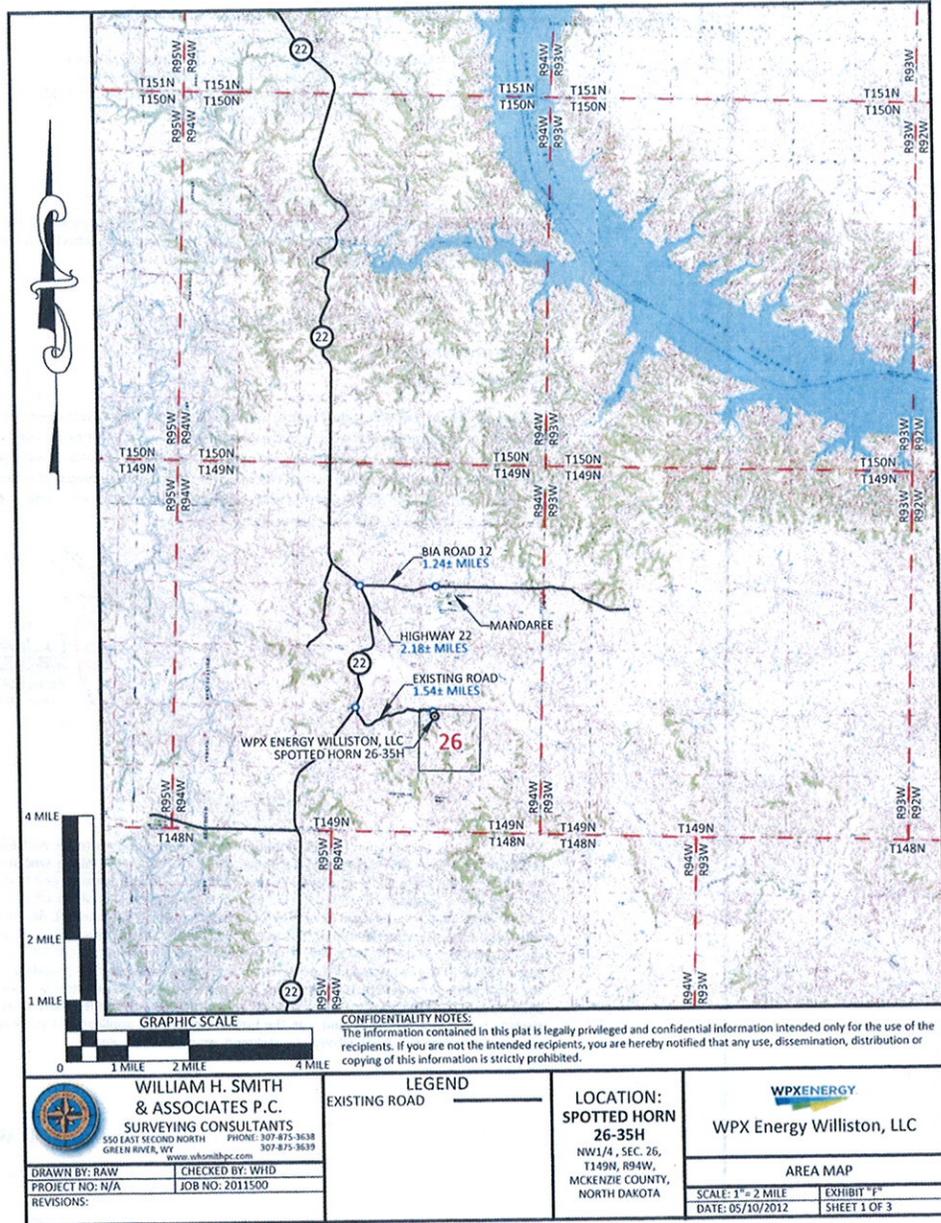
APPLICANT'S CERTIFICATE

I, _____, do hereby certify that I am the agent for WPX Energy Williston, LLC, hereinafter designated the applicant; That William H. Dolinar 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 additional Pad Right-Of-Way, containing 4.33 acres, that said Pad Right-Of-Way is accurately represented on this map; That such survey as represented on this map has been adopted by the applicant as the definite location of the Right-Of-Way thereby shown; and that the map has been prepared to be filed with the Secretary of the Interior or his duly authorized representative as part of the application for said Right-Of-Way to be granted the applicant, its successors and assigns, with the right to construct, maintain, and repair improvements, thereon and thereover, for such purposes, and with the further right in the applicant, its successors and assigns to transfer this Right-Of-Way by assigned, grant, or otherwise.

APPLICANT

TITLE

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**WILLIAM H. SMITH
& ASSOCIATES P.C.**
SURVEYING CONSULTANTS
550 EAST SECOND NORTH PHONE: 307-875-3638
GREEN RIVER, WY 80639 307-875-3639
www.williamhsmith.com

DRAWN BY: RAW CHECKED BY: WHD
PROJECT NO: N/A JOB NO: 2011500
REVISIONS:

LEGEND

EXISTING ROAD

LOCATION:
**SPOTTED HORN
26-35H**
NW1/4, SEC. 26,
T149N, R94W,
MCKENZIE COUNTY,
NORTH DAKOTA

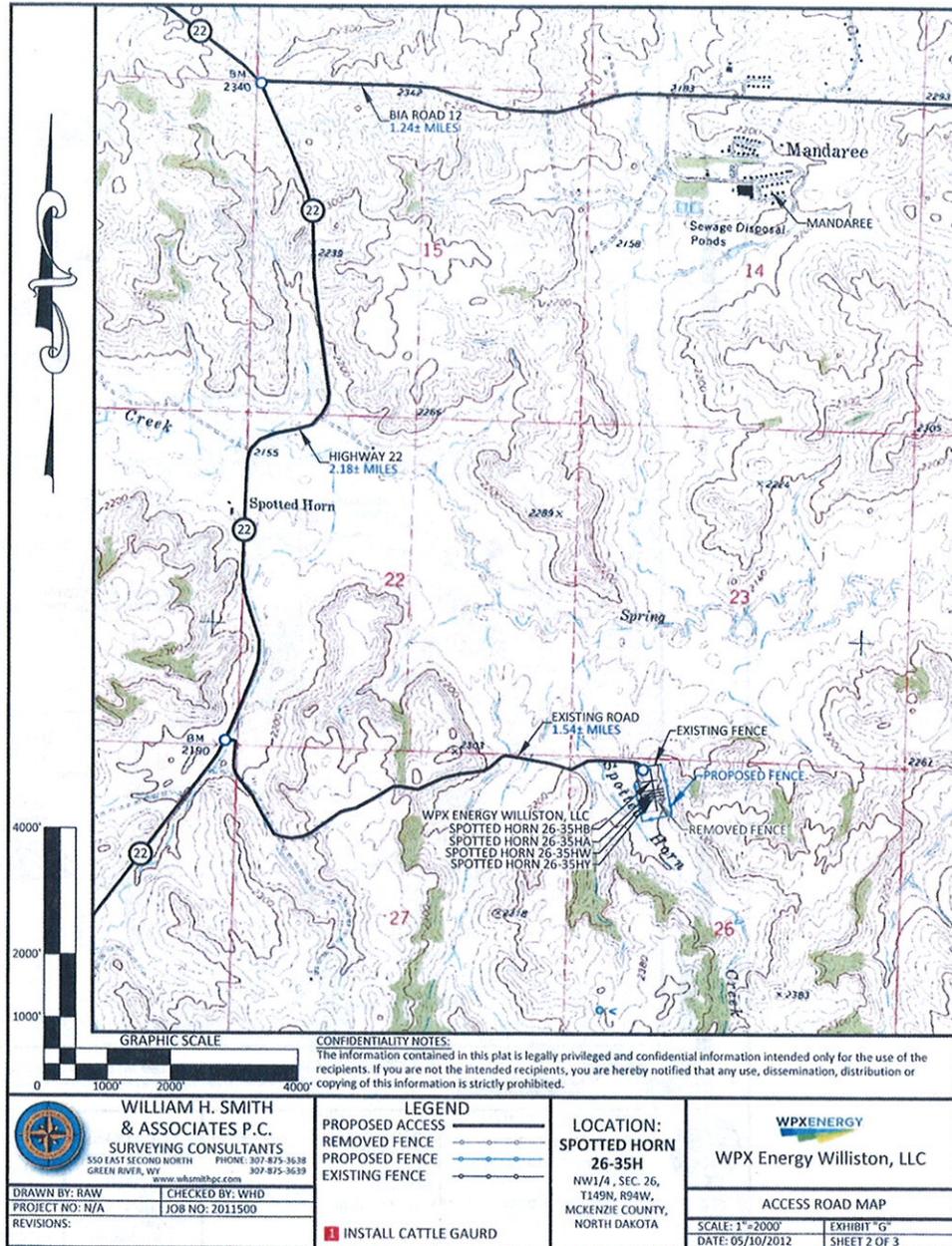


WPX Energy Williston, LLC

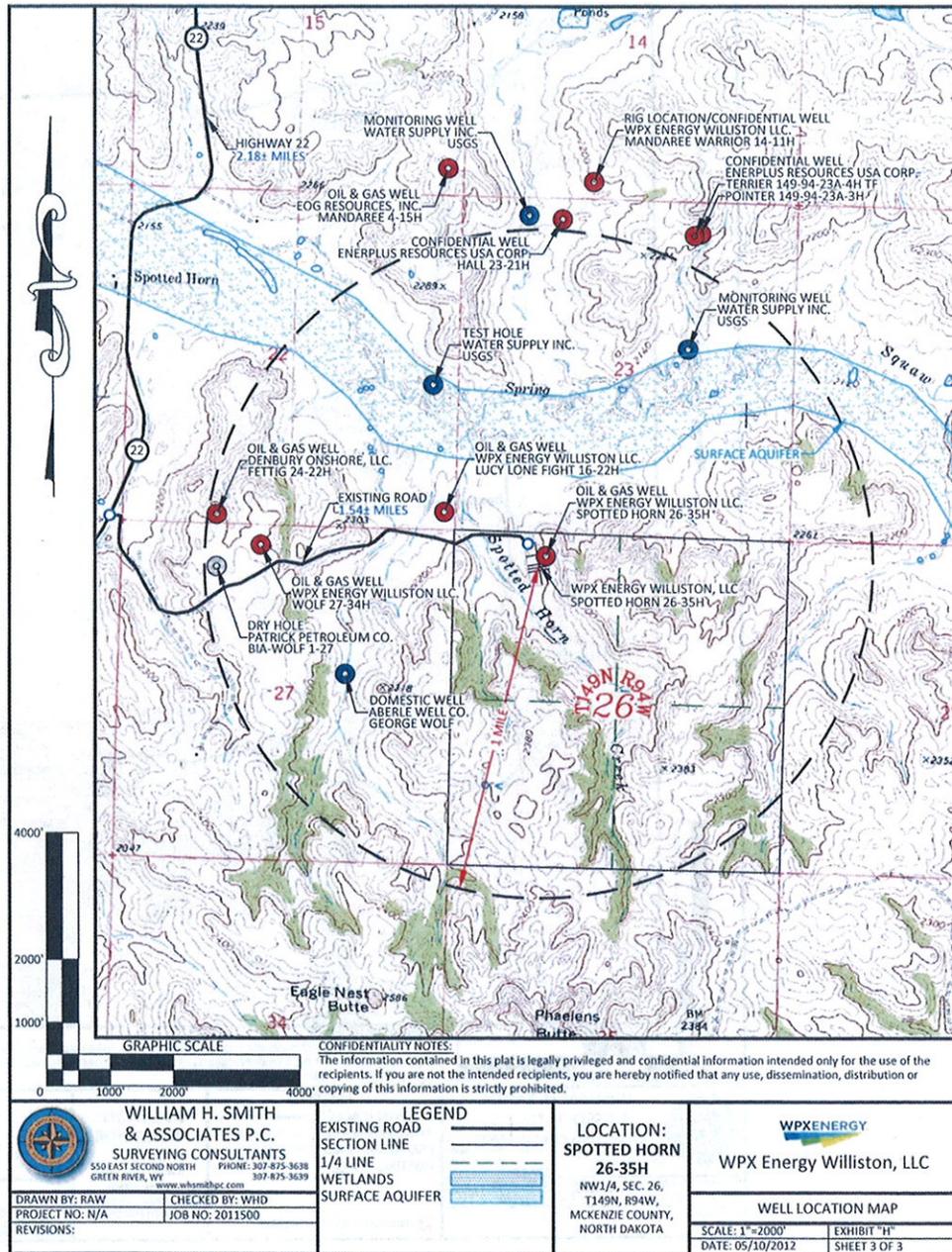
AREA MAP

SCALE: 1" = 2 MILE EXHIBIT "F"
DATE: 05/10/2012 SHEET 1 OF 3

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 WILLIAM H. SMITH & ASSOCIATES P.C. SURVEYING CONSULTANTS 550 EAST SECOND NORTH GREEN RIVER, WY PHONE: 307-875-3638 307-875-3639 www.wsmithpc.com	LEGEND EXISTING ROAD SECTION LINE 1/4 LINE WETLANDS SURFACE AQUIFER	LOCATION: SPOTTED HORN 26-35H NW1/4, SEC. 26, T149N, R94W, MCKENZIE COUNTY, NORTH DAKOTA	 WPX Energy Williston, LLC	
			WELL LOCATION MAP SCALE: 1"=2000' DATE: 05/10/2012	
DRAWN BY: RAW PROJECT NO: N/A REVISIONS:	CHECKED BY: WHD JOB NO: 2011500			

*Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn
#26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells
(July 2012)*

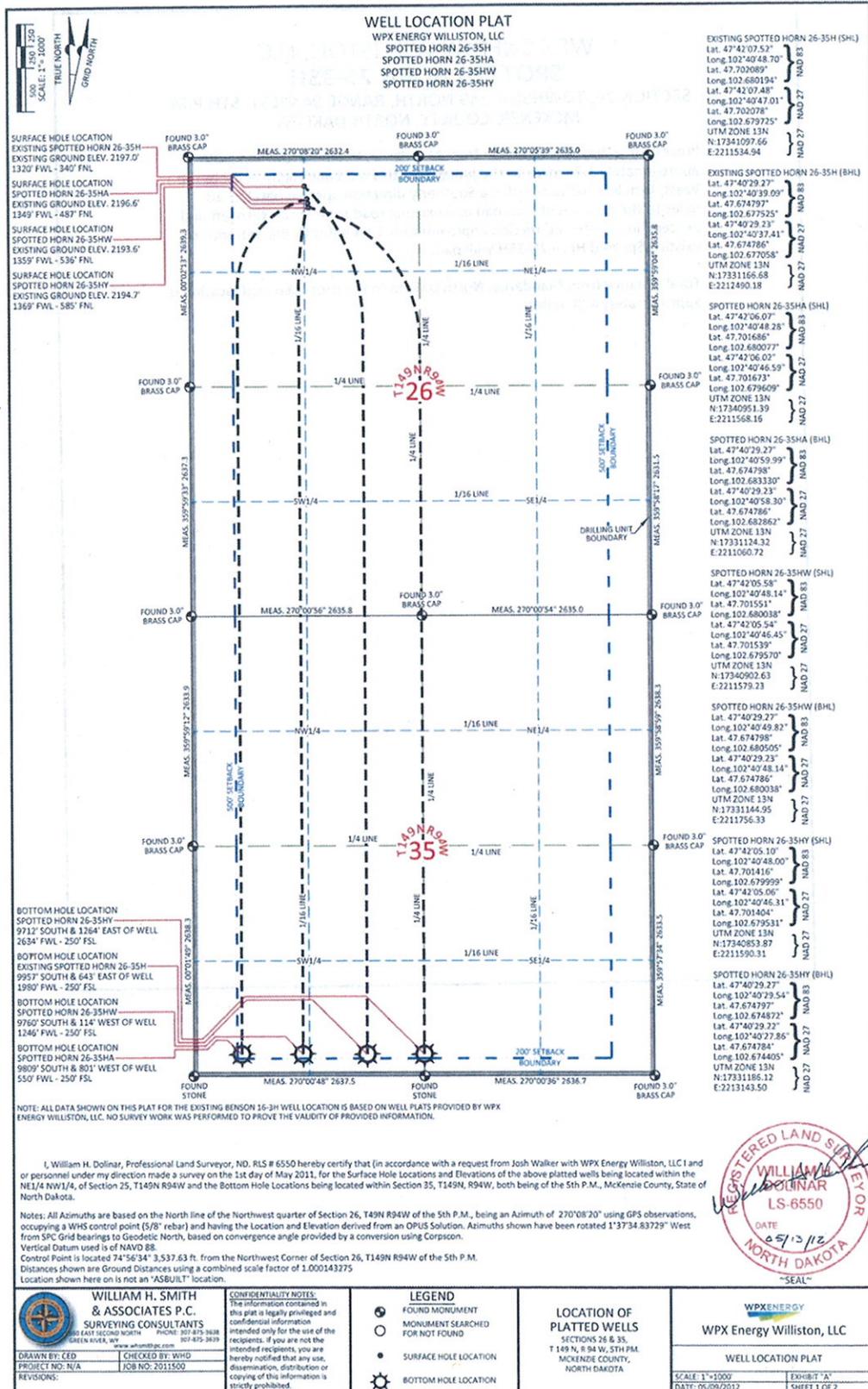
**WPX ENERGY WILLISTON, LLC
SPOTTED HORN 26-35H**

SECTION 26, TOWNSHIP 149 NORTH, RANGE 94 WEST, 5TH P.M.
MCKENZIE COUNTY, NORTH DAKOTA

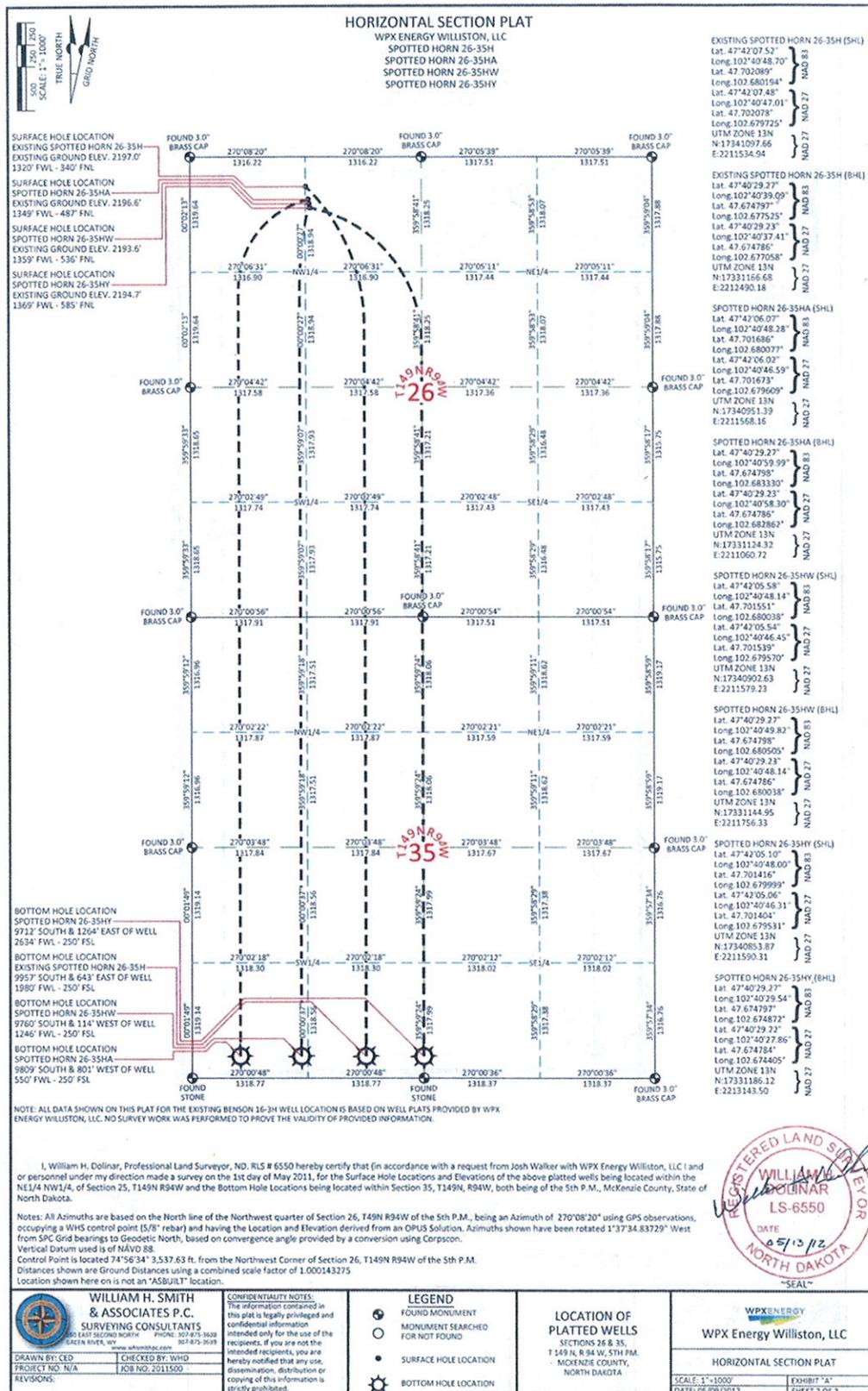
Proceed in a Westerly direction from Mandaree, North Dakota along BIA 12 approximately 1.24 miles to the junction of this road and Highway 22 to the West; turn left and proceed in a Southerly direction approximately 2.18 miles to the junction of this road and existing road to the East; turn left and proceed in a Easterly direction approximately 1.54 miles to the entrance of existing Spotted Horn 26-35H well pad.

Total distance from Mandaree, North Dakota to the proposed well location is approximately 4.96 miles.

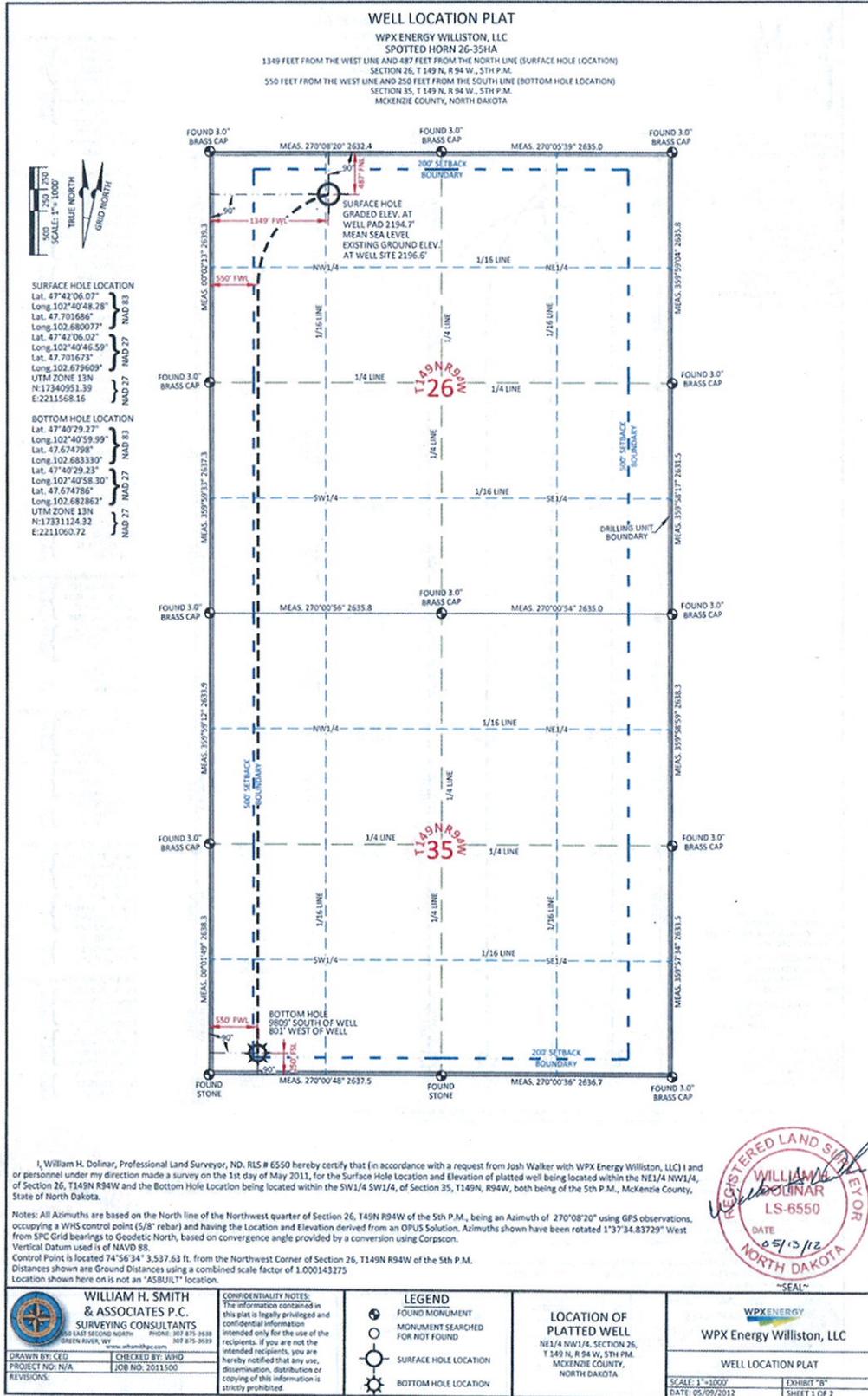
**Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn
#26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells
(July 2012)**



Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn #26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells (July 2012)



**Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn
#26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells
(July 2012)**



I, William H. Dolnar, Professional Land Surveyor, ND, RLS # 6550 hereby certify that (in accordance with a request from Josh Walker with WPX Energy Williston, LLC) I and or personnel under my direction made a survey on the 1st day of May 2011, for the Surface Hole Location and Elevation of platted well being located within the NE1/4 NW1/4, of Section 26, T149N R94W and the Bottom Hole Location being located within the SW1/4 SW1/4, of Section 35, T149N, R94W, both being of the 5th P.M., McKenzie County, State of North Dakota.

Notes: All Azimuths are based on the North line of the Northwest quarter of Section 26, T149N R94W of the 5th P.M., being an Azimuth of 270°08'20" using GPS observations, occupying a WHS control point (5/8" rebar) and having the Location and Elevation derived from an OPLUS Solution. Azimuths shown have been rotated 1°37'34.83729" West from SPC Grid bearings to Geoidetic North, based on convergence angle provided by a conversion using Corpscon. Vertical Datum used is of NAVD 83.
Control Point is located 74°56'34" 3,537.63 ft. from the Northwest Corner of Section 26, T149N R94W of the 5th P.M.
Distances shown are Ground Distances using a combined scale factor of 1.000143275
Location shown here on is not an "ASBUILT" location.



WILLIAM H. SMITH & ASSOCIATES P.C.
SURVEYING CONSULTANTS
1445 SECOND NORTH PHONE: 202-875-3638
GREEN RIVER, WY WEBSITE: www.williamsmith.com
202-875-3638

DRAWN BY: CED CHECKED BY: WHD
PROJECT NO: N/A JOB NO: 2011500
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 recipients, you are hereby notified that any use, dissemination, distribution or copying of this information is strictly prohibited.

LEGEND

- FOUND MONUMENT
- MONUMENT SEARCHED FOR NOT FOUND
- ⊙ SURFACE HOLE LOCATION
- ⊗ BOTTOM HOLE LOCATION

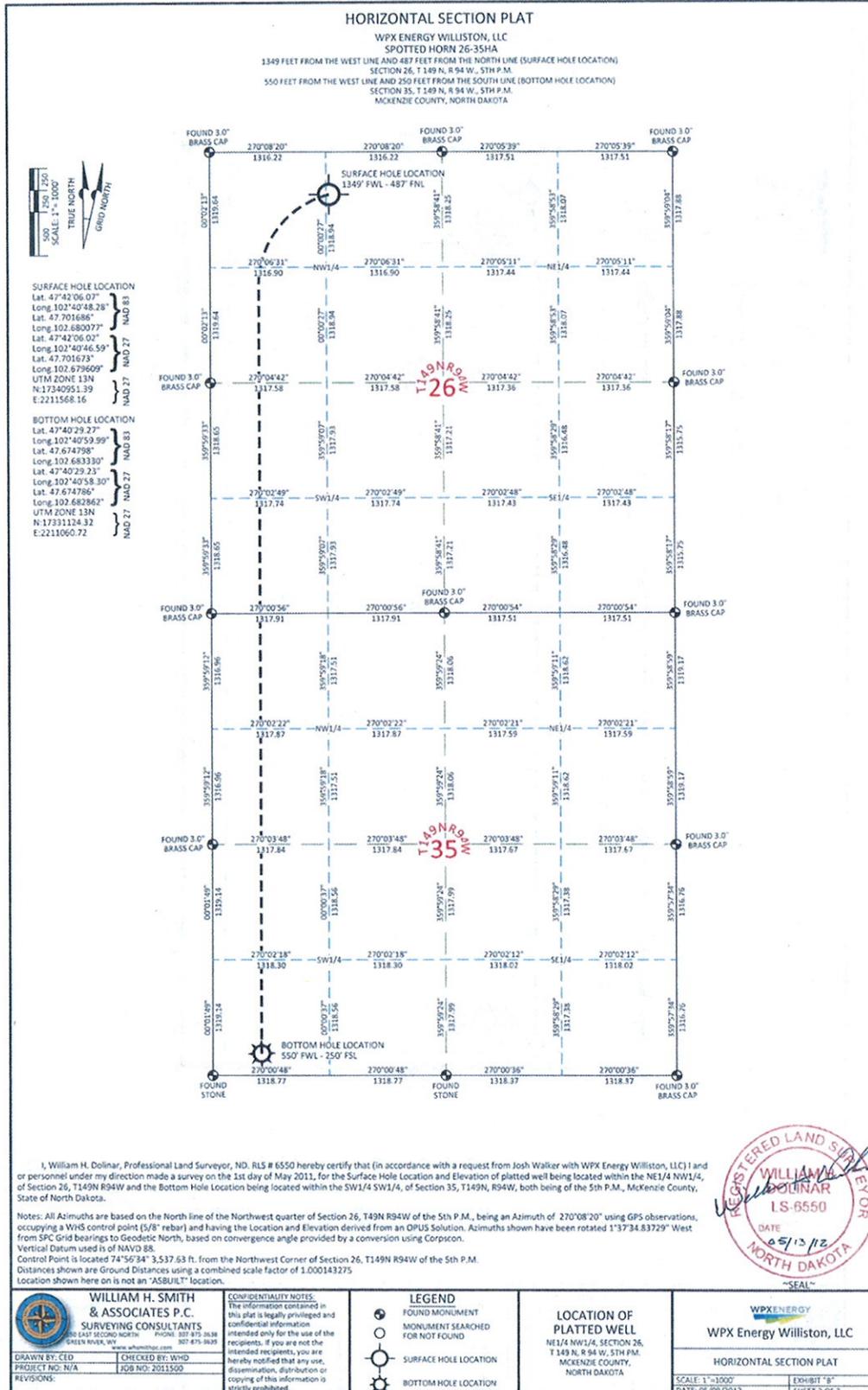
LOCATION OF PLATTED WELL
NE1/4 NW1/4, SECTION 26,
T 149 N, R 94 W, 5TH P.M.
MCKENZIE COUNTY,
NORTH DAKOTA

WPX ENERGY
WPX Energy Williston, LLC

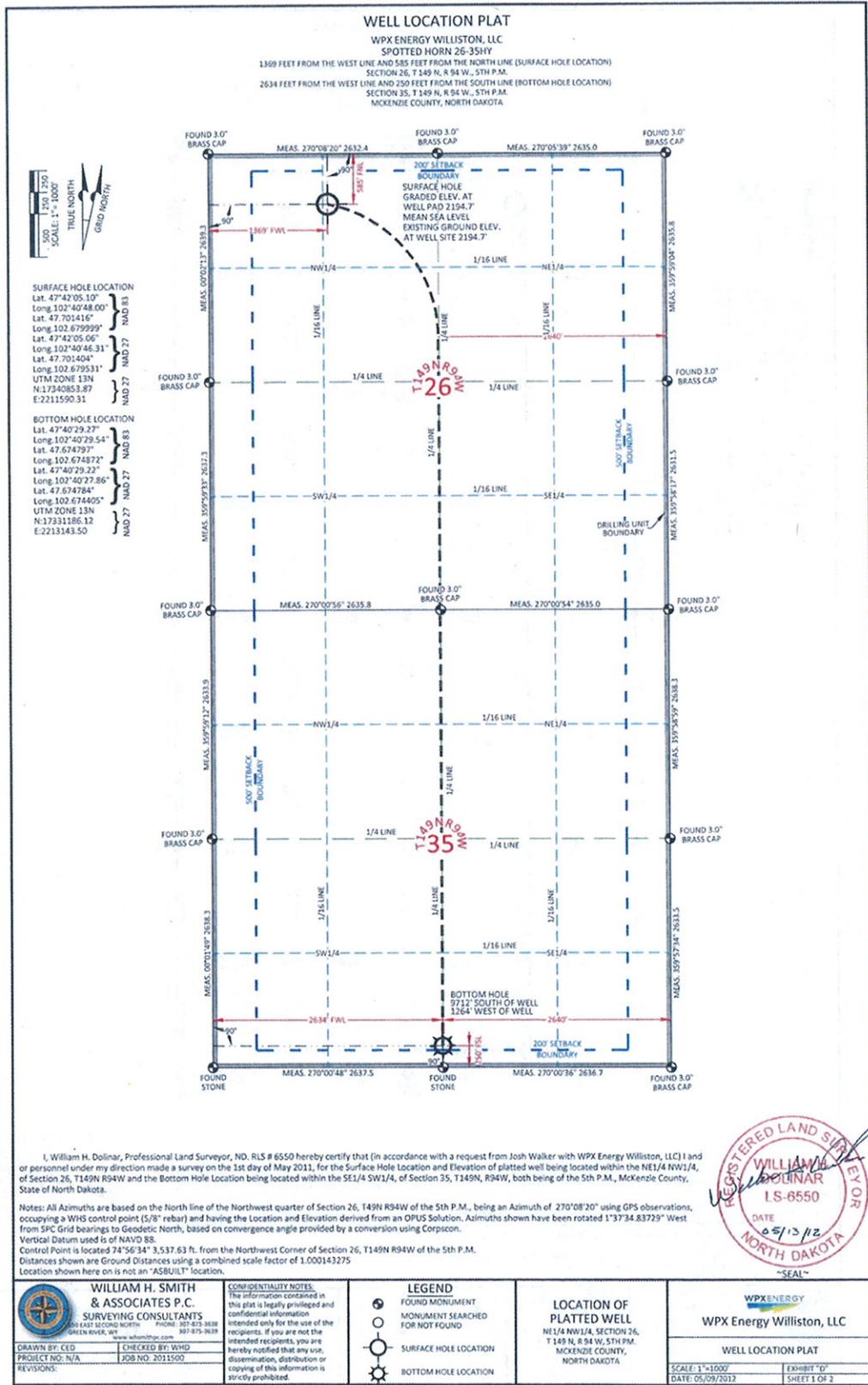
WELL LOCATION PLAT

SCALE: 1" = 1000' EXHIBIT "B"
DATE: 05/09/2012 SHEET 1 OF 2

**Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn
#26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells
(July 2012)**



**Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn
#26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells
(July 2012)**



I, William H. Dolinar, Professional Land Surveyor, ND, RLS # 6550 hereby certify that (in accordance with a request from Josh Walker with WPX Energy Williston, LLC) I and or personnel under my direction made a survey on the 1st day of May 2011, for the Surface Hole Location and Elevation of platted well being located within the NE1/4 NW1/4, of Section 26, T149N R94W and the Bottom Hole Location being located within the SE1/4 SW1/4, of Section 35, T149N, R94W, both being of the 5th P.M., McKenzie County, State of North Dakota.

Notes: All Azimuths are based on the North line of the Northwest quarter of Section 26, T149N R94W of the 5th P.M., being an Azimuth of 270°08'20" using GPS observations, occupying a WHS control point (5/8" rebar) and having the Location and Elevation derived from an OPUS Solution. Azimuths shown have been rotated 1°37'34.83729" West from SPC Grid bearings to Geodetic North, based on convergence angle provided by a conversion using Corpcorssm.

Vertical Datum used is of NAVD 88.

Control Point is located 74°56'34" 3,537.63 ft. from the Northwest Corner of Section 26, T149N R94W of the 5th P.M.

Distances shown are Ground Distances using a combined scale factor of 1.000143275

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



WILLIAM H. SMITH & ASSOCIATES P.C.
 SURVEYING CONSULTANTS
 841 EAST SECOND NORTH
 GREEN RIVER, WY 82901
 PHONE: 307-875-3838
 307-875-9839
 www.williamhsmith.com

DRAWN BY: CED
 PROJECT NO.: N/A
 REVISIONS:

CHECKED BY: WHD
 JOB NO.: 2011500

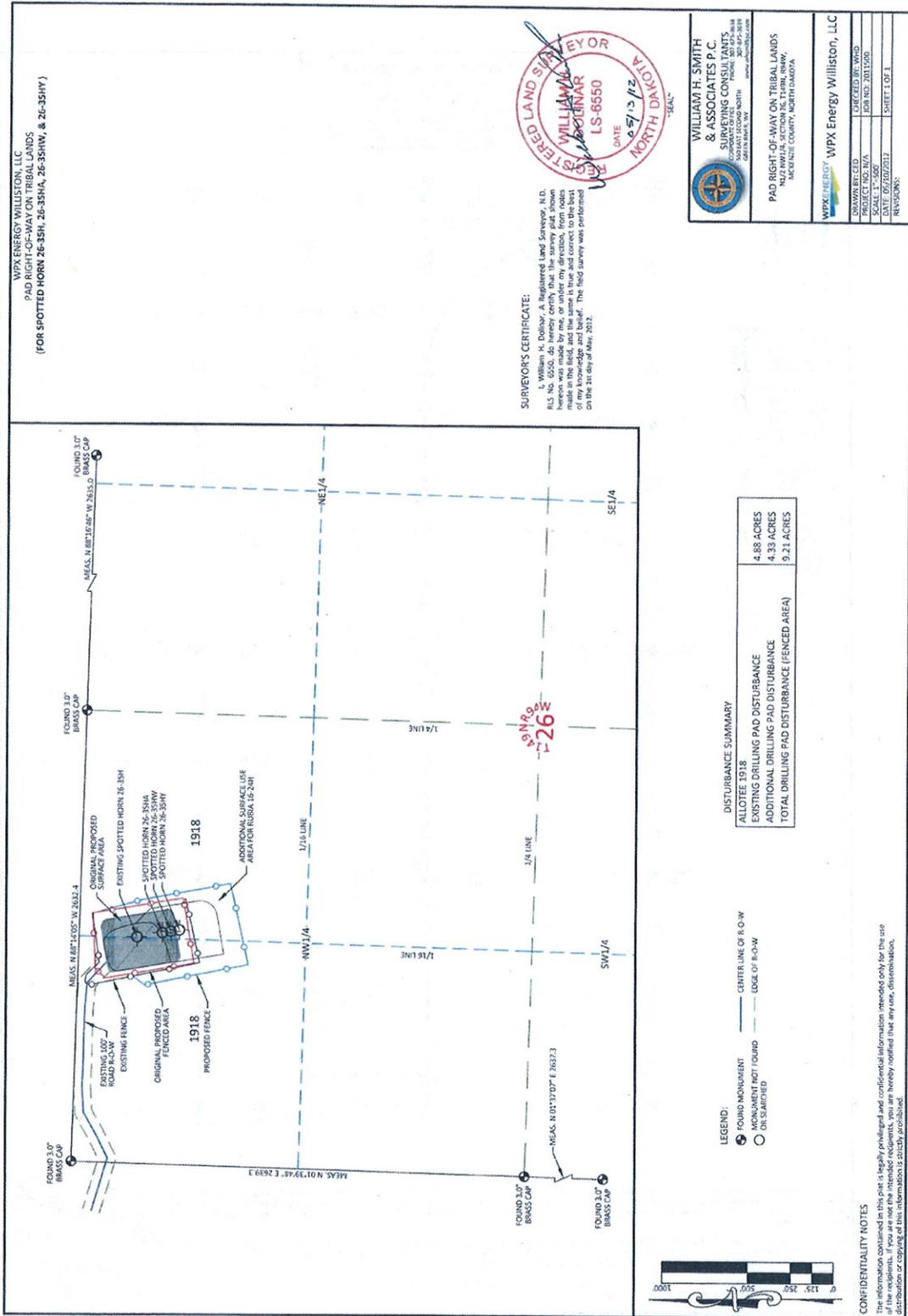
CONFIDENTIALITY NOTES
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LEGEND
 FOUND MONUMENT
 MONUMENT SEARCHED FOR NOT FOUND
 SURFACE HOLE LOCATION
 BOTTOM HOLE LOCATION

LOCATION OF PLATTED WELL
 NE1/4 NW1/4, SECTION 26,
 T149N, R94W, 5TH P.M.
 MCKENZIE COUNTY,
 NORTH DAKOTA

WPX ENERGY
WPX Energy Williston, LLC
WELL LOCATION PLAT
 SCALE: 1"=1000'
 DATE: 05/09/2012
 EXHIBIT "D"
 SHEET 1 OF 3

Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn #26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells (July 2012)



Finding of No Significant Impact

WPX Energy Williston, LLC

Addendum to Environmental Assessment to Authorize Land Use for the Expansion of the Spotted Horn #26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells

*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 construction and installation associated with the expansion of the existing Spotted Horn #26-35H well pad (well pad) to accommodate the addition of the HA, HW, and HY oil and gas wells (wells). Developments have been proposed on land held in trust by the United States within the Fort Berthold Reservation. The proposed well pad is located approximately 2.80 miles south of Mandaree, North Dakota, in the NW¼ of Section 26, Township 149 North, Range 94 West, 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

Acting


Date

Notice of Availability and Appeal Rights

WPX Energy: For the Expansion of the Spotted Horn #26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells

The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to the Expansion of the Spotted Horn #26-35H Well Pad to Accommodate the HA, HW, and HY Oil and Gas Wells on the Berthold Reservation as shown on the attached map. Construction by WPX Energy is expected to begin in 2012.

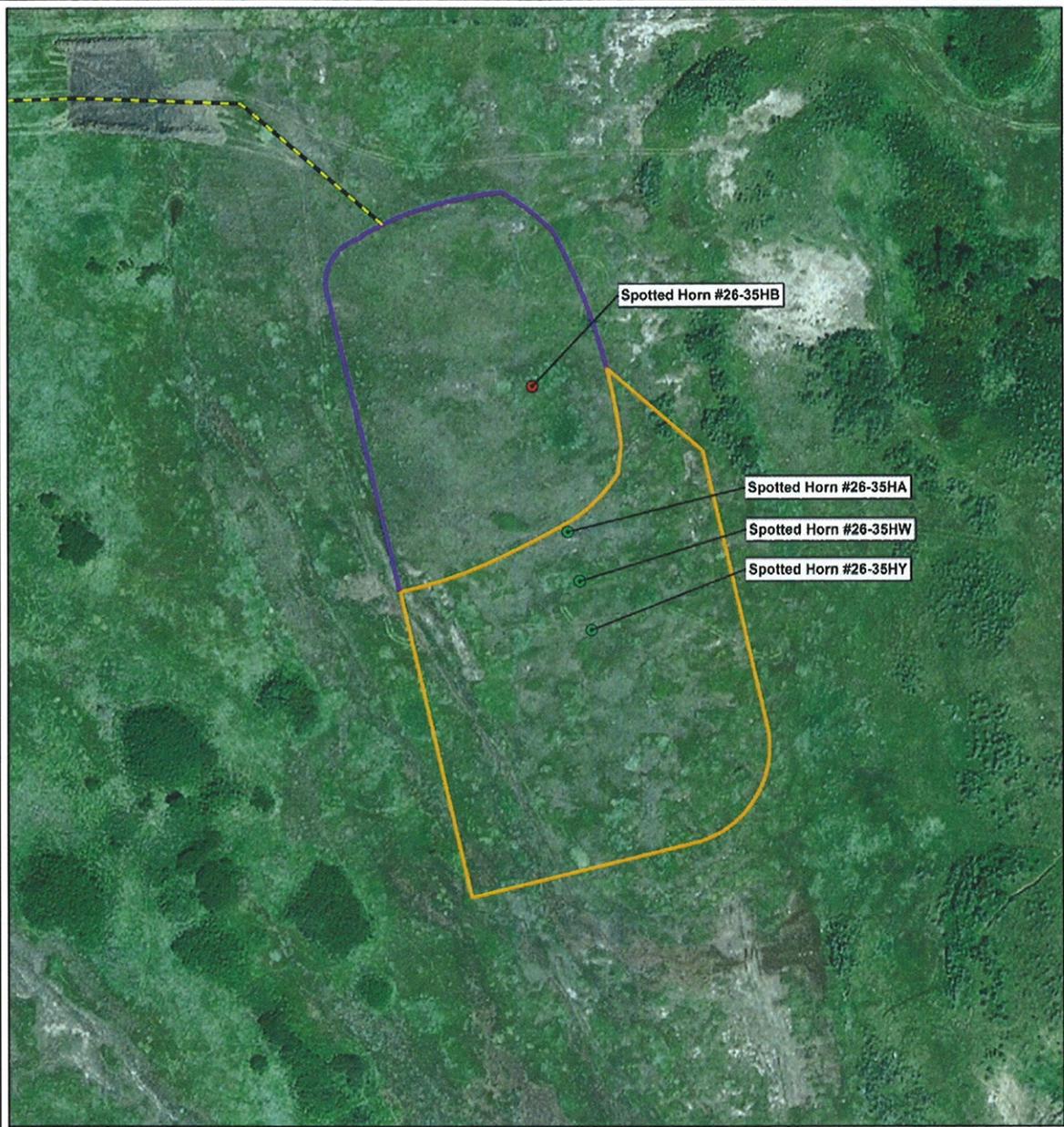
An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-6570 for more information and/or copies of the EA and the Finding of No Significant 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 18, 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 701-627-6570.

Project locations.

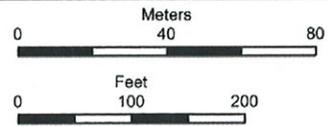


Spotted Horn #26-35H

- Existing Well Head
- Proposed Well Head
- - - Existing Access Road
- Existing Well Pad
- Proposed Well Pad Expansion



116 North 4th Street
Suite 200
Bismarck, ND 58501
Phone: 701.258.6622
Fax: 701.258.5957
www.swca.com



Base Map: Aerial Imagery
Source: esri ArcGIS service
Quadrangle: Mandaree (1973)
T149N, R94W
McKenzie County, North Dakota



Scale: 1:1,500 NAD 1983 UTM Zone 13N