



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

OCT 28 2011

MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: ^{Acting} Regional Director, Great Plains Region

SUBJECT: Environmental Assessment Addendum and Finding of No Significant Impact

In compliance with the regulations of the National Environmental Policy Act (NEPA) of 1969, as amended, an Environmental Assessment Addendum has been completed and a Finding of No Significant Impact (FONSI) has been issued. The Addendum authorizes land use for the Eagles Nest and Roberts pipeline by Saddle Butte Pipeline, LLC, on the Fort Berthold Indian Reservation.

All the necessary requirements of the National Environmental Policy Act have been completed. Attached for your files is a copy of the EA Addendum, FONSI and Notice of Availability. The Council on Environmental Quality (CEQ) regulations require that there be a public notice of availability of the FONSI (40 C.F.R. Part 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)
Grady Wolf, KLJ (with attachment)
Jonathon Shelman, Corps of Engineer
Jeff Hunt, Fort Berthold Agency

Finding of No Significant Impact

***Saddle Butte Pipeline, LLC (SBP)
Eagles Nest and Roberts Trust Pipelines***

Addendum to:

***Saddle Butte Pipeline, LLC August 2010 Environmental Assessment
Saddle Butte Trunk Lines***

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

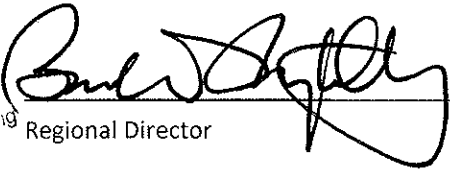
The U.S. Bureau of Indian Affairs (BIA) has received a proposal for an addendum to the above referenced Environmental Assessment (EA). The proposal is to acquire a 100 foot right-of-way corridor (50 feet of temporary right-of-way and 50 feet of permanent right-of-way) for construction of the Eagles Nest and Roberts Pipelines approximately 5,500 feet in length and the Roberts Trust Pipelines approximately 1,750 feet in length. The proposed pipeline corridors will include up to four lines, with oil/gas pipelines being up to eight inches in diameter and water pipelines up to six inches in diameter, in Dunn County, North Dakota, on the Fort Berthold Reservation. The new lines would connect to the Saddle Butte Trunk Lines (September 9, 2010 EA/ Finding of No Significant Impact (FONSI)). The pipelines would tie in to the existing Peak's Eagle Nest 34-44H well pad located in Section 34, T148N, R94W (January 2010 EA/ FONSI) and connect four Enerplus well pads and a total of 12 wells in Sections 11 & 12, Section 148N, R94W (February 2010 EA/FONSI). Associated federal actions by BIA include determinations of impacts and effects regarding environmental resources for developments on tribal lands.

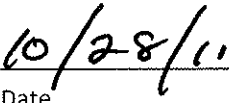
The potential of the proposed actions to impact the human environment is analyzed in the attached addendum to an existing EA, as required by the National Environmental Policy Act. Based on the recently completed addendum to the EA, I have determined that the proposed project will not significantly affect the quality of the human environment. No Environmental Impact Statement is required for any portion of the proposed activities.

This determination is based on the following factors:

1. Agency and public involvement solicited for the preceding NEPA document was sufficient to ascertain potential environmental concerns associated with the currently proposed project.
2. Protective and prudent measures were designed to minimize impacts to air, water, soil, vegetation, wetlands, wildlife, public safety, water resources, and cultural resources. The remaining potential for impacts was disclosed for both the proposed actions and the No Action alternative.
3. Guidance from the U.S. Fish and Wildlife Service has been fully considered regarding wildlife impacts, particularly in regard to threatened or endangered species. This guidance includes the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250), Executive Order 13186 "Responsibilities of Federal Agencies to Protect Migratory Birds", and the Endangered Species Act (16 U.S.C. 1531 et seq.).
4. The proposed actions are designed to avoid adverse effects to historic, archaeological, cultural and traditional properties, sites and practices. Compliance with the procedures of the National Historic Preservation Act is complete.
5. Environmental justice was fully considered.

- 6. Cumulative effects to the environment are either mitigated or minimal.
- 7. No regulatory requirements have been waived or require compensatory mitigation measures.
- 8. The proposed projects will improve the socio-economic condition of the affected Indian community.


Acting Regional Director


Date

ENVIRONMENTAL ASSESSMENT

Addendum

United States Bureau of Indian Affairs

Great Plains Regional Office
Aberdeen, South Dakota



Saddle Butte Pipeline, LLC

Eagles Nest and Roberts Trust Pipelines

Addendum to:

Saddle Butte Pipeline, LLC August 2010 Environmental Assessment
Saddle Butte Trunk Lines

Fort Berthold Indian Reservation

October 2011

For information contact:

*Bureau of Indian Affairs, Great Plains Regional Office
Division of Environment, Safety and Cultural Resources
115 4th Avenue SE
Aberdeen, South Dakota 57401
605-226-7656*

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1 PURPOSE AND NEED FOR THE PROPOSED ACTION

Saddle Butte Pipeline, LLC (SBP) proposes to construct the Eagles Nest Pipelines approximately 5,500 feet in length and the Roberts Trust Pipelines approximately 1,750 feet in length. The proposed pipeline corridors would allow for construction of up to four gas, oil and/or water pipelines within a 100 foot right-of-way (ROW) corridor (50 feet of temporary ROW and 50 feet of permanent ROW) in Dunn County, North Dakota on the Fort Berthold Indian Reservation. The new lines would connect to the Saddle Butte Trunk Lines (September 2010 EA/ Finding of No Significant Impact (FONSI)). The new lines would connect to the Saddle Butte Trunk Lines (September 9, 2010 EA/ Finding of No Significant Impact (FONSI)). The pipelines would tie in to the existing Peak's Eagle Nest 34-44H well pad located in Section 34, T148N, R94W (January 2010 EA/ FONSI) and connect four Enerplus well pads and a total of 12 wells in Sections 11 & 12, Section 148N, R94W (February 2010 EA/FONSI)

The proposed pipelines would be located on tribal lands and would connect to an existing pipeline alignment that has achieved a Finding of No Significant Impact (FONSI) approval under the National Environmental Policy Act (NEPA) of 1969, as amended. The proposed gas, oil and/or water pipelines would be located in the following location:

- **Eagles Nest:** T148N, R94W, Sections 34, 35, and 36; T148N, R93W, Section 31; T147N, R94W, Section 1; T147N, R93W, Section 6.
- **Roberts Trust:** T148N, R94W, Section 12.

The purpose of the proposed action is to allow SBP to install the proposed pipelines to transport gas, oil and/or water from the previously approved Peak Energy and Enerplus wells to a central gathering facility for further transport to markets or an acceptable disposal facility. Installation of the proposed pipelines would further support important benefits to the Three Affiliated Tribes. It would also provide individual members of the tribes with needed employment and income.

Installation of the proposed pipelines would reduce waste of valuable resources associated with continued flaring of produced gas, as well as minimize truck traffic, environmental, and public health and safety concerns.

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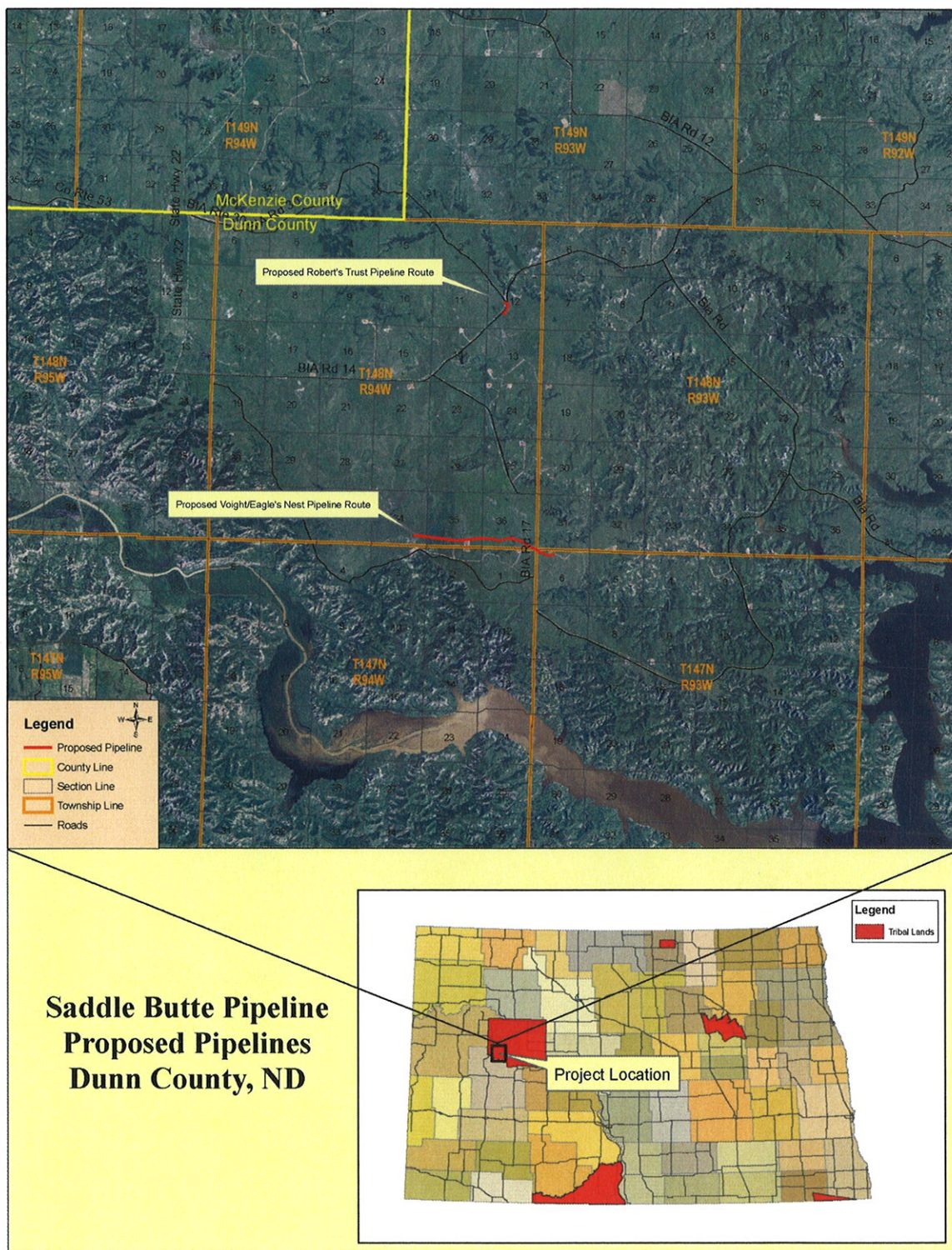


Figure 1, Project Location Map

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 OF PROPOSED ACTION

The proposed gas, oil, and/or water pipelines would be located in McKenzie County, North Dakota, in the following location:

- **Eagles Nest:** T148N, R94W, Sections 34, 35, and 36; T148N, R93W, Section 31; T147N, R94W, Section 1; T147N, R93W, Section 6.
- **Roberts Trust:** T148N, R94W, Section 12.

4 SCOPE OF WORK FOR PROPOSED ACTION

The proposed action includes authorization by the BIA to install up to four pipelines at two locations, gathering system, and other appurtenances above or below ground to move produced gas and liquids to a suitable processing location. The proposed pipelines would consist of pipelines of steel and/or poly construction with oil/gas pipelines being up to eight inches in diameter and water pipelines up to six inches in diameter. Above or below ground appurtenances would consist of installation of valve sets, launchers, receivers, and cathodic protection equipment.

As current estimates expect the Bakken field to remain active for 30 to 40 years, it is important that pipeline systems are designed to perform for this period of time. Pipelines, if designed effectively and well maintained, may have an indefinite life expectancy.

To ensure their long-term viability, all pipelines would be coated with between 14-16 mils of fusion bonded epoxy coating, which helps protect the pipelines against corrosive elements in the soil. The coating would be inspected thoroughly at the time of installation, both visually and by electronic testing means. Saddle Butte also utilizes specialty coatings that are applicable for underground fittings, bore crossings, etc. to provide additional levels of protection in areas that require it. Velocities and pressure drops for the pipeline system are carefully evaluated and lines are sized so as to prevent erosion velocity. Additionally, lines are designed to be cleaned and inspected via internal tools (e.g., cleaning pigs and smart pigs), which helps in the identification of issues in the pipes.

Following design and installation, Saddle Butte would immediately conduct a cathodic survey utilizing test stations, rectifier pads and other means designed by cathodic protection specialists. Saddle

Butte would also install pig launchers and receivers on its trunk lines and primary laterals to identify pipeline conditions both internally and externally to maintain the integrity of the pipeline system.

All Saddle Butte installations are monitored by an inspection/construction management team as well as independent third party contract experts. Saddle Butte's construction specifications require contractors to allow for inspection, and no pipeline is laid and backfilled without appropriate approvals. Hydrotesting of pipelines would be used to assure no possibility of leakage at the time of installation.

The proposed project would also require approval for the associated ROW acquisition consisting of 50 feet of permanent ROW and 50 feet of temporary ROW for construction. Installation of the pipelines may require clearing and grading within the 100-foot ROW along the entire pipeline corridor. Every effort would be made to minimize surface disturbance during the construction process. Topsoil would be separated and stockpiled along either side of any disturbed cross section to be used for prompt reseeding and reclamation of the disturbed area. If construction activities take place close to the end of construction season, topsoil would only be removed far enough in advance that the pipeline could be installed and the site re-graded prior to the end of the construction season. If topsoil cannot be spread in a timely manner that allows vegetation to reestablish prior to winter, topsoil will be spread the following spring and reseeded so as to not be susceptible to wind and/or water erosion over the winter.

For locations that are reclaimed in winter months or late fall such that no germination is possible, Saddle Butte will either use a sprayed reinforcement, lain matting reinforcement, spread and crimp straw and/or will minimize erosion issues with straw wattle and silt fence through winter months. Any temporary reclamation measures will remain until Saddle Butte can completely reclaim and revegetate the disturbed area in the spring. All temporary reclamation measures will be inspected on a monthly basis, or more frequently as necessary, throughout the winter. In addition, Saddle Butte will also install straw bales on slopes as needed to provide erosion breaks.

Continued use of pasture and livestock grazing areas would be maintained during construction via use of temporary fencing or cattle guards when crossing land with livestock present and temporary crossings, as needed. Trenches would be excavated to a depth sufficient to maintain a minimum of 48 inches of ground coverage over the pipeline. The proposed Roberts Trust Pipeline crosses BIA 14 and the proposed Eagles Nest Pipeline crosses BIA 17. Both of these road crossing locations will be bored under the roadways at greater than 72 inches of coverage. **Typical ROW Cross Section is as shown in Figure 2.** It is understood that other utilities may be present in the project area and would need to be located prior to construction as well as coordinating potential crossings with the appropriate utilities.

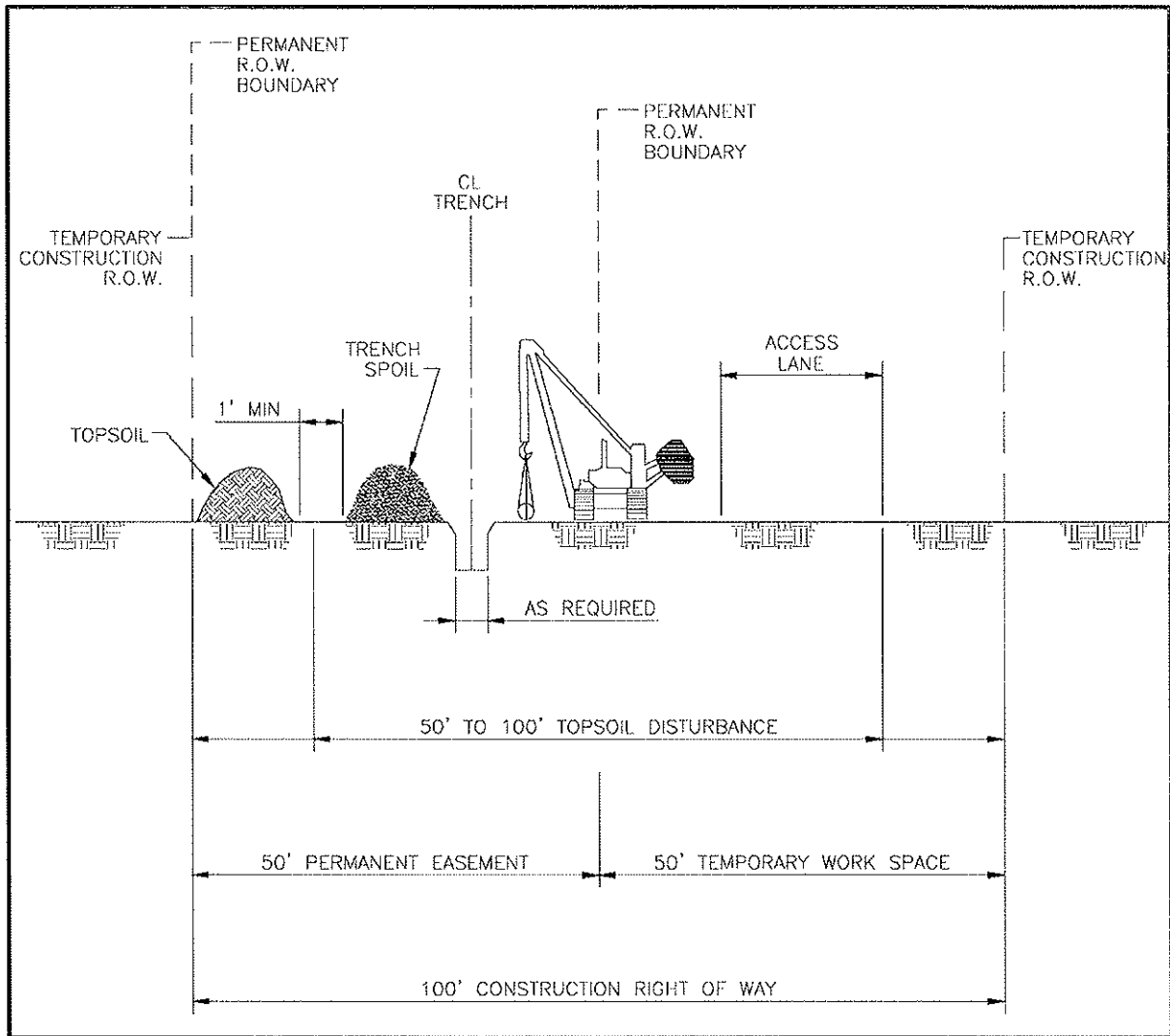


Figure 2, Typical ROW Cross Section

5 APPLICABLE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENTS

The following NEPA documents have been previously approved by BIA for the proposed action:

- Environmental Assessment, Saddle Butte Pipeline, LLC, Saddle Butte Trunk Lines, Fort Berthold Indian Reservation, August 2010. The EA FONSI was issued September 9, 2010.
- Environmental Assessment, Peak North Dakota LLC., Drilling of Baker, Brugh Bear, Dank's, Eagle's Nest, and Fox Ridge, Exploratory Oil and Gas Wells EA, Fort Berthold Indian Reservation, December 2009. The EA/FONSI was issued January 25, 2010.

- Environmental Assessment, Enerplus Resources (USA) Corporation. 16 Exploratory Bakken and Three Forks Wells, Fort Berthold Indian Reservation, February 2011. The EA/FONSI was issued February 10, 2011

6 FIELD RESOURCE SURVEYS

An intensive, pedestrian resource survey of the proposed pipeline corridor was conducted on July 18, 2011 by Kadmas, Lee & Jackson (KL&J). The purpose of this survey was to gather site-specific data and photos with regards to botanical, biological, threatened and endangered species, eagle, and water resources. A 200-foot wide pipeline corridor was evaluated for this site. In addition, a 0.50 mile wide buffer around all areas of project disturbance was used to evaluate the presence of eagles and eagle nests. Resources were evaluated using visual inspection and pedestrian transects across the site.

The BIA EA on-site assessment of the pipeline corridor was conducted on July 19, 2011. The BIA Environmental Protection Specialist, Saddle Butte Pipeline, and KL&J participated in this assessment. During this assessment, construction suitability with respect to topography, stockpiling, drainage, erosion control, and other surface issues were considered. Those present at the on-site assessment agreed that the chosen locations, along with the minimization measures Saddle Butte Pipeline plans to implement, are positioned in areas which would minimize impacts to sensitive wildlife and botanical resources.

Historic properties, or cultural resources, on federal or tribal lands are protected by many laws, regulations and agreements. The National Historic Preservation Act of 1966 (16 USC 470 et seq.) at Section 106 requires, for any federal, federally assisted or federally licensed undertaking, that the federal agency take into account the effect of that undertaking on any district, site, building, structure or object that is included in the National Register of Historic Places (National Register) before the expenditure of any federal funds or the issuance of any federal license. Cultural resources is a broad term encompassing sites, objects, or practices of archaeological, historical, cultural and religious significance. Eligibility criteria (36 CFR 60.6) include association with important events or people in our history, distinctive construction or artistic characteristics, and either a record of yielding or a potential to yield information important in prehistory or history. In practice, properties are generally not eligible for listing on the National Register if they lack diagnostic artifacts, subsurface remains or structural features, but those considered eligible are treated as though they were listed on the National Register, even when no formal nomination has been filed. This process of taking into account an undertaking's effect on historic properties is known as "Section 106 review," or more commonly as a cultural resource inventory.

The area of potential effect (APE) of any federal undertaking must also be evaluated for significance to Native Americans from a cultural and religious standpoint. Sites and practices may be eligible for protection under the American Indian Religious Freedom Act of 1978 (42 USC 1996). Sacred sites may be identified by a tribe or an authoritative individual (Executive Order 13007). Special protections are afforded to human remains, funerary objects, and objects of cultural patrimony under the Native American Graves Protection and Repatriation Act (NAGPRA, 25 USC 3001 et seq.).

Whatever the nature of the cultural resource addressed by a particular statute or tradition, implementing procedures invariably include consultation requirements at various stages of a federal undertaking. The MHA Nation has designated a Tribal Historic Preservation Officer (THPO) by Tribal Council resolution, whose office and functions are certified by the National Park Service. The THPO operates with the same authority exercised in most of the rest of North Dakota by the State Historic Preservation Officer (SHPO). Thus, BIA consults and corresponds with the THPO regarding cultural resources on all projects proposed within the exterior boundaries of the Fort Berthold Reservation.

Cultural resource inventories of these pipeline routes were conducted on July 19, 2011 by personnel of Kadrmas, Lee & Jackson, Inc., using an intensive pedestrian methodology. For the Eagles Nest pipeline project approximately 64.2 acres were inventoried (Mitchell 2011a). 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 September 12, 2011; however, the THPO did not respond within the allotted 30 day comment period. For the Roberts Trust pipeline project approximately 9.8 acres were inventoried (Mitchell 2011b). 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 August 22, 2011; however, the THPO did not respond within the allotted 30 day comment period.

Mitchell, Mary

(2011a) Eagles Nest Natural Gas Gathering Line: A Class III Cultural Resource Inventory, Dunn County, North Dakota. KLJ Cultural Resources for Saddle Butte Pipeline, LLC, Durango, CO.

(2011b) Roberts Trust Gathering Line: A Class III Cultural Resource Inventory, Dunn County, North Dakota. KLJ Cultural Resources for Saddle Butte Pipeline, LLC, Durango, CO.

7 ASSESSMENT OF ENVIRONMENTAL IMPACTS

The following discussion addresses environmental and social impacts as a result of the expansion of the project corridor length from the previously approved pipelines. Impacts are only discussed if the expansion of the project has changed the impact assessment reflected in the August 2010 EA, or to note why the impact assessment has not changed.

A. Ground Water

Saddle Butte's standard bore depth beneath an actively eroding drainage area is eight feet. However, bores are designed on a case by case basis to avoid any adverse effects of the natural surface in the

vicinity of the bore. Additionally, bore pipe would be coated with abrasion resistant coating that provides substantial abrasion resistance if a large erosion or flooding event occurs.

Due to the drilling methods and pipeline standards mentioned above, no impacts to groundwater, including groundwater wells and aquifers, are expected to result from the proposed project.

B. Land Use

The proposed project area is located within a predominantly rural area; land use consists primarily of grassland (98%) and roadway ROW (2%). The proposed project would temporarily convert approximately 15.4 acres of land from its existing use into a pipeline corridor. The pipelines would be buried underground and the majority of land uses would be able to resume following construction and reclamation activities. Some activities, such as those associated with developed lands, may be restricted within the permanent 50-foot ROW. No mitigation is proposed.

C. Public Health and Safety

Third-party intrusions are one of the biggest contributing factors to spills. To aid in the prevention of such intrusions, Saddle Butte would fully comply with the marking requirements specified in the US Department of Transportation's rules and regulations, specifically contained in 49 CFR Parts 192 and 195. To ensure such compliance, Saddle Butte developed construction specifications to delineate the requirements for pipeline marking in accordance with applicable laws, rules, and regulations, including the locations of such markings (e.g., road crossings, waterbody crossings, line of sight, etc.) and the manner of marking such pipelines (e.g., height of markings and signage on the markings).

Saddle Butte has committed to developing a spill response plan that would be submitted to the BIA prior to the commencement of the construction activities. The response plan will include procedures that specifically address making the appropriate contacts, isolating the incident, protecting waterways and providing contact information for all the appropriate contractors and experts necessary to facilitate a rapid response.

D. Surface Water

No significant impacts to surface water are expected to result from the proposed pipelines. The proposed project has been sited to avoid direct impacts to surface water and to minimize the disruption of drainage patterns across the landscape. Implementation of BMPs to control erosion would mitigate runoff of sediment downhill or downstream.

Two types of valves would be utilized for spill isolation:

- Check valves would be installed between trunk lines and lateral lines to prevent a "back feed" scenario to a spill, thereby limiting the volume of any spill to the wells that are directly contributing to it.
- Manual valve sets would also be installed at all intersections of laterals to trunk lines, allowing isolation at the wells themselves.

Saddle Butte has also developed a GIS database that establishes real time, web-based maps for use by its operations team and first responder personnel. In addition, Saddle Butte has provided options in its trunk lines for automatic isolation based on low pressure switching devices once the system pressure exceeds 1400 psi. These valves will automatically isolate the pipeline under most line

rupture circumstances. Based on these mitigation measures, the proposed project is not anticipated to result in measurable increases in runoff or impacts to surface waters.

E. Wetlands

On-site assessments were conducted on August 18, 2011 with the BIA Environmental Protection Specialist, SBP, the Tribal Historic Preservation Office (THPO), and Kadrmass, Lee & Jackson (KL&J) present at the survey. The purpose of the survey was to gather site-specific data and photos with regards to biological, botanical, soil, and water resources. A 200-foot corridor centered on the pipeline centerline was evaluated during the on-site. The pipeline corridor was adjusted, as appropriate to best avoid impacts to any identified environmental areas of concern. During the field surveys, two wetlands were identified along the Eagles Nest Pipeline Corridor. The westernmost wetland will be bored under due to environmental concerns associated with crossing the wetland and the easternmost wetland will be trenched through with a 24-hour construction window timeframe due to minimal environmental concerns from crossing the wetland. No wetlands were identified along the Roberts Trust Pipeline Corridor. ***Please refer to the attached Figure 3, Wetlands Map.***

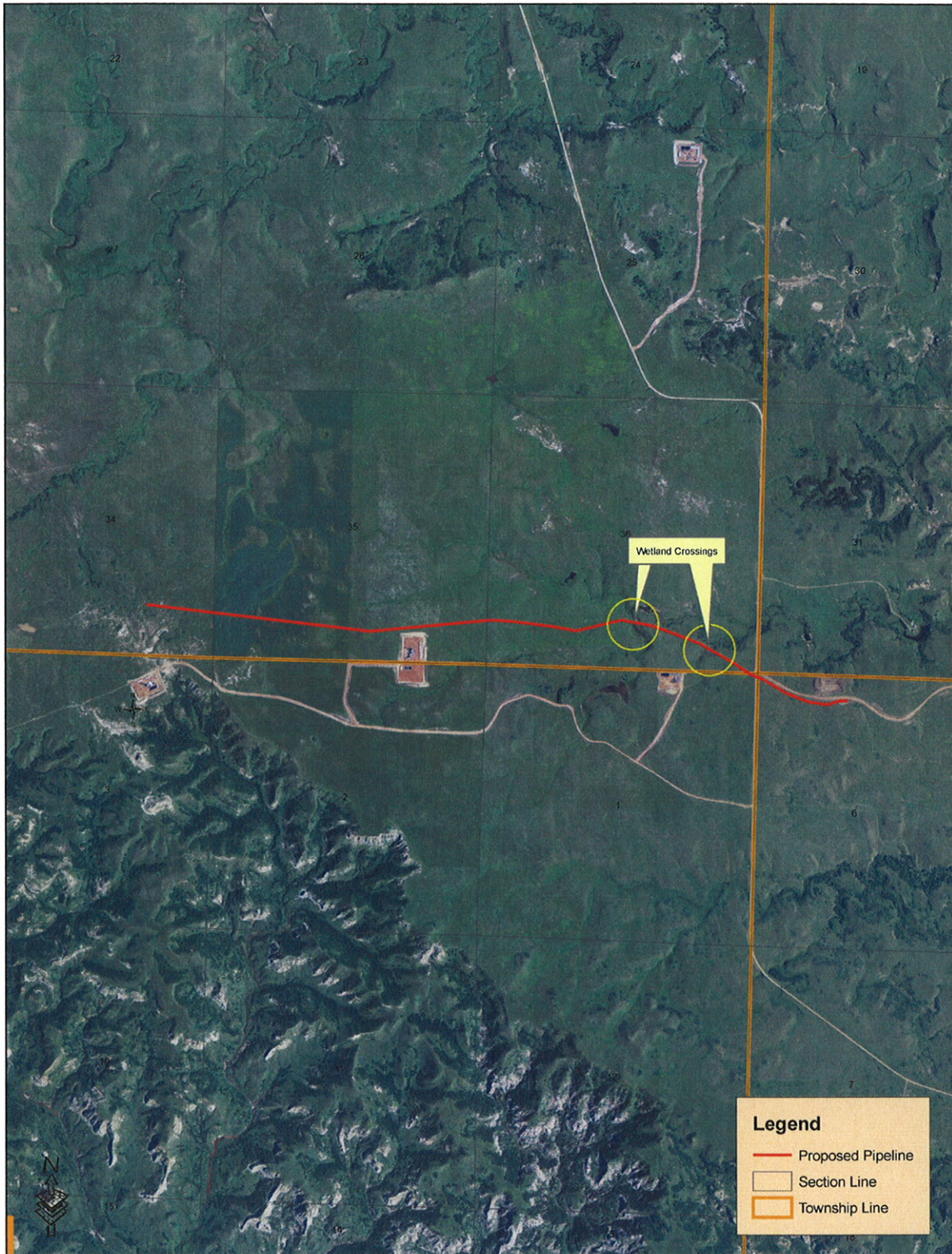


Figure 3, Wetland Map

8 NEPA ADEQUACY CRITERIA

This document has identified three previously prepared NEPA documents: Environmental Assessment, Saddle Butte Pipeline, LLC. Saddle Butte Trunk Line, August, 2010 Fort Berthold Indian Reservation, FONSI signed September 9, 2010; Environmental Assessment, Peak North Dakota LLC., Drilling of Baker, Brugh Bear, Dank's, Eagle's Nest, and Fox Ridge, Exploratory Oil and Gas Wells EA, Fort Berthold Indian Reservation, FONSI signed January 25 2010; Environmental Assessment, Enerplus Resources (USA) Corporation. 16 Exploratory Bakken and Three Forks Wells, Fort Berthold Indian Reservation, FONSI signed February 10, 2011, all of which adequately describes the environmental consequences of the newly proposed actions described herein, and meets the following NEPA Adequacy Criteria:

1. The proposed actions are substantially the same actions and at the sites specifically analyzed in the existing NEPA documents.
2. The range of alternatives is reasonable with respect to the current proposed actions in the existing NEPA documents, which appropriately considers and analyzes current environmental concerns, interests, and resource values.
3. The existing analysis and conclusions are adequate in the existing NEPA documents. The analysis is still valid in light of new studies and/or resource assessment information.
4. The methodology and analytical approach used in the existing NEPA documents continues to be appropriate for the proposed actions.
5. The direct and indirect impacts of the proposed actions are unchanged from those identified in the existing NEPA documents.
6. The cumulative impacts that would result from implementation of the proposed actions are unchanged from those analyzed in the existing NEPA documents.
7. A 30-day comment period involving public input and interagency review was used in the development of the existing NEPA documents.



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

AUG 22 2011



IN REPLY REFER TO:
DESCRM
MC-208

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

Dear Mr. Crows Breast:

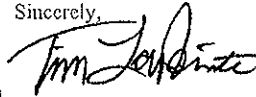
We have considered the potential effects on cultural resources of a gathering pipeline in Dunn County, North Dakota. Approximately 9.8 acres were intensively inventoried using a pedestrian methodology. Potential surface disturbances are not expected to exceed the area depicted in the enclosed report. No historic properties were located which appear to possess the quality of integrity and meet at least one of the criteria (36 CFR 60.4) for inclusion on the National Register of Historic Places. No properties were located that appear to qualify for protection under the American Indian Religious Freedom Act (42 USC 1996).

As the surface management agency, and as provided for in 36 CFR 800.5, we have therefore reached a determination of **no historic properties affected** for this undertaking. Catalogued as BIA Case Number **AAO-1926/FB/11**, the proposed undertaking, location, and project dimensions are described in the following report:

Mitchell, Mary
(2011) Roberts Trust Gathering Line: A Class III Cultural Resource Inventory, Dunn County, North Dakota. KLJ Cultural Resources for Saddle Butte Pipeline, LLC, Durango, CO.

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

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

Sincerely,

ACTING Regional Director

Enclosure

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



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

SEP 12 2011



IN REPLY REFER TO:
DESCRM
MC-208

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

Dear Mr. Crows Breast:

We have considered the potential effects on cultural resources of a gathering pipeline in Dunn County, North Dakota. Approximately 64.2 acres were intensively inventoried using a pedestrian methodology. Potential surface disturbances are not expected to exceed the area depicted in the enclosed report. No historic properties were located that appear to possess the quality of integrity and meet at least one of the criteria (36 CFR 60.4) for inclusion on the National Register of Historic Places. No properties were located which appear to qualify for protection under the American Indian Religious Freedom Act (42 USC 1996).

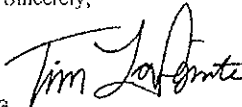
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If you have any questions, please contact Dr. Carson N. Murdy, Regional Archacologist, at (605) 226-7656.

Sincerely,


ACTING Regional Director

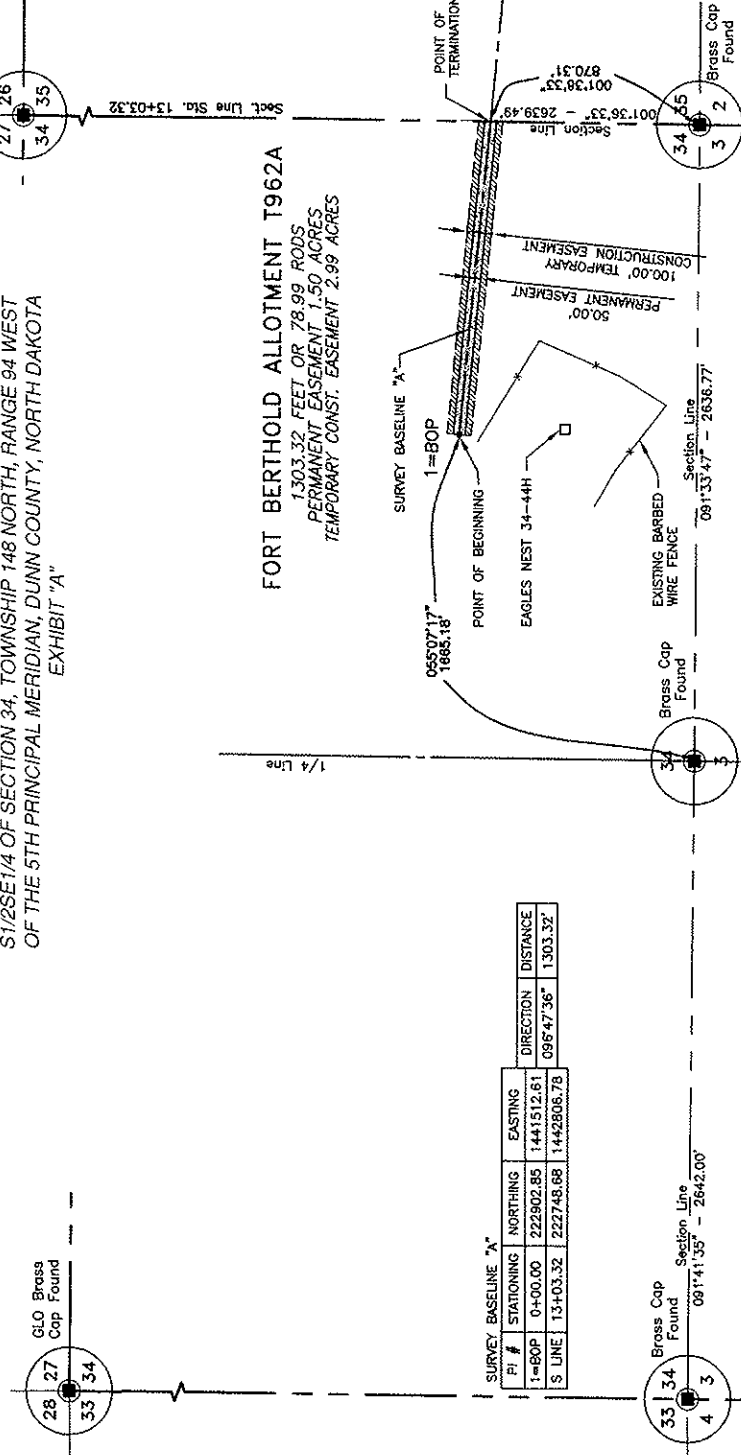
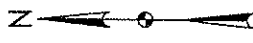
Enclosure

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

APPENDIX A

PIPELINE LAYOUT AND RIGHT-OF-WAY PLATS

FORT BERTHOLD ALLOTMENT T962A
 S1/2SE1/4 OF SECTION 34, TOWNSHIP 148 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"



FORT BERTHOLD ALLOTMENT T962A
 1,303.32 FEET OR 78.99 RODS
 PERMANENT EASEMENT - 1.50 ACRES
 TEMPORARY CONST. EASEMENT 2.99 ACRES

SURVEY BASELINE "A"

PI #	STATIONING	NORTHING	EASTING
1=BOP	0+00.00	222902.85	1441512.61
2=POINT OF TERMINATION	13+03.32	222748.68	1442806.78

LINE	DIRECTION	DISTANCE
1/4 LINE	095°47'36"	1,303.32'

SECTION LINE	BEARING	DISTANCE
1/4 LINE	091°41'55"	2642.00'
SECTION LINE	091°33'47"	2636.77'

LEGEND

SYMBOL	ITEM
---	SECTION LINE
---	1/4 LINE
○	SECTION CORNER
○	SECTION CORNER - 1/4 SECTION
○	SECTION CORNER - 1/4 SECTION WITH 1/4 ACRE CAP SET
○	GRADED ROAD SHOULDER
○	CATTLE GAWD
○	TREE STUMP, BUSHES
○	CULTURE
○	DRAINAGE LINE
○	BARBED WIRE FENCE
○	WIRE FENCE
○	WOOD POST FENCE LINE
○	POST AND RAIL FENCE LINE
○	UTILITY MARKER OR SIGN
○	TELEPHONE POST/SIGNAL
○	WELL LOCATION

NOTE: Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.




FIELD BOOK: OP-182 PG. 69-77

Kadmas Lee & Jackson
 Registered Surveyors
 888 Main Ave, Suite 301
 Durango, CO 81301
 © Kadmas, Lee & Jackson 2011
 DRAWN BY: C. ROETTER
 DATE: 9/29/2011
 DATE PLOTTED:

SPS
 SURVEYING & PLANNING SERVICES
 888 Main Ave, Suite 301
 Durango, CO 81301
 DATE: 9/29/2011
 DATE PLOTTED:

EAGLES NEST - WEST
 DUNN COUNTY, NORTH DAKOTA
 EASEMENTS ON AND ACROSS THE
 S1/2SE1/4 OF SEC. 34, T.148N., R.94W.

SHEET 1 OF 2
 DWG NO. 37481616EASTWEST
 JOB NO. 3710461
 SCALE: 1:600
 PAPER NUMBER 34-148-94_32SE

PROJECT NUMBER 34-148-94-S2SE	SCALE: NONE	JOB NO. 3710461	DWN NO. 3710461EAGLESNESTWEST	EAGLES NEST - WEST DUNN COUNTY, NORTH DAKOTA	S1/2SE1/4 OF SEC. 34, T.148N., R.94W.	DATE 9/29/2011	BY JAC
						858 Main Ave, Suite 301 Durango, CO 81301 DAKOTA SURVEYING SYSTEMS, LLC 	

MYRON J. CADRMAS
 Registered Land Surveyor
 License No. 3758
 State of North Dakota
 Myron J. Cadrmass, RLS No. 3758
 Myron J. Cadrmass, Registered Land Surveyor



FIELD BOOK: OF-1027-G, 69-77

Date 9-30-11

I, Myron J. Cadrmass, Registered Land Surveyor, N.D. RLS No. 3758,
 do hereby certify that the survey plat shown hereon was made by me,
 or under my direction, from notes made in the field, and the same is
 true and correct to the best of my knowledge and belief. The field
 survey was performed by Kirk Jorgenson on June 17, 2011.
 Myron J. Cadrmass, Registered Land Surveyor
 N.D. RLS No. 3758

SHEET 2 OF 2

NOTES:

1. Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.
2. Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.

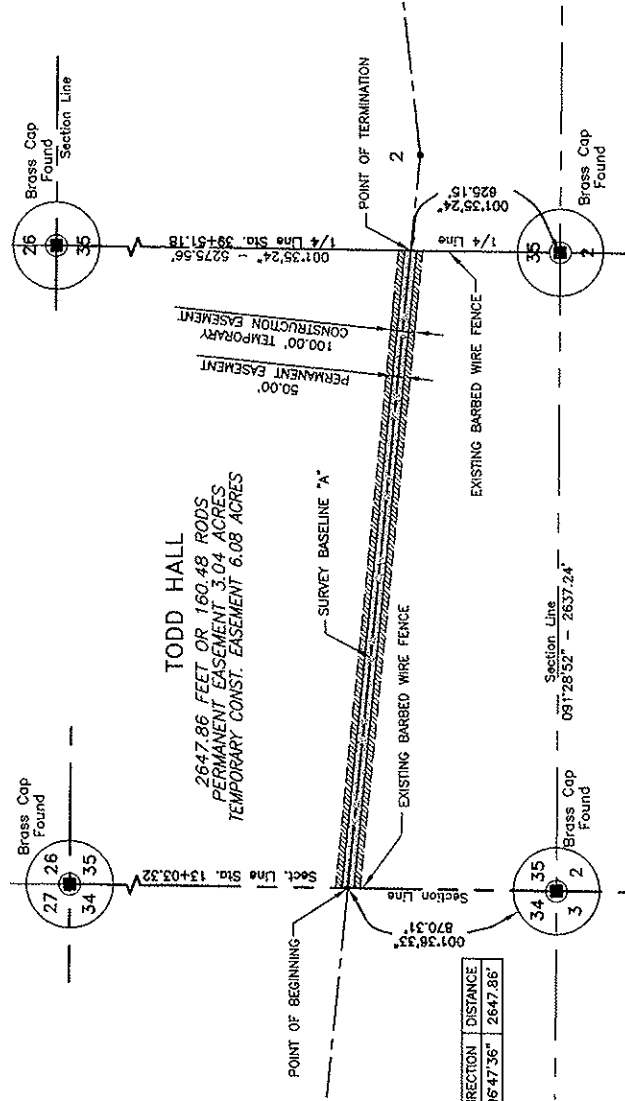
A fifty (50) foot wide easement for utilities and pipelines of an oil and gas collection system over, under and across the South Half of the Southeast Quarter (S1/2SE1/4) of Section 34, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:
 Commenting at the southwest corner of the Southeast Quarter of said Section 34; thence along an azimuth of 055°07'17" a distance of 1665.18 feet to the POINT OF BEGINNING, (PI #1=BOP); thence on an azimuth of 096°47'36" a distance of 1303.32 feet to the POINT OF TERMINATION. Said point is located on an azimuth of 001°36'33" along the east line of said Section 34 a distance of 870.31 feet from the southeast corner of said Section 34.
 Covering in all 1303.32 feet or 78.99 rods.
 Said permanent easement contains 1.50 acres, more or less.
 Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the South Half of the Southeast Quarter (S1/2SE1/4) of Section 34, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:
 Commenting at the southwest corner of the Southeast Quarter of said Section 34; thence along an azimuth of 055°07'17" a distance of 1665.18 feet to the POINT OF BEGINNING, (PI #1=BOP); thence on an azimuth of 096°47'36" a distance of 1303.32 feet to the POINT OF TERMINATION. Said point is located on an azimuth of 001°36'33" along the east line of said Section 34 a distance of 870.31 feet from the southeast corner of said Section 34.
 Covering in all 1303.32 feet or 78.99 rods.
 Said temporary construction easement contains 2.99 acres, more or less.

DESCRIPTION: PERMANENT EASEMENT SURVEY

SADDLE BUTTE PIPELINE COMPANY
EAGLES NEST - WEST

EXHIBIT "A"
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 S1/2SE1/4 OF SECTION 34, TOWNSHIP 148 NORTH, RANGE 94 WEST
 FORT BERTHOLD ALLOTMENT T962A

TODD HALL
 SW1/4 OF SECTION 35, TOWNSHIP 148 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"



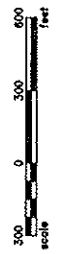
SURVEY BASELINE "A"

PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
S LINE	13+03.32	222749.68	1442806.78	096°47'36"	2647.86'
1/4 LINE	39+45.18	222435.46	1445436.04		

LEGEND

SYMBOL	ITEM
○	SECTION LINE
—	1/4 LINE
—	SECTION CORNER
○	SECTION CORNER - ORIGINAL STONE
○	SECTION CORNER - IRON NAIL
○	WELL
○	WELL LOCATION
○	BRASS CAP FOUND
○	CATTLE GUARD
○	TREE ROWS, BUSHES
○	DRAINAGE LINE
○	CHUYUIT
○	BARBED WIRE FENCE
○	WIDUPT FENCE
○	OVERHEAD POWER LINE
○	POWER POLE
○	UTILITY MARKER FOR SHUT
○	UTILITY MARKER FOR POWER
○	TELEPHONE POST/STAKE
○	WELL LOCATION

NOTE:
 Survey is based on North Dakota State Plane
 System, NAD83 (96) North Zone, Int. Foot.
 Azimuths shown are Grid Azimuths, distances
 shown are grid distance. Combined scale factor
 = 1.000127515 to go from grid distance to
 ground distance.



FIELD BOOK: OP-182 PG. 89-77

Kadmas Lee & Jackson
 Professional Surveyors
 858 Main Ave, Suite 301
 Durango, CO 81301
 DATE: 6/29/2011
 BY: JWF

SPP
 SADDLE BUTTE PIPELINE LLC
 858 Main Ave, Suite 301
 Durango, CO 81301

EAGLES NEST - WEST
 DUNN COUNTY, NORTH DAKOTA
 EASEMENTS ON AND ACROSS THE
 SW1/4 OF SEC. 35, T. 148N., R. 94W.

SHEET 1 OF 2
 DWG NO: 5710461WEST
 JOB NO: 3710461
 SCALE: 1:600
 PAPER NUMBER: 35-148-94_SW

JOB NO. 3710461EAGLESNESTWEST	DWG NO. 3710461	SCALE: NONE 3710461	PARCEL NUMBER 35-148-94-SW	EASEMENTS ON AND ACROSS THE DUNN COUNTY, NORTH DAKOTA	EAGLES NEST - WEST
SW1/4 of SEC. 35, T.148N., R.94W.			858 Main Ave, Suite 301 Durango, CO 81301 SADLER BUTTE PIPELINE, LLC		
OGDEN DATE: 7/21/2011 REV: 9/29/2011			DRYAN BROS. CO. REGISTERED © Kadmas, Lee & Jackson 2011 Kadmas Lee & Jackson Registered Surveyors		

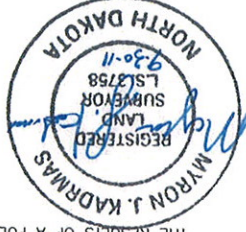
FIELD BOOK: OP-182 PG. 69-77

I, Myron J. Kadmas, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk Jorgenson on June 17, 2011.

Myron J. Kadmas, Registered Land Surveyor
 N.D. RLS No. 3758
Myron J. Kadmas

Date 9-30-11

SHEET 2 OF 2



NOTES:

1. Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.
2. Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.

A fifty (50) foot wide easement for utilities and pipelines of an oil and gas collection system over, under and across the Southwest Quarter (SW1/4) of Section 35, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying over, under and across the Southwest Quarter (SW1/4) of Section 35, Township 148 North, Range 94 West of the following described line:

Commencing at the southwest corner of said Section 35; thence an azimuth of 001°36'33" along the west line of said Section 35 a distance of 870.31 feet to the POINT OF BEGINNING; thence on an azimuth of 096°47'36" a distance of 2647.86 feet to a point of the east line of said Southwest Quarter of Section 35 and the POINT OF TERMINATION. Said point is located on an azimuth of 001°35'24" along the east line of said West Half of Section 35 a distance of 625.15 feet from the southeast corner of said Southwest Quarter of Section 35.

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the Southwest Quarter (SW1/4) of Section 35, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the southwest corner of said Section 35; thence an azimuth of 001°36'33" along the west line of said Section 35 a distance of 870.31 feet to the POINT OF BEGINNING; thence on an azimuth of 096°47'36" a distance of 2647.86 feet to a point of the east line of said Southwest Quarter of Section 35 and the POINT OF TERMINATION. Said point is located on an azimuth of 001°35'24" along the east line of said West Half of Section 35 a distance of 625.15 feet from the southeast corner of said Southwest Quarter of Section 35.

Covering in all 2647.86 feet or 160.48 rods.

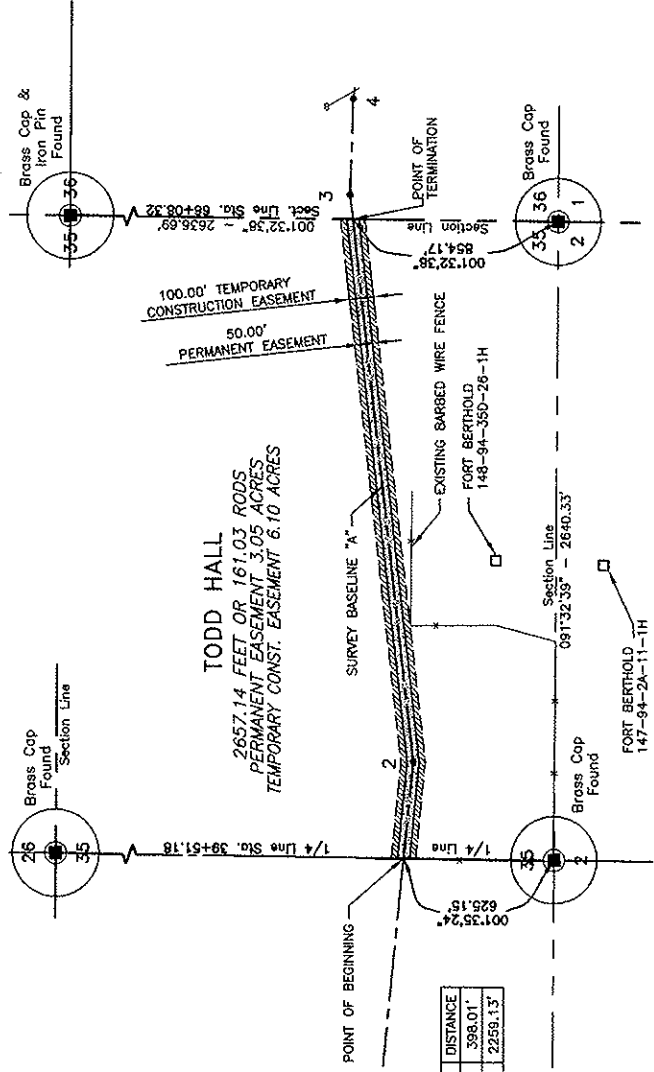
Said permanent easement contains 3.04 acres, more or less.

Covering in all 2647.86 feet or 160.48 rods.

Said temporary construction easement contains 6.08 acres, more or less.

DESCRIPTION: PERMANENT EASEMENT SURVEY
 SADDLE BUTTE PIPELINE COMPANY
 EAGLES NEST - WEST
 EXHIBIT "A"
 SW1/4 OF SECTION 35, TOWNSHIP 148 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 TODD HALL

TODD HALL
 SE1/4 OF SECTION 35, TOWNSHIP 148 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"



SURVEY BASELINE "A"			
PI #	STATIONING	NORTHING	EASTING
1/4 LINE	39+51.18	222435.46	1445435.04
2	43+48.19	222389.38	1445831.26
S LINE	66+08.32	222593.26	1448081.08
			398.01'
			2259.13'

DIRECTION	DISTANCE
095°47'36"	398.01'
084°47'48"	2259.13'

LEGEND

SYMBOL	ITEM
[Line]	SECTION LINE
[Line]	1/4 LINE
[Line]	1/8 LINE
[Symbol]	SECTION CORNER
[Symbol]	SECTION CORNER - IRON PIN
[Symbol]	SECTION CORNER - IRON NAIL
[Symbol]	SECTION CORNER - IRON WIRE
[Symbol]	IRON 1/8" 4800 GAL SET
[Symbol]	CRANED ROAD SKULLER
[Symbol]	CATTLE GUARD
[Symbol]	TREE ROWS, BUSHES
[Symbol]	DRAINAGE LINE
[Symbol]	CRAYON
[Symbol]	BARBED WIRE FENCE
[Symbol]	WELLY FENCE
[Symbol]	WOOD POST LINE
[Symbol]	POWER POLYESTER LEAT
[Symbol]	UTILITY MARKER OR SIGN
[Symbol]	TELEPHONE FRACTIONAL
[Symbol]	WELL LOCATION

FIELD BOOK: OP-182 PG. 69-77

NOTE: Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.

Kadimas Lee & Jackson
 Engineers Surveyors Planners
 888 Main Ave, Suite 301
 Durango, CO 81301
 DATE: 7/27/2011 TIME: 4:52/2011

S&S
 SULLIVAN ENGINEERING, LLC
 888 Main Ave, Suite 301
 Durango, CO 81301

EAGLES NEST - WEST
 DUNN COUNTY, NORTH DAKOTA
 EASEMENTS ON AND ACROSS THE
 SE1/4 OF SEC. 35, T.148N., R.94W.

Scale

300 0 300 600 Feet

Scale

300 0 300 600 Feet

SHEET 1 OF 2

DWG NO. 3710461-EAGLESNEST
 JOB NO. 3710461
 SCALE: 1:800
 PAPER NUMBER 35-148-94-SE
 LAYOUT: 35-148-94 (1)

DWG NO. 3710461EAGLESWESTWEST	JOB NO. 3710461	SCALE: NONE	PARCEL NUMBER 35-148-94-SE	EAGLES NEST - WEST DUNN COUNTY, NORTH DAKOTA EASEMENTS ON AND ACROSS THE SE1/4 OF SEC. 35, T.148N., R.94W.	DATE 9/30/2011	TIME 9:30 AM	DRAWN BY: C. FORSTER Kadmas, Lee & Jackson 2011
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FIELD BOOK: OP-182 PG. 69-77

NOTES:

1. Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.
2. Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.

I, Myron J. Kadmas, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk Jorgenson on June 17, 2011.

Myron J. Kadmas, Registered Land Surveyor
N.D. RLS No. 3758

Date 9-30-11



TODD HALL
SE1/4 OF SECTION 35, TOWNSHIP 148 NORTH, RANGE 94 WEST
OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
EXHIBIT "A"
EAGLES NEST - WEST
SADDLE BUTTE PIPELINE COMPANY

DESCRIPTION: PERMANENT EASEMENT SURVEY

A fifty (50) foot wide easement for utilities and pipelines of an oil and gas collection system over, under and across the Southeast Quarter (SE1/4) of Section 35, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the southwest corner of the Southeast Quarter of said Section 35; thence along an azimuth of 001°35'24" along the west line of the Southeast Quarter of said Section 35 a distance of 625.15 feet to the POINT OF BEGINNING; thence on an azimuth of 096°47'36" a distance of 398.01 feet to a point (P1 #2); thence on an azimuth of 084°47'48" a distance of 2259.13 feet to a point on the east line of said Section 35 and the POINT OF TERMINATION. Said point is located on an azimuth of 001°32'38" along the east line of said Section 35 a distance of 854.17 feet from the southeast corner of said Section 35.

Covering in all 2657.14 feet or 161.03 rods.

Said permanent easement contains 3.05 acres, more or less.

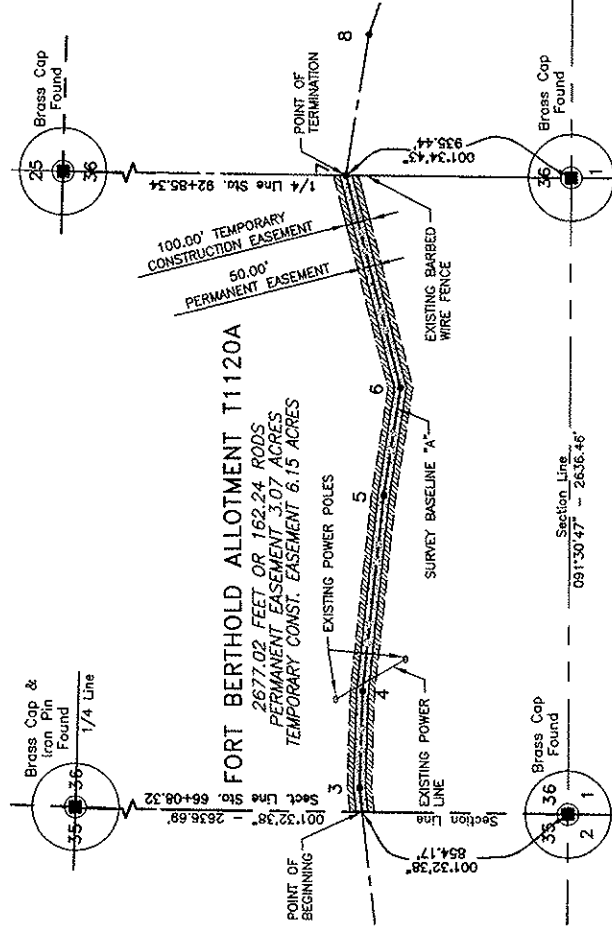
Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the Southeast Quarter (SE1/4) of Section 35, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the southwest corner of the Southeast Quarter of said Section 35; thence along an azimuth of 001°35'24" along the west line of the Southeast Quarter of said Section 35 a distance of 625.15 feet to the POINT OF BEGINNING; thence on an azimuth of 096°47'36" a distance of 398.01 feet to a point (P1 #2); thence on an azimuth of 084°47'48" a distance of 2259.13 feet to a point on the east line of said Section 35 and the POINT OF TERMINATION. Said point is located on an azimuth of 001°32'38" along the east line of said Section 35 a distance of 854.17 feet from the southeast corner of said Section 35.

Covering in all 2657.14 feet or 161.03 rods.

Said temporary construction easement contains 6.10 acres, more or less.

FORT BERTHOLD ALLOTMENT T1120A
 SW1/4 OF SECTION 36, TOWNSHIP 148 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"



PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
S-LINE	66+08.32	222593.26	1448081.08	084°47'46"	101.09'
3	67+09.41	222602.43	1448181.75	093°01'22"	398.86'
4	71+08.27	222581.39	1448580.06	087°23'48"	815.98'
5	79+24.25	222476.35	1449389.25	100°02'27"	453.16'
6	83+77.41	222397.34	1448835.47	076°47'15"	907.93'
1/4 LINE	92+85.34	222604.86	1450719.37		

NOTE: Survey is based on North Dakota State Plane System, NAD83 (96) North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.



FIELD BOOK: OP-182 PG. 69-77

LEGEND

SYMBOL	ITEM
---	SECTION LINE
---	1/4 LINE
○	SECTION CORNER
□	SECTION CORNER - ROCK REMAIN
■	WITH PLS 4500 CAP SET
▤	CRANED ROAD WALL/DOOR
○	CATTLE CHARGO
○	TREE, ROCKS, BUSHES
---	DRAINAGE LINE
---	CLAYMORT
---	BARBED WIRE FENCE
---	WOLF FENCE
---	POWER POLE/STREET LIGHT
---	UTILITY MANDER OR SIGN
---	TELEPHONE POST/STAKE
○	WELL LOCATION

SHEET 1 OF 2

OWG NO. 171016EAGLESNEST
 JOB NO. 3710461
 SCALE: 1"=600'
 PARCEL NUMBER: 36-148-94L, SW

EAGLES NEST - WEST
DUNN COUNTY, NORTH DAKOTA
EASEMENTS ON AND ACROSS THE
SW1/4 OF SEC. 36, T.148N., R.94W.

Kadimas Lee & Jackson
 Professional Surveyors
 888 Main Ave, Suite 301
 Bismarck, ND 58101
 PHONE: 701.251.1111
 DATE: 7/27/2011

DRYAN BR. C. FORSTER © Kadmas, Lee & Jackson 2011 Kadmas Lee & Jackson Engineers Surveyors 858 Main Ave, Suite 301 Durango, CO 81301	DATE: 9/29/2011 DWG NO.: 3710461	EASEMENTS ON AND ACROSS THE SW1/4 OF SEC. 36, T.148N., R.94W.	PARCEL NUMBER: 36-148-94-SW
SADDLE BUTTE PIPELINE COMPANY EAGLES NEST - WEST	JOB NO.: 3710461 DWG NO.: 3710461EAGLES_NESTWEST	DUNN COUNTY, NORTH DAKOTA EAGLES NEST - WEST	SCALE: NONE

FIELD BOOK: OP-182 PG. 69-77 SHEET 2 OF 2



NOTES:

- Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.
- Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.

I, Myron J. Kadmas, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk Jorgenson on June 17, 2011.

Myron J. Kadmas, Registered Land Surveyor
 N.D. RLS No. 3758
 Date: 9-30-11

DESCRIPTION: PERMANENT EASEMENT SURVEY

A fifty (50) foot wide continuous easement for utilities and pipelines of an oil and gas collection system over, under and across the Southwest Quarter (SW1/4) of Section 36, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the southwest corner of said Section 36; thence along an azimuth of 001°32'38" along the west line of the Southwest Quarter of said Section 36 a distance of 854.17 feet to the POINT OF BEGINNING; thence on an azimuth of 084°47'48" a distance of 101.09 feet to a point (PI #3); thence on an azimuth of 093°01'22" a distance of 398.86 feet to a point (PI #4); thence on an azimuth of 097°23'48" a distance of 815.98 feet to a point (PI #5); thence on an azimuth of 100°02'27" a distance of 453.16 feet to a point (PI #6); thence on an azimuth of 076°47'15" a distance of 907.93 feet to the POINT OF TERMINATION. Said point is located on an azimuth of 001°34'43" along the east line of the Southwest Quarter of said Section 36. a distance of 935.44 feet from the southeast corner of the Southwest Quarter of said Section 36. Covering in all 2677.02 feet or 162.24 rods.

Said permanent easement contains 3.07 acres, more or less.

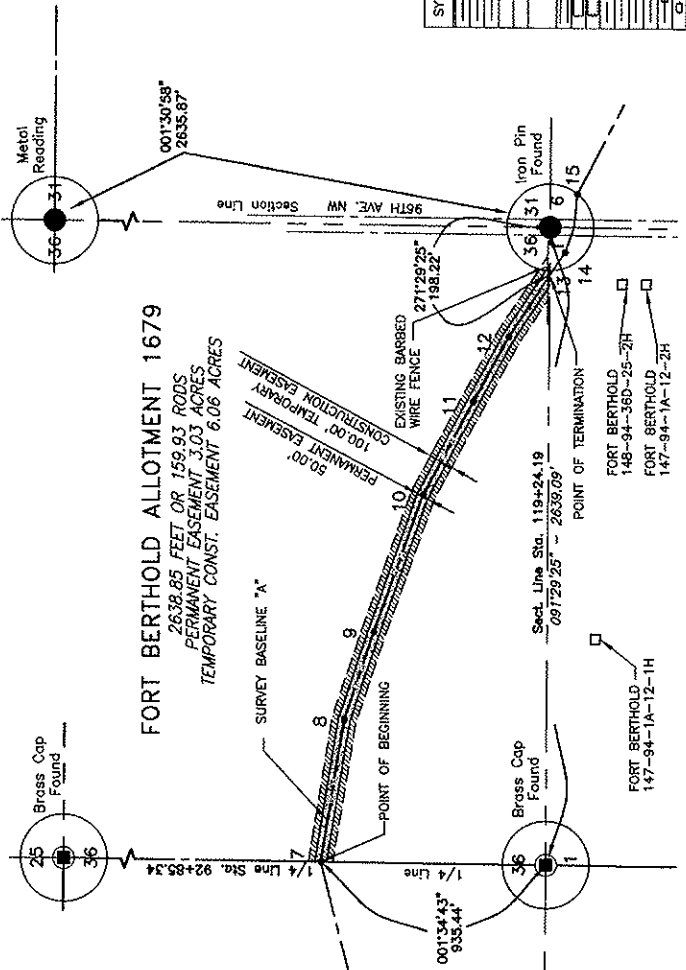
Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the Southwest Quarter (SW1/4) of Section 36, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the southwest corner of said Section 36; thence along an azimuth of 001°32'38" along the west line of the Southwest Quarter of said Section 36 a distance of 854.17 feet to the POINT OF BEGINNING; thence on an azimuth of 084°47'48" a distance of 101.09 feet to a point (PI #3); thence on an azimuth of 093°01'22" a distance of 398.86 feet to a point (PI #4); thence on an azimuth of 097°23'48" a distance of 815.98 feet to a point (PI #5); thence on an azimuth of 100°02'27" a distance of 453.16 feet to a point (PI #6); thence on an azimuth of 076°47'15" a distance of 907.93 feet to the POINT OF TERMINATION. Said point is located on an azimuth of 001°34'43" along the east line of the Southwest Quarter of said Section 36. a distance of 935.44 feet from the southeast corner of the Southwest Quarter of said Section 36. Covering in all 2677.02 feet or 162.24 rods.

Said temporary construction easement contains 6.15 acres, more or less.

FORT BERTHOLD ALLOTMENT T1120A
 SW1/4 OF SECTION 36, TOWNSHIP 148 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"

FORT BERTHOLD ALLOTMENT 1679
 SE1/4 OF SECTION 36, TOWNSHIP 148 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"



FORT BERTHOLD ALLOTMENT 1679
 2638.85 FEET OR 159.93 RODS
 PERMANENT EASEMENT 3.03 ACRES
 TEMPORARY CONST. EASEMENT 6.06 ACRES

SURVEY BASELINE "A"

PT #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
1/4 LINE	92+85.34	222604.86	1450719.37	078°47'15"	0.46'
7	92+85.80	222604.96	1450719.81	100°31'51"	592.23'
8	98+78.03	222486.73	1451302.07	109°46'28"	384.59'
9	102+62.62	222366.61	1451663.98	110°55'43"	604.62'
10	108+67.24	222150.64	1452228.71	119°29'49"	440.40'
11	113+07.64	221933.80	1452812.02	119°29'48"	307.09'
12	118+14.73	221782.59	1452879.52	124°43'49"	294.68'
13	119+09.42	221614.70	1453121.50	124°43'47"	14.77'
S LINE	119+24.19	221606.29	1453133.64		

LEGEND

SYMBOL	ITEM
---	SECTION LINE
---	1/4 LINE
---	1/8 LINE
⊙	SECTION CORNER
⊙	SECTION CORNER - ORIGINAL SURVEY
⊙	SECTION CORNER - RECONSTRUCTED
⊙	WELL
⊙	WELL - 4" DIA. CAS. SET
⊙	CRAND. IRON SHAKULER
⊙	CATTLE GUARD
⊙	FREE ROWS, BUSHES
⊙	CRANKLINE
⊙	CHALKLINE
⊙	BARBED WIRE FENCE
⊙	WELDED FENCE
⊙	OVERHEAD POWER LINE
⊙	UTILITY MARKER FOR POWER
⊙	UTILITY MARKER FOR SIGNAL
⊙	TELEPHONE PRESTAL
⊙	WELL LOCATION

SHEET 1 OF 2

Kadimas Lee & Jackson Professional Surveyors 1410 Main Ave. S. Suite 201 Duluth, MN 55812	<p>888 Main Ave, Suite 301 Dunroop, ND 58131</p> <p>DATE: 7/27/2011 DWT</p>	<p>EAGLES NEST - WEST DUNN COUNTY, NORTH DAKOTA</p> <p>EASEMENTS ON AND ACROSS THE SE1/4 OF SEC. 36, T.148N., R.94W.</p>
<p>DWG NO. 3710461WEST JOB NO. 3710461 SCALE: 1:600 PERMIT NUMBER: 36-148-94-SE</p>		<p>LAYOUT SET: 36-148-94 (1)</p>

NOTE:
 Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.



FIELD BOOK: OP-182 PG. 69-77

DWG NO. 3710461EGLAESNESTWEST	JOB NO. 3710461	SCALE: NONE	PARCEL NUMBER 36-148-94-SE
EAGLES NEST - WEST DUNN COUNTY, NORTH DAKOTA		EASEMENTS ON AND ACROSS THE SE1/4 OF SEC. 36, T.148N., R.94W.	
858 Main Ave, Suite 301 Durgoo, CO 81301 KADTMAS SURVEYING, L.L.C.		DATE: 9/29/2011 BY:	DRAWN BY: C. POSITION

SHEET 2 OF 2

FIELD BOOK: OP-182 PG. 69-77

Date: 9-30-11

Myron J. Kadmas, Registered Land Surveyor
N.D. RLS No. 3758

I, Myron J. Kadmas, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk Jorgenson on June 17, 2011.

NOTES:

- Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot Azimuths shown are Grid Azimuths, distances shown are grid distance, Combined scale factor = 1.000127515 to go from grid distance to ground distance.
- Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.



DESCRIPTION: PERMANENT EASEMENT SURVEY

SADDLE BUTTE PIPELINE COMPANY
EAGLES NEST - WEST

EXHIBIT "A"
OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
SE1/4 OF SECTION 36, TOWNSHIP 148 NORTH, RANGE 94 WEST
FORT BERTHOLD ALLOTMENT 1679

A fifty (50) foot wide continual easement for utilities and pipelines of an oil and gas collection system over, under and across the Southeast Quarter (SE1/4) of Section 36, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the southwest corner of the Southeast Quarter of said Section 36; thence along an azimuth of 001°34'43" along the west line of the Southeast Quarter of said Section 36 a distance of 935.44 feet to the POINT OF BEGINNING; thence on an azimuth of 076°47'15" a distance of 0.46 feet to a point (P1 #7); thence on an azimuth of 100°31'51" a distance of 592.23 feet to a point (P1 #8); thence on an azimuth of 109°46'26" a distance of 384.59 feet to a point (P1 #9); thence on an azimuth of 119°29'49" a distance of 604.62 feet to a point (P1 #10); thence on an azimuth of 119°29'49" a distance of 307.09 feet to a point (P1 #12); thence on an azimuth of 124°43'47" a distance of 14.77 feet to the POINT OF TERMINATION on the south line of the Southeast Quarter of said Section 36. Said point is located on an azimuth of 271°29'25" along the south line of said Section 36 a distance of 198.22 feet from the southeast corner of said Section 36.

Covering in all 2638.85 feet or 159.93 rods.

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the Southeast Quarter (SE1/4) of Section 36, Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

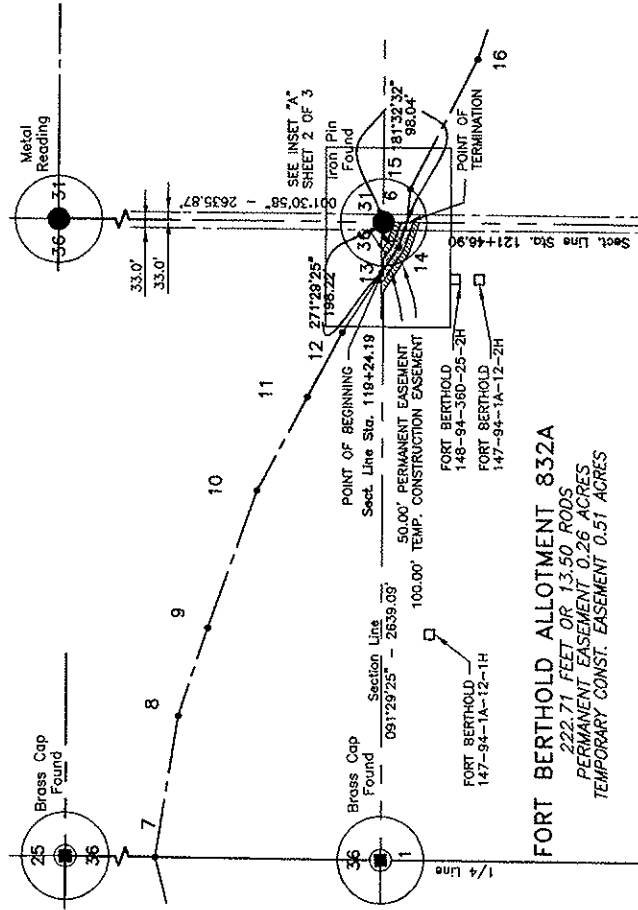
Commencing at the southwest corner of the Southeast Quarter of said Section 36; thence along an azimuth of 001°34'43" along the west line of the Southeast Quarter of said Section 36 a distance of 935.44 feet to the POINT OF BEGINNING; thence on an azimuth of 076°47'15" a distance of 0.46 feet to a point (P1 #7); thence on an azimuth of 100°31'51" a distance of 592.23 feet to a point (P1 #8); thence on an azimuth of 109°46'26" a distance of 384.59 feet to a point (P1 #9); thence on an azimuth of 119°29'49" a distance of 604.62 feet to a point (P1 #10); thence on an azimuth of 119°29'49" a distance of 307.09 feet to a point (P1 #12); thence on an azimuth of 124°43'47" a distance of 14.77 feet to the POINT OF TERMINATION on the south line of the Southeast Quarter of said Section 36. Said point is located on an azimuth of 271°29'25" along the south line of said Section 36 a distance of 198.22 feet from the southeast corner of said Section 36.

Covering in all 2638.85 feet or 159.93 rods.

Said permanent easement contains 3.03 acres, more or less.

Said temporary construction easement contains 6.06 acres, more or less.

FORT BERTHOLD ALLOTMENT 832A
 NE1/4 OF SECTION 1, TOWNSHIP 147 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"



PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
S Line	119+24.19	221606.29	1453133.64	124°43'47"	112.48'
14	120+36.67	221542.21	1453226.09	110°45'41"	110.23'
S Line	121+46.90	221503.14	1453329.15		

LEGEND

SYMBOL	ITEM
—	SECTION LINE
—	1/4 LINE
—	SECTION CORNER
—	SECTION CORNER - ORIGINAL CORNER
—	SECTION CORNER - REPLACEMENT
—	WELL 1/4 SEC. CAP SET
—	GRADED ROAD SHOULDER
—	CATTLE GUARD
—	TREE ROWS, BUSHES
—	DRAINAGE LINE
—	CULVERT
—	WEDGGE FENCE
—	BARBED WIRE FENCE
—	POWER LINE
—	PHONE LINE
—	UTILITY MARKER OR SIGN
—	TELEPHONE ENCLOSURE
—	WELL LOCATION

SHEET 1 OF 3
 DWG NO. 3710461WEST
 JOB NO. 3710461
 SCALE: 1:600
 PARCEL NUMBER 1-147-94-NE

EAGLES NEST - WEST
 DUNN COUNTY, NORTH DAKOTA
 EASEMENTS ON AND ACROSS THE
 NE1/4 OF SEC. 1, T.147N., R.94W.

Kadmas Lee & Jackson
 Engineers & Surveyors
 858 Main Ave, Suite 301
 Drango, CO 81301

DATE: 7/29/2011
 BY: [Signature]

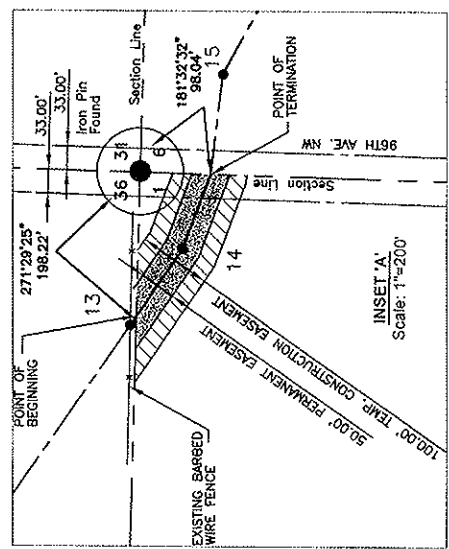
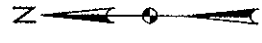
888 Main Ave, Suite 301
 Drango, CO 81301

DATE: 7/29/2011
 BY: [Signature]

FIELD BOOK: OP-182 PG. 69-77

NOTE: Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.0000127515 to go from grid distance to ground distance.

FORT BERTHOLD ALLOTMENT 832A
 NE1/4 OF SECTION 1, TOWNSHIP 147 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"



LEGEND

SYMBOL	ITEM
---	SECTION LINE
---	1/4 LINE
⊙	SECTION CORNER
⊙	SECTION CORNER - ORIGINAL FOUND
⊙	SECTION CORNER - NEW BEARING WITH 8/5 400# CAP SET
---	GRADED ROAD SHOULDER
---	CATTLE BRAND
---	TREE ROWS, DASHES
---	DRAINAGE LINE
---	CULVERT
---	BARRIED WIRE FENCE
---	WEDGE FENCE
---	CONCRETE POST AND RAIL FENCE
---	POST AND RAIL FENCE
---	UTILITY MARKER OR SIGN
---	TELEPHONE CROSSING
---	WELL LOCATION

SHEET 2 OF 3
 DWG NO. 3710461EAGLESWEST
 JOB NO. 3710461
 SCALE: 1:800
 PLOT NUMBER 1-147-94_NE

EAGLES NEST - WEST
 DUNN COUNTY, NORTH DAKOTA
 EASEMENTS ON AND ACROSS THE
 NE1/4 OF SEC. 1, T.147N., R.94W.

Kadimas Lee & Jackson
 Professional Surveyors
 888 Main Ave, Suite 301
 Durango, CO 81301
 DRAWN BY: DOWNE DATE: 7/27/2011

SPS
 SADDLE BUTTE PIPELINE, LLC
 888 Main Ave, Suite 301
 Durango, CO 81301

NOTE: Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.

FIELD BOOK: OP-182 PG. 69-77

EAGLES NEST - WEST DUNN COUNTY, NORTH DAKOTA EASEMENTS ON AND ACROSS THE NE1/4 OF SEC. 1, T.147N., R.94W.		DATE: 9/29/2011 TIME: 10:57 DRAWN BY: DJOBNER © Kadmas Lee & Jackson 2011 Kadmas Lee & Jackson Engineers Surveyors P.C.
DWG NO. 3710461EAGLESNESTWEST	JOB NO. 3710461	SCALE: NONE PROJECT NUMBER 1-147-94-NE4

FIELD BOOK: OP-182 Pg. 69-77
 SHEET 3 OF 3



1. Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.

2. Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.

I, Myron J. Kadmas, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk Jorgenson on June 17, 2011.

Myron J. Kadmas, Registered Land Surveyor
 N.D. RLS No. 3758
 Date 9-30-11

NOTES:

Solid permanent easement contains 0.26 acres, more or less.

Covering in all 222.71 feet or 13.50 rods.

Quarter of said Section 1, a distance of 98.04 feet to the northeast corner of said Section 1.

Commencing at the northeast corner of said Section 1; thence on an azimuth of 271°29'25" along the north line of the Northeast Quarter of said Section 1 a distance of 198.22 feet to the POINT OF BEGINNING; thence on an azimuth of 124°43'47" a distance of 112.48 feet to a point (P1 #14); thence on an azimuth of 110°45'41" a distance of 110.23 feet to the POINT OF TERMINATION on the east line of the Northeast Quarter of Section 1. Said point is located on an azimuth of 001°32'32" along the east line of the Northeast Quarter of said Section 1 a distance of 98.04 feet to the northeast corner of said Section 1.

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of Township 147 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

A fifty (50) foot wide permanent easement for utilities and pipelines of an oil and gas collection system over, under and across the Northeast Quarter (NE1/4) of Section 1, Township 147 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the northeast corner of said Section 1; thence on an azimuth of 271°29'25" along the north line of the Northeast Quarter of said Section 1 a distance of 198.22 feet to the POINT OF BEGINNING; thence on an azimuth of 124°43'47" a distance of 112.48 feet to a point (P1 #14); thence on an azimuth of 110°45'41" a distance of 110.23 feet to the POINT OF TERMINATION on the east line of the Northeast Quarter of said Section 1. Said point is located on an azimuth of 001°32'32" along the east line of the Northeast Quarter of said Section 1 a distance of 98.04 feet to the northeast corner of said Section 1.

Covering in all 222.71 feet or 13.50 rods.

Quarter of said Section 1, a distance of 98.04 feet to the northeast corner of said Section 1.

Commencing at the northeast corner of said Section 1; thence on an azimuth of 271°29'25" along the north line of the Northeast Quarter of said Section 1 a distance of 198.22 feet to the POINT OF BEGINNING; thence on an azimuth of 124°43'47" a distance of 112.48 feet to a point (P1 #14); thence on an azimuth of 110°45'41" a distance of 110.23 feet to the POINT OF TERMINATION on the east line of the Northeast Quarter of said Section 1. Said point is located on an azimuth of 001°32'32" along the east line of the Northeast Quarter of said Section 1 a distance of 98.04 feet to the northeast corner of said Section 1.

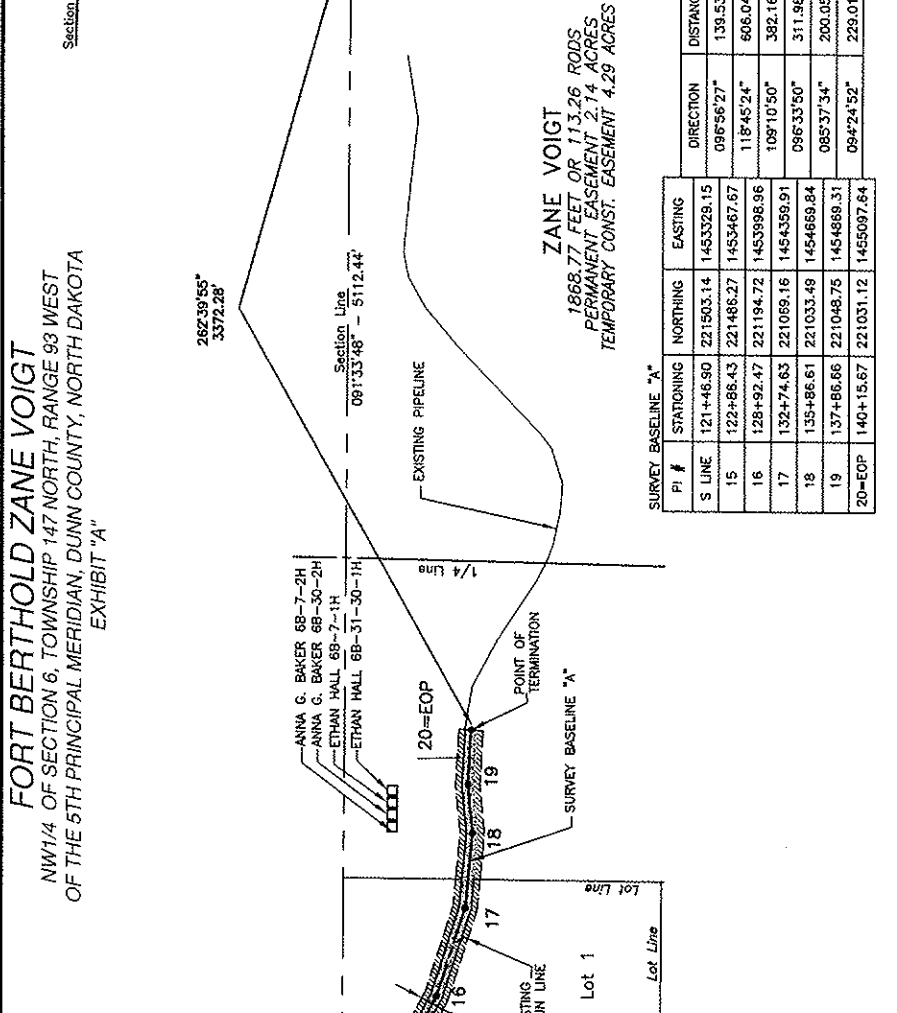
Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of Township 147 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

A fifty (50) foot wide permanent easement for utilities and pipelines of an oil and gas collection system over, under and across the Northeast Quarter (NE1/4) of Section 1, Township 147 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

DESCRIPTION: PERMANENT EASEMENT SURVEY

SADDLE BUTTE PIPELINE COMPANY
 EAGLES NEST - WEST
 EXHIBIT "A"
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 NE1/4 OF SECTION 1, TOWNSHIP 147 NORTH, RANGE 94 WEST
 FORT BERTHOLD ALLOTMENT 832A

FORT BERTHOLD ZANE VOIGT
 NW1/4 OF SECTION 6, TOWNSHIP 147 NORTH, RANGE 93 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"



LEGEND

SYMBOL	ITEM
—	SECTION LINE
—	1/4 LINE
—	1/8 LINE
⊙	SECTION CORNER
⊙	SECTION CORNER - ORIGINAL STAKE
⊙	SECTION CORNER - ORIGINAL STAKE WITH BRASS CAP SET
—	GRADED ROAD SHOULDER
—	CATTLE GUARD
—	TREE ROWS, BUSHES
—	CLUBLOT
—	DRAINAGE LINE
—	BARBED WIRE FENCE
—	WELDED FENCE
—	OVERHEAD POWER LINE
—	UTILITY MARKER FOR 20" UTILITY
—	UTILITY MARKER FOR 30" UTILITY
—	TELEPHONE POST/STAKE
—	WELL LOCATION

ZANE VOIGT
 1868.77 FEET OR 113.26 RODS
 PERMANENT EASEMENT 2.14 ACRES
 TEMPORARY CONST. EASEMENT 4.29 ACRES

SURVEY BASELINE "A"

PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
S LINE	121+46.80	221503.14	1453329.15	096°56'27"	139.53'
15	122+86.43	221486.27	1453467.67	118°45'24"	806.04'
16	128+92.47	221194.72	1453998.96	109°10'50"	382.16'
17	132+74.63	221089.16	1454359.91	096°33'50"	311.98'
18	135+86.61	221033.48	1454669.84	085°37'34"	200.05'
19	137+86.86	221048.75	1454689.31	094°24'52"	229.01'
20=EOP	140+15.67	221031.12	1455097.64		

Kadimas Lee & Jackson
 Professional Surveyors
 888 Main Ave, Suite 301
 Bismarck, ND 58103
 © Kadimas, Lee & Jackson 2011
 DUNN W. DORRANCE
 DATE: 7/21/2011
 DRAWN BY: -

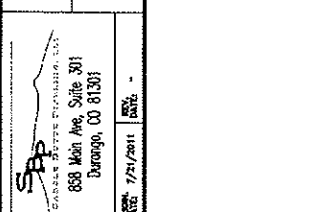
SPE
 SURVEY ENGINEER
 888 Main Ave, Suite 301
 Bismarck, ND 58103
 DATE: 7/21/2011
 DRAWN BY: -

EAGLES NEST - WEST
 DUNN COUNTY, NORTH DAKOTA

EASEMENTS ON AND ACROSS THE
 NW1/4 OF SEC. 6, T.147N., R.93W.

DWG NO. 3710461EASWEST
 JOB NO. 3710481
 SCALE: 1:600
 SHEET NUMBER 6-147-92_AWA
 LAYOUT: NW4_6-147-93 (1)

NOTE: Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.



FIELD BOOK: OP-182 PG. 69-77

FORT BERTHOLD ZANE VOIGHT
 NW1/4 OF SECTION 6, TOWNSHIP 147 NORTH, RANGE 93 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"

SADDLE BUTTE PIPELINE COMPANY
 EAGLES NEST - WEST

DESCRIPTION - PERMANENT EASEMENT SURVEY

A fifty (50) foot wide continual easement for oil and gas collection system over, under and across the Northwest Quarter (NW1/4) of Section 6, Township 147 North, Range 93 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the northwest corner of said Section 6; thence on an azimuth of 181°32'32" along the west line of said Section 6 a distance of 98.04 feet to the POINT OF BEGINNING; thence on an azimuth of 096°56'27" a distance of 139.53 feet to a point (P1 #15); thence on an azimuth of 118°45'24" a distance of 606.04 feet to a point (P1 #16); thence on an azimuth of 109°10'50" a distance of 382.16 feet to a point (P1 #17); thence on an azimuth of 085°37'34" a distance of 200.05 feet to a point (P1 #19); thence on an azimuth of 094°24'52" a distance of 229.01 feet to the POINT OF TERMINATION (P1 #20=EOP). Said point is located on an azimuth of 262°39'55" a distance of 3372.28 feet from the northeast corner of said Section 6.

Covering in all 1868.77 feet or 113.26 rods.
 Said permanent easement contains 2.14 acres, more or less.

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the Northwest Quarter (NW1/4) of Section 6, Township 147 North, Range 93 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the northwest corner of said Section 6; thence on an azimuth of 181°32'32" along the west line of said Section 6 a distance of 98.04 feet to the POINT OF BEGINNING; thence on an azimuth of 096°56'27" a distance of 139.53 feet to a point (P1 #15); thence on an azimuth of 118°45'24" a distance of 606.04 feet to a point (P1 #16); thence on an azimuth of 109°10'50" a distance of 382.16 feet to a point (P1 #17); thence on an azimuth of 085°37'34" a distance of 200.05 feet to a point (P1 #19); thence on an azimuth of 094°24'52" a distance of 229.01 feet to the POINT OF TERMINATION (P1 #20=EOP). Said point is located on an azimuth of 262°39'55" a distance of 3372.28 feet from the northeast corner of said Section 6.

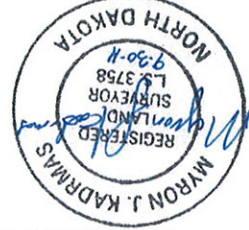
Covering in all 1868.77 feet or 113.26 rods.
 Said temporary construction easement contains 4.29 acres, more or less.

NOTES:

1. Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000127515 to go from grid distance to ground distance.

2. Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULT OF A FULL BOUNDARY SURVEY.

I, Myron J. Kadrmas, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk Jorgenson on June 17, 2011.



Date 9-30-11

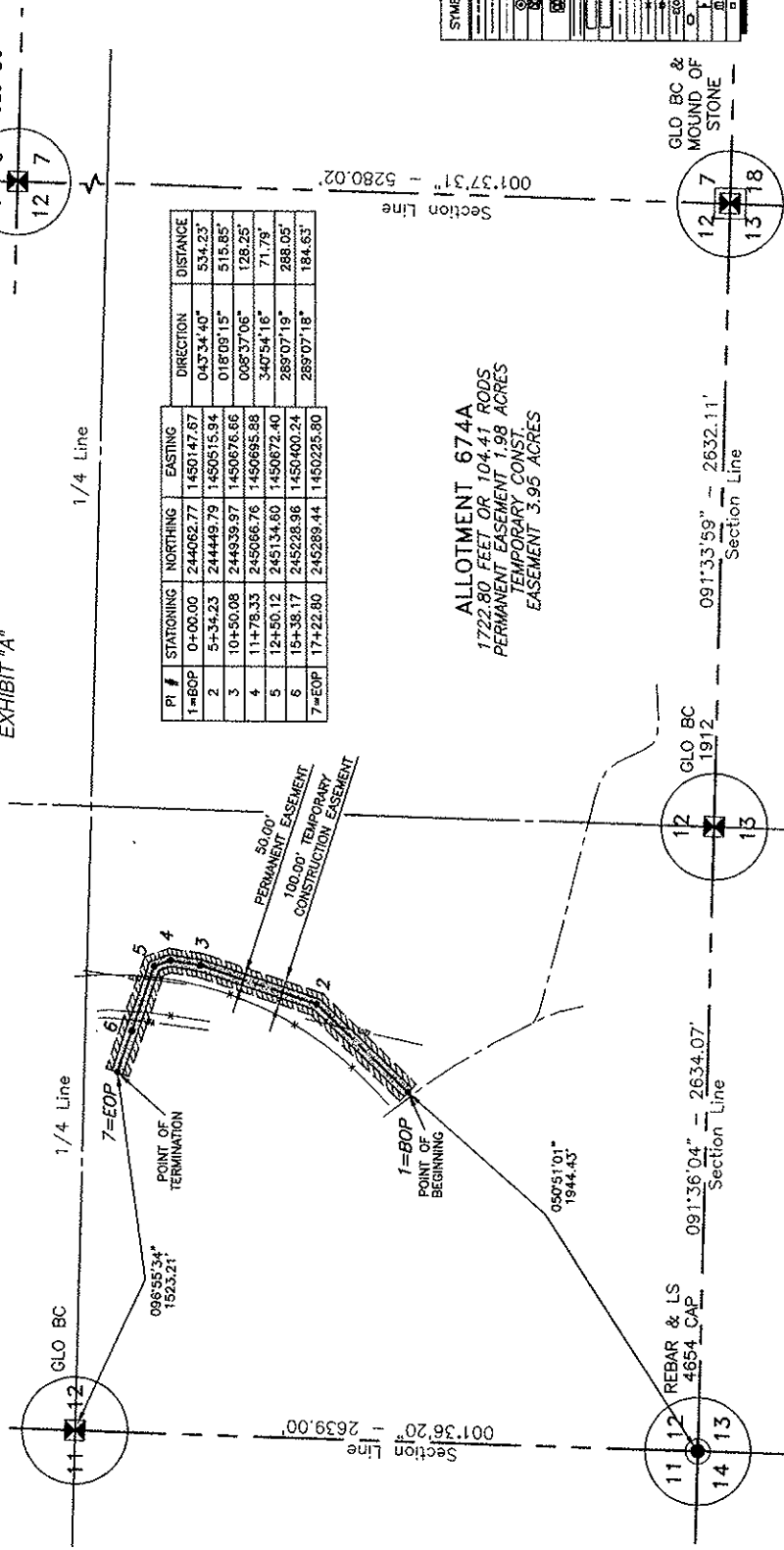
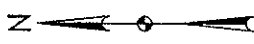
Myron J. Kadrmas
 Myron J. Kadrmas, Registered Land Surveyor
 N.D. RLS No. 3758

FIELD BOOK - OP-182 PG. 69-77

SHEET 2 OF 2

DWG NO. 3710461EAGLESNESTWEST	JOB NO. 3710461	SCALE: NONE	EASEMENTS ON AND ACROSS THE DUNN COUNTY, NORTH DAKOTA	PROJECT NUMBER 6-147-93-NW4	DRAWN BY: DORRINE
					DATE: 7/21/2011
EAGLES NEST - WEST					SADDLE BUTTE PIPELINE, L.P. 858 Main Ave, Suite 301 Durango, CO 81301

ALLOTMENT 674A
 SW1/4 OF SECTION 12, TOWNSHIP 148 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"



PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
1=BOP	0+00.00	244062.77	1450147.87	043°34'40"	534.23'
2	5+34.23	244449.79	1450515.94	018°09'15"	515.85'
3	10+50.08	244939.97	1450676.66	008°37'06"	128.25'
4	11+78.33	245066.76	1450695.88	347°54'16"	71.79'
5	12+50.12	245134.80	1450672.40	289°07'19"	288.05'
6	15+38.17	245228.96	1450400.24	289°07'18"	184.63'
7=EOP	17+22.80	245289.44	1450225.80		

ALLOTMENT 674A
 1722.80 FEET OR 104.41 RODS
 PERMANENT EASEMENT 1.98 ACRES
 TEMPORARY CONST
 EASEMENT 3.96 ACRES

LEGEND

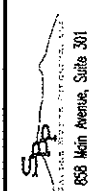
SYMBOL	ITEM
---	SECTION LINE
---	1/4 LINE
---	7/8 LINE
○	SECTION CORNER
○	SECTION CORNER - GLO BC
○	MOUND OF STONE SECTION CORNER
□	GRADED ROAD SHOULDER
□	CATTLE GUARD
□	TREE ROWS, BARRIERS
□	ORANGE LINE
□	ROAD C/L
□	UNBID WIRE FENCE
□	WIDELIFE FENCE
□	OVERHEAD POWER LINE
□	UTILITY NUMBER OR SPAN
□	TELEPHONE PERSONAL
□	WELL LOCATION

NOTE:
 Survey is based on North Dakota State Plane System, NAD83 (86), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000139255 to go from grid distance to ground distance.



FIELD BOOK: OP-182 PG. 1-5

Kadmas Lee & Jackson
 Registered Professional Surveyors
 608 Main Avenue, Suite 301
 Durango, CO 81301
 DATE: 9/28/2011
 BY: J. TAD



SADDLE BUTTE ROBERTS TRUST NORTH
 DUNN COUNTY, NORTH DAKOTA
 EASEMENTS ON AND ACROSS THE
 SW1/4 OF SEC. 12, T.148N., R.94W.

SHEET 1 OF 2
 DWG NO. Roberts Trust_Easement
 JOB NO. 3710461
 SCALE: 1:600
 PAPER NUMBER 12-148-94-A
 LAYOUT: 12-148-94-A (1)

DEAN W. J. TRUIS Kadrnas, Lee & Jackson 2011 Kadrnas, Lee & Jackson Jackson Lee & Kadrnas SADDLE BUTTE PIPELINE, L.L.C. 858 Main Avenue, Suite 301 Durango, CO 81301		DATE: 9/28/2011 TIME: -
SCALE: NONE JOB NO. 3710461 DWG NO. Roberts Trust_Easement	SW1/4 OF SEC. 12, T.148N., R.94W. EASEMENTS ON AND ACROSS THE SADDLE BUTTE ROBERTS TRUST NORTH DUNN COUNTY, NORTH DAKOTA	
SHEET 2 OF 2		

FIELD BOOK: OP-182 PG. 1-5



Date 9-28-11
 Myron J. Kadrnas, Registered Land Surveyor
 N.D. RLS No. 3758

I, Myron J. Kadrnas, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk J. Jorgenson on July 19, 2011.

NOTES:

- Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000139255 to go from grid distance to ground distance.
- Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying on oil and gas collection system over, under and across the Southwest Quarter (SW1/4) of Section 12, Commencing at the southwest corner of said Section 12; thence on an azimuth of 050°51'01" a distance of 1944.43 feet to the POINT OF BEGINNING (PI #1=BOP); thence on an azimuth of 043°34'40" a distance of 534.23 feet to a point (PI #2); thence on an azimuth of 018°09'15" a distance of 515.85 feet to a point (PI #3); thence on an azimuth of 008°37'06" a distance of 128.25 feet to a point (PI #4); thence on an azimuth of 340°54'16" a distance of 71.79 feet to a point (PI #5); thence on an azimuth of 289°07'19" a distance of 288.05 feet to a point (PI#6); thence on an azimuth of 289°07'18" a distance of 184.63 feet to the POINT OF TERMINATION (PI #7=EOP). Said point is located on an azimuth of 096°55'34" a distance of 1523.21 feet from the northwest corner of said Southwest Quarter of Section 12.

Covering in all 1722.80 feet or 104.41 rods.
 Said permanent easement contains 1.98 acres, more or less.

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of Township 148 North, Range 94 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying on oil and gas collection system over, under and across the Southwest Quarter (SW1/4) of Section 12, Commencing at the southwest corner of said Section 12; thence on an azimuth of 050°51'01" a distance of 1944.43 feet to the POINT OF BEGINNING (PI #1=BOP); thence on an azimuth of 043°34'40" a distance of 534.23 feet to a point (PI #2); thence on an azimuth of 018°09'15" a distance of 515.85 feet to a point (PI #3); thence on an azimuth of 008°37'06" a distance of 128.25 feet to a point (PI #4); thence on an azimuth of 340°54'16" a distance of 71.79 feet to a point (PI #5); thence on an azimuth of 289°07'19" a distance of 288.05 feet to a point (PI#6); thence on an azimuth of 289°07'18" a distance of 184.63 feet to the POINT OF TERMINATION (PI #7=EOP). Said point is located on an azimuth of 096°55'34" a distance of 1523.21 feet from the northwest corner of said Southwest Quarter of Section 12.

Covering in all 1722.80 feet or 104.41 rods.
 Said temporary construction easement contains 3.95 acres, more or less.

ALLOTMENT 674A
 SW1/4 OF SECTION 12, TOWNSHIP 148 NORTH, RANGE 94 WEST
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA
 EXHIBIT "A"

SADDLE BUTTE PIPELINE COMPANY
 ROBERTS TRUST NORTH

DESCRIPTION: PERMANENT EASEMENT SURVEY

Notice of Availability and Appeal Rights

Saddle Butte Pipeline: Eagles Nest and Roberts Pipelines

The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to an Environmental Assessment to Authorize Land Use for the Eagles Nest and Roberts Pipeline on the Fort Berthold Reservation as shown on the attached map. Construction by Saddle Butte Pipeline, LLC is expected to begin in 2011.

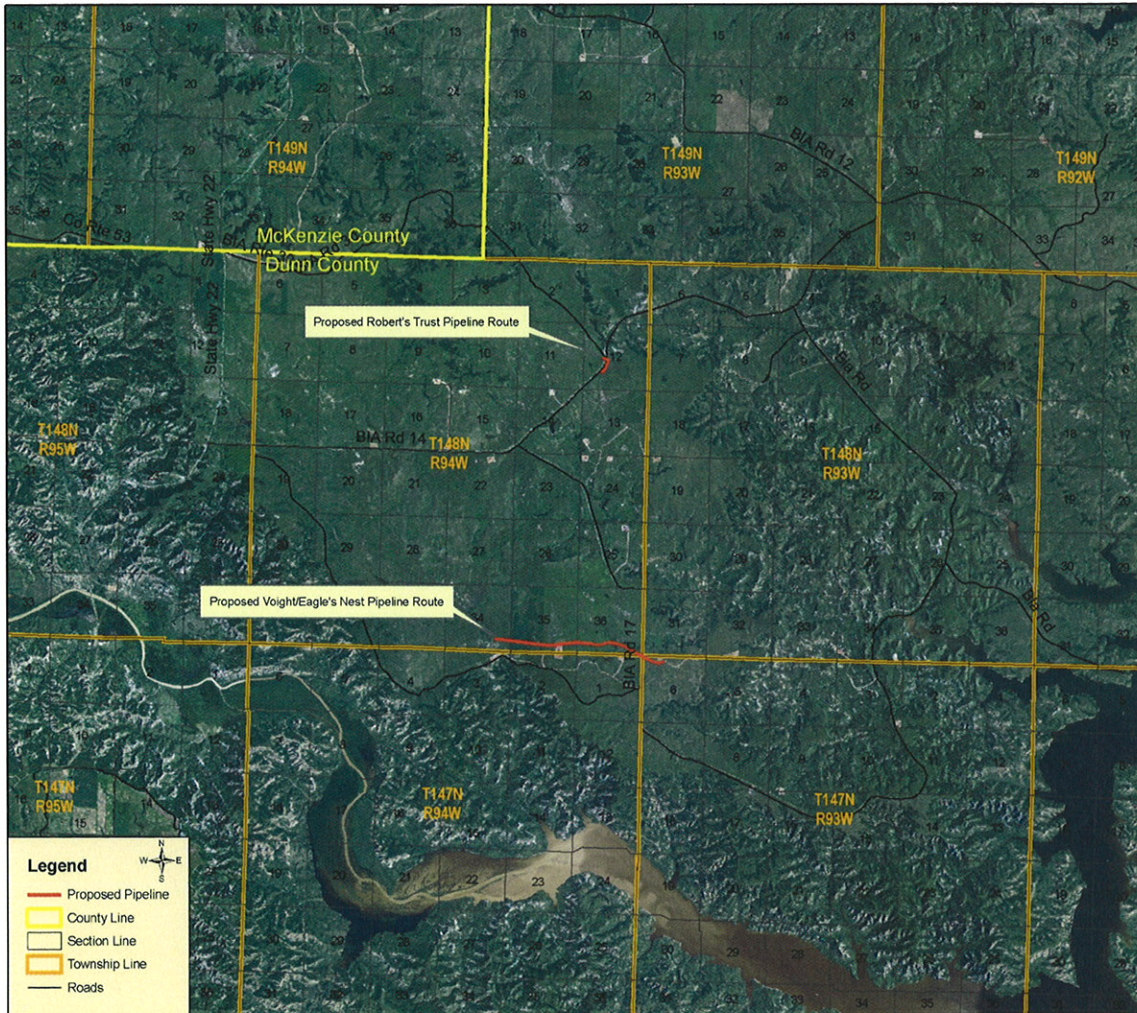
An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-4707 for more information and/or copies of the EA and the Finding of No Significant 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 November 26, 2011, 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



**Saddle Butte Pipeline
Proposed Pipelines
Dunn County, ND**

