



State of North Dakota

Office of the State Engineer

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September 21, 2007

Brian Bjella, Attorney
Fleck, Mather & Strutz, Ltd.
400 East Broadway, Suite 600
P.O. Box 2798
Bismarck, ND 58502-2798



Dear Mr. Bjella:

This office received, on August 24, 2007, a "Notice of Filing and Notice of Hearing" letter from the North Dakota Public Service Commission for Enbridge Pipelines (Southern Lights) L.L.C. (Enbridge SL) and Enbridge Energy, Limited Partnership (Enbridge LP). Enbridge SL proposes to construct 28 miles of 20-inch liquid petroleum pipeline and associated facilities in Pembina County (LSr Project). Enbridge LP proposes to construct 28 miles of 36-inch liquid petroleum pipeline and associated facilities in Pembina County (Alberta Clipper Project).

According to the map enclosed with the notice, both pipelines cross the Red River of the North, and therefore, lie within sovereign land of the State of North Dakota. Sovereign land is defined in NDCC §61-33-01.3 as "those areas, including beds and islands, lying within the ordinary high watermark of navigable lakes and streams". NDAC §89-10-01-04 authorizes the State Engineer to require a permit for all projects that lie either partially or wholly on sovereign land.

Please complete a sovereign lands permit application and return it to this office along with the required information. The application is available upon request or at our website (www.swc.state.nd.us) under "Permits". Submit a separate application for each project. If you have any questions or concerns regarding this procedure, please contact me at (701) 328-4868 or lcackerman@nd.gov.

Sincerely,

Laura C. Ackerman, E.I.T.
Water Resource Engineer

LCA:lca/1625

c: Public Service Commission