

Fahn, Patrick J.

From: Greg_Jacobsen@pecanpipeline.com
Sent: Wednesday, December 16, 2009 3:36 PM
To: Fahn, Patrick J.
Subject: Road crossing permits PSC Case No. PU-09-153
Attachments: ~8222420.PDF

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Fahn, in connection with paragraph 6 of the Order Granting Corridor Certificate and Route Permit, PSC Case No. PU-09-153, attached below please find the following:

1. Utility Occupancy Permit issued by the North Dakota Dept. of Transportation for the Highway 2 crossing in 23-156N-91W and
2. Road Crossing and Pipeline Installation Agreement issued by the Idaho Township Chairman/Road Manager.

As we have discussed Hawthorn will bore under the township roads. Thank you for your assistance.

Greg Jacobsen
Sr. Landman
office- 303-824-5436
cell- 303-242-1054
greg_jacobsen@pecanpipeline.com

UTILITY OCCUPANCY APPLICATION AND PERMIT

North Dakota Department of Transportation, Design Division
SFN 7995 (Rev. 06-2008)

Document No. 71524 (FOR STATE USE ONLY) Permit No. 7-2-92.7275

APPLICANT INFORMATION

Owner of Facility <u>Hawthorn Oil Transportation (North Dakota) Inc</u>		City <u>Denver</u>	State <u>CO</u>	Zip Code <u>80202</u>
Mailing Address <u>600 17th St. #1000N</u>				Telephone Number <u>303-824-5436</u>
Owner's Agent <u>Craig Jacobsen</u>	City <u>same as above</u>	State	Zip Code	Telephone Number <u>303-242-1054</u>
Owner's Contractor <u>Brandon Construction, Inc.</u>	City <u>Stanley</u>	State <u>ND</u>	Telephone Number <u>701-240-0751</u>	

LOCATION NO. 1 (FOR STATE USE ONLY) Begin Ref. Point 92.7275 End Ref. Point _____

Highway No. 2 Along or Across Lanes of traffic 2 4

Direction N S E W Begin 3,841.0 feet from reference marker 92

Direction N S E W End _____ feet from reference marker _____

N S E W from city of _____ or _____ miles from junction highway _____

TYPE OF FACILITY (Complete appropriate spaces only.)

Description of Proposed Facility <u>8 5/8" OD oil pipeline. Pipe material is steel. Pipe will be cathodically protected</u>		
Size of Facility <u>8 5/8" OD</u>	Number of Cables	Length of Down Guys
Pipeline Pressure <u>500 psi</u>	Size of Casing <u>N/A</u>	Length of Casing
Location of Pole(s)	Location of Appurtenances	Location - Others

TERMS AND CONDITIONS: Installation and maintenance of said facilities on highway right of way shall be subject to the North Dakota Department of Transportation's (NDDOT's) "A Policy for Accommodation of Utilities on State Highway Right of Way", current edition, and the following terms and conditions, attached hereto and made a part hereof.

- (A) Installation/maintenance of said facilities shall be done in a manner satisfactory to the NDDOT district engineer.
- (B) Owner shall notify the NDDOT district engineer forty-eight (48) hours prior to installing, maintaining, relocating, or removing said facilities. All disturbed areas shall be restored to their original condition in a manner satisfactory to the NDDOT district engineer.
- (C) The owner shall be required to wear an ANSI 107 Class II height visibility garment while within the highway right-of-way as per the requirements of 23 CFR 634.
- (D) The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.
- (E) Owner shall repair or replace highway structures and appurtenances, and any existing facilities located on, over, or under highway right of way, which may be damaged as a result of the installation and maintenance of said facilities on highway right of way.
- (F) Owner shall promptly remove said facilities from highway right of way, or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by NDDOT.
- (G) NDDOT specifically reserves the right to revoke, or change the terms and conditions of, this Permit with or without cause and upon notice to the Owner.
- (H) The installation shall be completed on or before July 31, 20 10

Oct. 8, 2009
DATE

[Signature]
OWNER'S SIGNATURE

The Owner is hereby granted permission to install and maintain the facilities applied for, as shown on the plans attached hereto and made a part hereof. Approved by NDDOT this 10 day of Oct., 20 09.

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

Walter A. Peterson
DISTRICT ENGINEER (TYPE OR PRINT)

[Signature]
SIGNATURE

R

ROAD CROSSING AND PIPELINE INSTALLATION AGREEMENT

This agreement entered into this 16 day of December, 2009, by and between John Enander in his official capacity as Township Chairman/Road Manager of the Idaho Township located in Mountrail County, North Dakota (hereinafter referred to as "Township") and Pecan Pipeline (North Dakota) Inc., a corporation under the laws of the State of North Dakota ("Pecan Pipeline").

Whereas, Pecan Pipeline is attempting to obtain rights-of-way for the installation and maintenance of pipelines under and across various lands located within the Township and to install and maintain a pipeline gathering system. Said pipelines are intended for the transportation of oil, gas and other liquids and hydrocarbons. As part of the installation of said pipelines and gathering system, it may become necessary for Pecan Pipeline, its contractors and sub-contractors to cross roads under the jurisdiction of the Township.

Now therefore, John Enander in his official capacity as Township Chairman/Road Manager of the Township, does hereby grant approval to Pecan Pipeline, its contractors, sub-contractors and assigns, the permission and right to:

- a) bore under existing roadways under the jurisdiction of the Township that are being currently maintained by the Township and to install and maintain pipelines for the transportation of oil, gas and other liquids and hydrocarbons under said roadways, and
- b) channel across or bore under, at Pecan Pipeline's option, roadways under the jurisdiction of the Township that are not being currently maintained by the Township and to install and maintain pipelines for the transportation of oil, gas and other liquids and hydrocarbons under said roadways.

Executed by:



Town Chairman/Road Manager