

John W. Morrison  
400 East Broadway, Suite 600  
P.O. Box 2798  
Bismarck, ND 58502-2798  
Office: 701.223.6585  
Direct: 701.224.7534  
jmorrison@crowleyfleck.com

November 1, 2011

***Hand Delivered***

Mr. Darrell Nitschke  
Executive Director  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

Dear Mr. Nitschke:

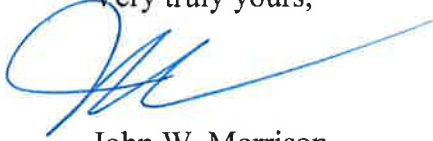
In re: Whiting Oil and Gas Corporation  
Crude Oil Pipeline  
Billings County  
Case No. PU-11-102  
Our File No. 95-574-328

Enclosed for filing are the original and seven copies of the following:

- 1) Stark County Road Crossing Permit;
- 2) Billings County Road Crossing Permit;
- 3) NDPDES Notice of Coverage and Master Storm Water Pollution Plan.

If you have any questions or need further information, please contact me at your convenience.

Very truly yours,



John W. Morrison

enc.

cc (via email): Nicole Tebow  
Bill J. Regan  
Patrick Fahn

**APPLICATION AND PERMIT  
STARK COUNTY**

**ROAD CROSSING/RIGHT-OF-WAY ENCROACHMENT/PIPELINE/UTILITY PERMIT**

WHITING OIL AND GAS CORPORATION

ATTN: ROBERT FEREM- 16TH FLOOR;1700 BROADWAY, SUITE 2300

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**(Name and address of applicant)** DENVER CO 80290-2300

hereinafter called the Applicant, is hereby granted permission to install and maintain the following described facilities on, across, or adjacent to county right-of-way, as shown on the plans attached hereto and made a part hereof: (describe type of facilities to be located on county right-of-way, give legal description of location of said facilities, and attach map or plans)

BORE 32ND AND 30TH STREET FOR A 2' FIBER OPTIC LINE AND AN 8' OIL LINE  
IN CONNECTION WITH CONSTRUCTION OF A 6.8 MILE PIPELINE.  
ATTACHED EXHIBITS SHOW LINE LOCATION AND CROSSING.

**INSTALLATION AND MAINTENANCE:** Installation and maintenance of said facilities on county right-of-way shall be subject to the following terms and conditions:

1. Upon construction, maintenance, relocation, or removal of said facilities, any right-of-way scars shall be removed and the disturbed areas restored to original condition, including the re-seeding thereof where necessary. Trenches dug within county right-of-way shall be backfilled and compacted to density equal to that of the adjacent undisturbed soil.
2. Installation, maintenance, relocation, and removal of said facilities on county right-of-way shall be completed in a manner satisfactory to, and subject to supervision by, the County Road Superintendent and/or County Commissioners.
3. Stark County shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the right-of-way.
4. Applicant shall hold the County harmless for injury to persons or damage to property resulting from the location of said facilities on County right-of-way.
5. Applicant shall repair or replace highway structures and appurtenances, and any existing facilities located on, over, or under county right-of-way, which may be damaged as a result of the installation and maintenance of said facilities on County right-of-way.

Page 1 of 3

6. Applicant agrees to comply with all County road restrictions and load limit restrictions. Contact the County Road Superintendent for information.
7. Applicant shall promptly remove said facilities from county right-of-way, or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by the County to accommodate any road construction or re-construction.
8. Applicant agrees that buried road crossings on all County Major Collector (CMC) Roads, all paved roads, and any other road crossing designated at the time of application and noted hereon, shall be bored or jacked under the roadway. Plans for boring or jacking at each crossing shall be submitted to the County Road Superintendent for approval prior to construction.
9. Applicant agrees to provide to the County Global Positioning System data on the location of said facilities upon completion, collected by the following process: Data collection must be completed with a Global Positioning System (GPS) receiver capable of sub-meter data collection. Location data collected by GPS must be corrected, either through the use of post processing (differential correction from a reliable base) or real-time differential correction. Data must be collected in the NAD83 coordinate system, with locations (points) collected in geographic (latitude, longitude) coordinates. These coordinates must be in decimal degrees (not degrees, minutes, seconds) calculated to 6 decimal places.
10. Applicant agrees to provide the above requested GPS data to Stark County within 120 days of approval of permit or Stark County will collect the data and charge the cost to the company receiving the permit. If an extension of time is needed, applicant must get specific written permission from the Board of County Commissioners.
11. All buried utilities including pipelines, power lines, telephone lines and water lines must be set back a minimum of 100 feet from the centerline of all sections lines and county roads unless perpendicular to said road or section line, or as approved by the Board of County Commissioners. All pipelines must be set back 200 feet from water bodies or unoccupied buildings, or as approved by the Board of County Commissioners.
12. Maps (see additional requirements below) shall be CAD generated drawings based on field survey, showing ties to section corners, section lines, and other features as deemed necessary by the County. Hand drawn maps or sketches are not acceptable.

**ADDITIONAL REQUIREMENTS:** The following information must be included with the application before a permit will be approved and issued:

1. A map indicating the route, and county roads or right of ways intended for use by Applicant, and location of gas plants, compressor stations, substations, or other

facilities, if any; ATTACHED

2. Name and address of the contractor, including their ND contractor license number;  
ARP ENTERPRISES INC #36962
3. Name of contractor bonding company and bond or insurance number;  
AMERICAN INSURANCE 701-483-9104= (JESSICA)
4. Copies of all easements or letters of consent obtained from adjacent private landowners; ATTACHED
5. Proposed commencement date 11/7/2011 and completion date 12/31/2011;
6. Size of line or facility (diameter, kV, etc.): 2' FIBER OPTIC/8" OIL LINE
7. For pipelines, indicate the length of pipeline within Stark County. In addition, please indicate if the pipeline will extend beyond Stark County. APPROXIMATELY 2 MILES WITHIN STARK COUNTY AND 6 MILES NORTH IN BILLINGS COUNTY
8. This application shall be accompanied by a \$250.00 fee for pipelines and \$100.00 for crossing permits.

The Stark County Road Superintendent will review this application and will either approve it as submitted or require a public hearing before the Stark County Planning and Zoning Commission. Commission approval is only to the extent the County has legal rights to and does not affect obligations of the Applicant to any other landowner or holders of legal rights.

Applicant  
Signature

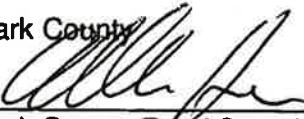


Title MANAGER - ROW

Approved by the Road Superintendent, Stark County, Dickinson, North Dakota this

11 day of 1, 2011

Stark County



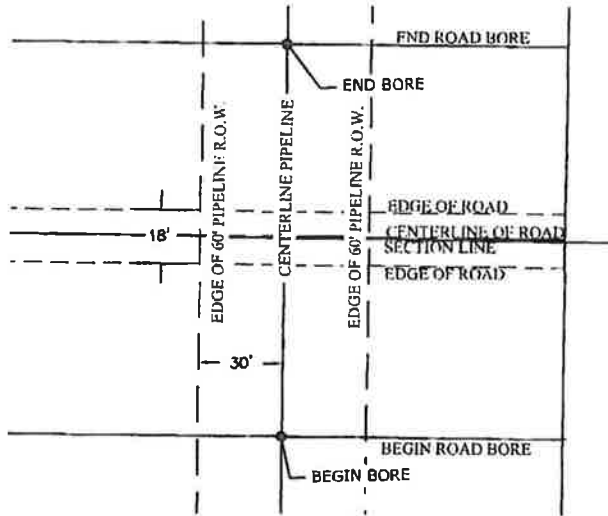
Stark County Road Superintendent

Attest:

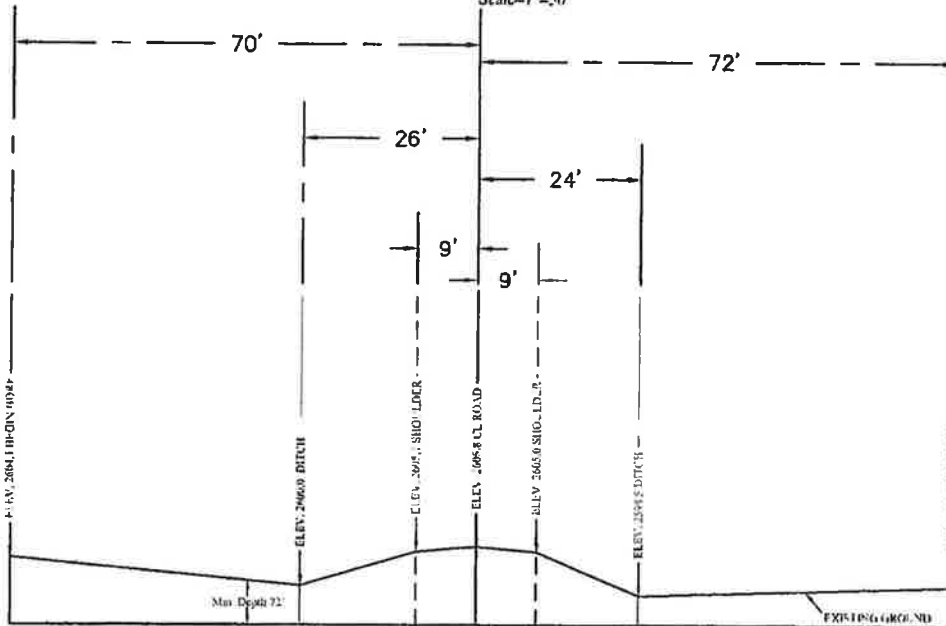


Stark County Auditor

**BELFIELD OIL PIPELINE**  
**32ND STREET SW UTILITY CROSSING**  
**CENTERLINE 60' EASEMENT**  
**SECTIONS 11 & 14, TOWNSHIP 140 NORTH, RANGE 99 WEST**  
**OF THE 5th PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA**



*Plan View:*  
 30th Street SW Utility Crossing  
 Scale=1"=50'



*Profile View:*  
 30th Street SW Utility Crossing  
 Scale= N.T.S.

**HIGHLANDS  
 ENGINEERING &  
 SURVEYING, PLLC**  
 253 24th Street East  
 Dickinson, ND 58601  
 701.483.2444 office  
 701.483.2610 fax  
 www.highlandseng.com

**32ND STREET SW UTILITY CROSSING**  
**SECTIONS 11 & 14, T140N, R99W OF THE 5TH PRINCIPAL**  
**MERIDIAN, STARK COUNTY, NORTH DAKOTA**

**WHITING OIL & GAS CORPORATION**  
 1700 BROADWAY, SUITE 2300  
 DENVER, CO 80290-2300

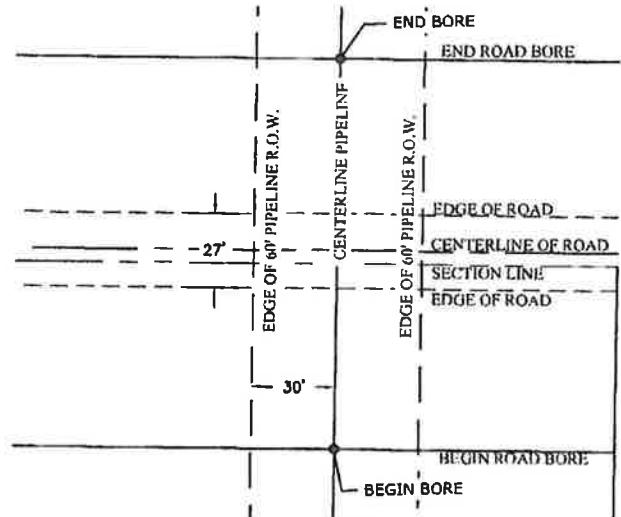


DATE: OCTOBER 31, 2011  
 SHEET NUMBER: 1 OF 1  
 DRAWN BY: DVP  
 PROJECT NO. 112317

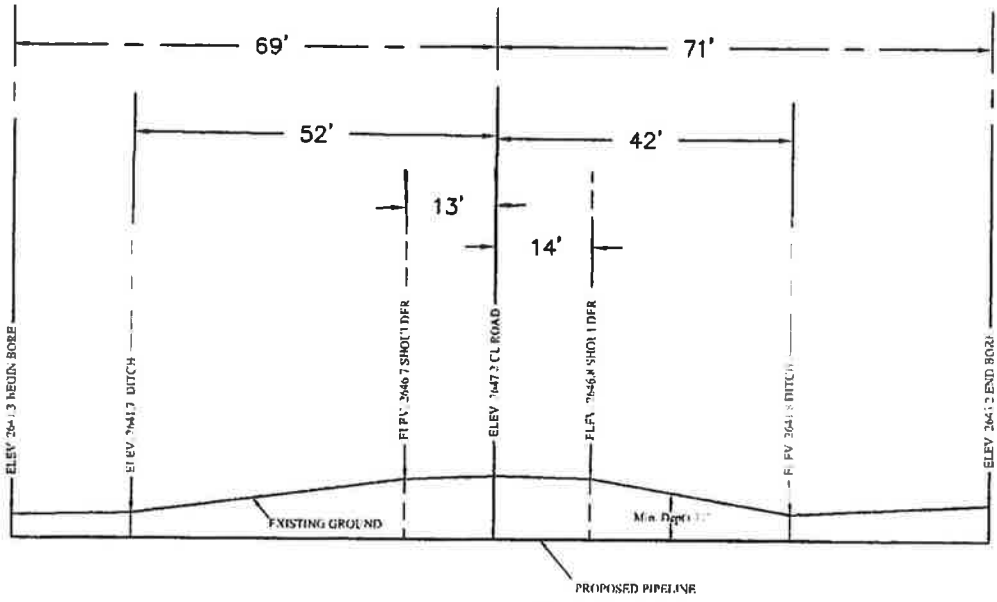


Whiting Petroleum Corporation

**BELFIELD OIL PIPELINE**  
 30TH STREET SW UTILITY CROSSING  
 CENTERLINE 60' EASEMENT  
 SECTION 2, TOWNSHIP 140 NORTH, RANGE 99 WEST  
 OF THE 5th PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA  
 SECTION 32, TOWNSHIP 141 NORTH, RANGE 98 WEST  
 OF THE 5th PRINCIPAL MERIDIAN, BILLINGS COUNTY, NORTH DAKOTA



*Plan View:*  
 30th Street SW Utility Crossing  
 Scale=1"=50'



*Profile View:*  
 30th Street SW Utility Crossing  
 Scale= N.T.S.

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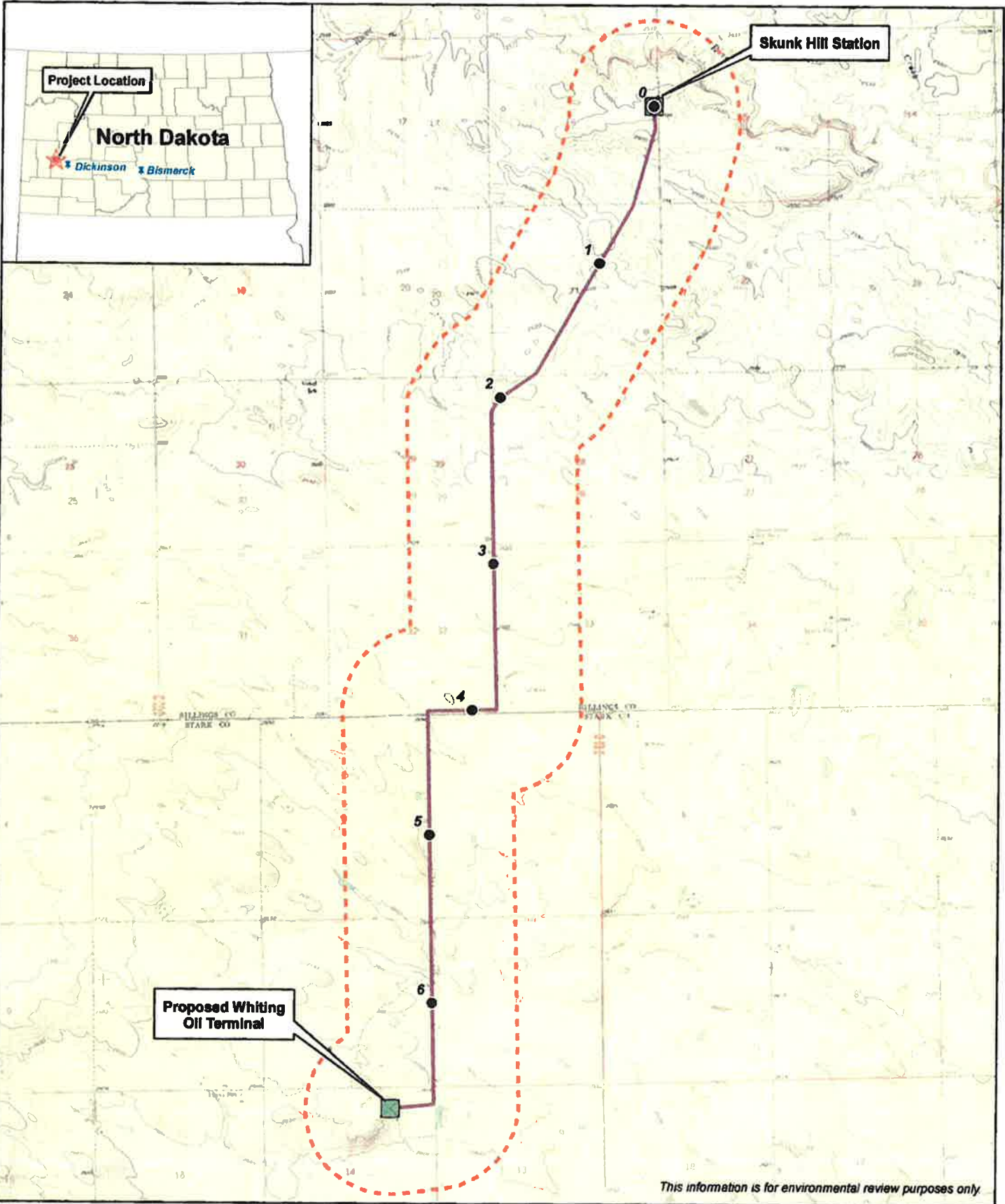
**30TH STREET SW UTILITY CROSSING**  
 SECTION 2, T140N, R99W STARK COUNTY &  
 SECTION 32, T141N, R98W BILLINGS COUNTY

**WHITING OIL & GAS CORPORATION**  
 1700 BROADWAY, SUITE 2300  
 DENVER, CO 80290-2300



DATE: OCTOBER 31, 2011  
 SHEET NUMBER: 1 OF 1  
 DRAWN BY: DVP  
 PROJECT NO. 112317





- Milepost
- Belfield Oil Pipeline
- - - Evaluation Corridor

Revised: 04/25/2011

0 2,000 4,000 Feet

**Whiting Oil and Gas Corporation**  
**Belfield Pipeline Project**  
**Project Location Map**  
**Billings and Stark Counties, North Dakota**

DISTRICT: 2

NO: #4307

receipt #8111

**APPLICATION FOR PIPELINE PERMIT**

(If crossing or encroaching on County Right-of-Way or section lines, a construction Right-of-Way Permit must accompany this permit)

Billings County, North Dakota



Owner Name: Whiting Oil + Gas Company

Address: 1700 Broadway

Suite 2300 Denver, Colorado 80290

Phone: 303-242-4747

Local Agent

Name: x Steve Meagher

Address: Robinson Lake Gas Plant

4498 HWY 8 NEWTOWN, ND. 58763

Phone: 701-770-0999

Indicate (X) which of the above should receive the completed permit.

Give the section, township and range of route:

32 -29-28-21 -16 141N 98W

Describe the general use of the pipeline:

TRANSPORT OIL + FIBER OPTIC

The following information must be included with this application before a permit will be approved and issued:

1. A map indicating the pipeline route, any county roads or right-of-ways you intend to use, and compressor stations, if any.

2. Name and address of the contractor, include his ND contractor license number.

ARP ENTERPRISES INC 36962

3. Name of contractor bonding company and bond or insurance number.

AMERICAN INSURANCE (JESSICA) 701-489-9104

4. Copies of all easements or letters of consent obtained for private landowners.

5. Proposed dates of commencement 11-3-11 and completion 12-15-11.

6. Size of line (diameter): 8"  
Length of line: Approx 6.8 miles  
Pressure: 400 PSI



7. This application shall be accompanied by a \$25.00 fee.

The Billings County Board of County Commissioners will review this application and will either approve it as submitted or require a public hearing before the Billings County Planning and Zoning Commission.

Billings County has road restrictions and roads with various load limits on them. Please contact the appropriate County Commissioner for current information.

DISTRICT 1: Townships 143N & 144N, Ranges 98W-102W  
Allan "Ted" Thompson  
12939 10th Street SW • Fairfield, ND 58627  
(701) 575-4937

DISTRICT 2: Townships 141N & 142N, Ranges 98W-102W  
Mike Kasian  
2984 122nd Avenue • Belfield, ND 58622  
(701) 575-4782 Work • (701) 677-5589 Home

DISTRICT 3: Townships 137N-140N, Ranges 100W-102W  
Jim Arthaud  
PO Box 197 • Medora, ND 58645  
(701) 575-8242 Office • (701) 623-4461 Home

AUTHORIZED SIGNATURE Allen Kuts TITLE: Right of Way Agent

The above application, being in compliance with all of the requirements therein, is hereby approved.

DATE: 11-1-11 COMMISSIONER: M. E. Kanan  
Chair

Based on the above approved application, the applicant therein is hereby issued a Pipeline Permit.

Date: 11/1/11 Stacey Swanson  
County Zoning Inspector

DISTRICT: 2

ARW #: \_\_\_\_\_

Receipt #  
8111

**COUNTY HIGHWAY DEPARTMENT  
CONSTRUCTION IN COUNTY RIGHT-OF-WAY PERMIT  
(used in conjunction with Pipeline Permit)**

**COPY**

The Board of Billings County Commissioners, in the state of North Dakota, hereby grant permission to Whiting OIL & Gas COMPANY to place, construct and thereafter maintain a pipeline, on County road right-of-way at the following location(s): Section: 32 Township: 141N Range 98W along county road \_\_\_\_\_ or crossing 30<sup>th</sup> ST SW

1. The pipeline shall be placed at a minimum depth of 36" inches below the \_\_\_\_\_ surface of the ground.
2. The pipeline shall be placed under county roads by means of pipe or boring tool pushed under the surface of the road, at a minimum depth of 36" inches.
3. The bore shall be cased and booted within the road template. If vented, the vent has to be placed off the road right-of-way, or a minimum of 75' from the centerline of the road.
5. Above ground fixtures shall be located off the road right-of-way or on the right-of-way line.
6. All trenches and other excavations shall be carefully backfilled in such a manner as to eliminate settlement, and the surface of the ground shall be returned to its original condition.
7. It is understood and agreed that Billings County will not be liable for any costs in connection with the future required relocation of the facility due to road improvement.
8. Installation, maintenance, relocation, and removal of said facilities on county right-of-way shall be done in a manner satisfactory to, and subject to supervision by the County Engineer for the County Highway Department.
9. Billings County shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the right-of-way. Applicant and/or its successors shall hold the County harmless for injury to persons or damage to property resulting from the location of said facilities on county right-of-way. Applicant and/or its successors are responsible for any and all claims of damage, personal injury, or bodily injury that might result from their activities in crossing any existing road or section line in Billings County. Furthermore, the applicant and/or its successors agree to indemnify and hold harmless Billings County for any and all claims of damage, either personal injury or property or any type of claim for damages of any nature whatsoever, whether valid or invalid, that is made against Billings County on account of the activities conducted by the applying company and/or its successors in crossing any existing road or section line.

10. Applicant and/or its successors shall promptly remove said facilities from county right-of-way or shall relocate or adjust said facility, at its sole cost and expense when requested to do so by the County. When the applying company and/or its successors uses an existing road or section line easement, the applying company shall be responsible to pay for all costs of moving, relocating, or reconstructing the facility, should Billings County deem it necessary or advisable, in its sole discretion, to repair or reconstruct existing roads or to build new roads on section lines or off section lines as allowed by North Dakota State law. Should the applicant and/or its successors fail to take necessary steps to relocate, or reconstruct its facility, the county may take steps to have the same accomplished, and the applying company agrees to reimburse the county for all expenses incurred by Billings County in moving, relocating or reconstruction of the facility so the existing roads may be repaired or reconstructed, or new roads may be built on the section line or off the section line as allowed by North Dakota law.

**COPY**

11. If at any time Billings County wants to excavate in this area and if it should require the said facility to be moved, it will be at the expense of the applying company and/or its successors.
12. Applicant and/or its successors 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, including but not limited to slumping in of trenches, collapse of pipe, etc.
13. A GPS'd drawing of proposed location must be placed on file with Billing County Auditor and must show at a minimum the location of the proposed facility from a section or quarter line, section, township and range where the said facility will be placed.
14. The applicant plans to bury a pipeline facility that will follow or cross an existing section line or road easement which is further detailed as the following: (type, size, product carried in pipeline, etc.) 8" OIL + FIBER OPTIC

\*\*This application shall be accompanied by a \$25.00 fee.

Applicant (Representative, Company) Allan Knutson - Agent - Whiting Oil & Gas Company  
Applicant Address (Address, City, State, Zip) 2210 15th Ave W Williston, ND 58801  
Phone Number(s) of Applicant 701-570-5459 Fax \_\_\_\_\_

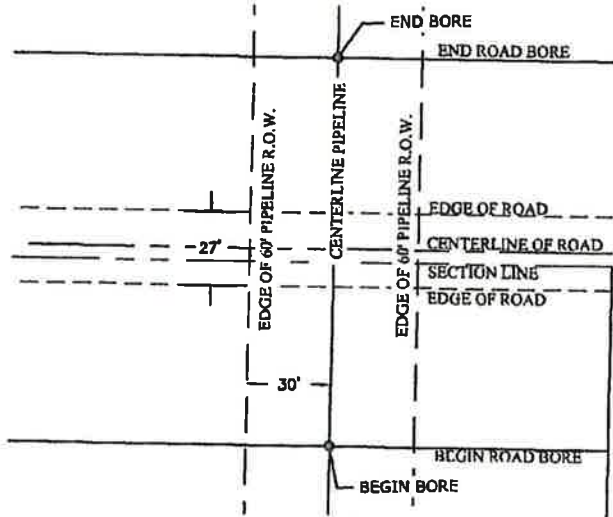
[Signature]  
Chairman, County Board of Commissioners

Date 11-1-11

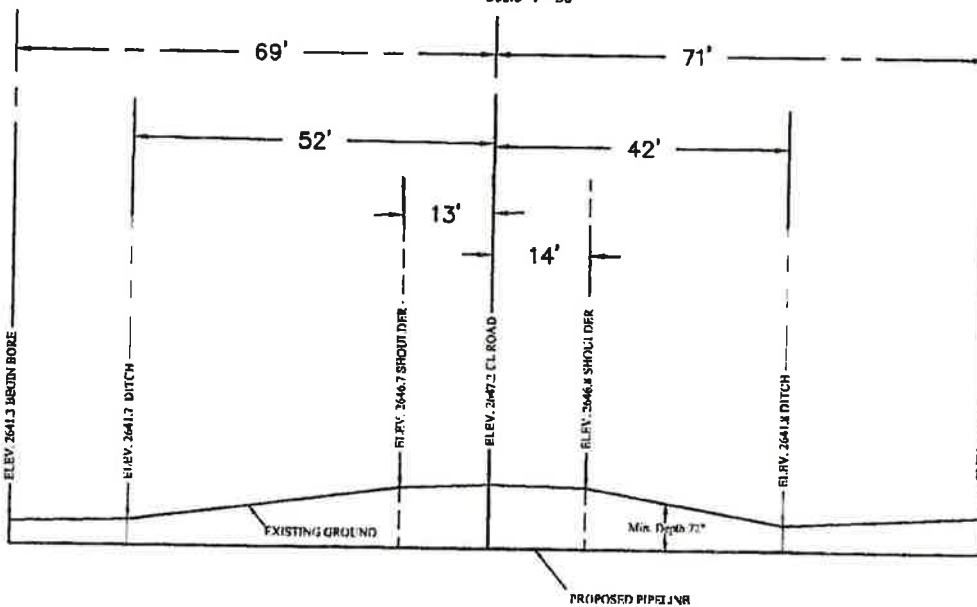
Attest: [Signature]  
County Auditor

**COPY**


**BELFIELD OIL PIPELINE**  
 30TH STREET SW UTILITY CROSSING  
 CENTERLINE 60' EASEMENT  
 SECTION 2, TOWNSHIP 140 NORTH, RANGE 99 WEST  
 OF THE 5th PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA  
 SECTION 32, TOWNSHIP 141 NORTH, RANGE 98 WEST  
 OF THE 5th PRINCIPAL MERIDIAN, BILLINGS COUNTY, NORTH DAKOTA



*Plan View:*  
 30th Street SW Utility Crossing  
 Scale=1"=50'



*Profile View:*  
 30th Street SW Utility Crossing  
 Scale= N.T.S.

<p><b>HIGHLANDS ENGINEERING &amp; SURVEYING, PLLC</b>          253 24th Street East          Dickinson, ND 58601          701.483.2444 office          701.483.2810 fax          www.highlandseng.com</p>	<p align="center"><b>30TH STREET SW UTILITY CROSSING</b>          SECTION 2, T140N, R99W STARK COUNTY &amp;          SECTION 32, T141N, R98W BILLINGS COUNTY</p>	<p align="center"><b>WHITING OIL &amp; GAS CORPORATION</b>          1700 BROADWAY, SUITE 2300          DENVER, CO 80290-2300</p>
<p><b>HIGHLANDS ENGINEERING &amp; SURVEYING, PLLC</b></p>	<p>DATE: OCTOBER 31, 2011          SHEET NUMBER: 1 OF 1          DRAWN BY: DVP          PROJECT NO. 112317</p>	<p align="center">          Whiting Petroleum Corporation</p>

**BILLINGS COUNTY,  
ND**

**COPY**

TWP/RANGE	DISTRICT
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137-100
137-101
137-102
138-100
138-101
138-102
139-100
<b>FRYBURG</b>
139-101
139-102
140-100
140-101
140-102

**DISTRICT 3**

Jim Arthaud, Commissioner 701-623-4461  
Jeff Iverson, District 3 Foreman 701-575-4661

141-98
141-99
141-100
141-101
141-102
142-98
142-99
142-100
142-101
142-102

**DISTRICT 2**

Mike Kasian, Commissioner  
701-677-5589  
Roy Kivvoruchka,  
District 2 Foreman 701-575-4782

143-98
143-99
143-100
143-101
143-102
144-98
144-99
144-100
144-101
144-102
<b>MEDORA</b>

**DISTRICT 1**

Allan "Ted" Thompson, Commissioner  
701-575-4937  
Jim Haag, District 1 Foreman  
701-575-4546

DISTRICT: 2

receipt  
# 8112

ARW #: \_\_\_\_\_

**COUNTY HIGHWAY DEPARTMENT  
CONSTRUCTION IN COUNTY RIGHT-OF-WAY PERMIT  
(used in conjunction with Pipeline Permit)**



The Board of Billings County Commissioners, in the state of North Dakota, hereby grant permission  
WHITING OIL AND GAS CORPORATION

to \_\_\_\_\_ to place, construct and thereafter maintain a pipeline, on County road

right-of-way at the following location(s): Section: 21-28 Township: 141 Range 98

along county road \_\_\_\_\_ or crossing 28TH

1. The pipeline shall be placed at a minimum depth of 36" inches below the \_\_\_\_\_ surface of the ground.
2. The pipeline shall be placed under county roads by means of pipe or boring tool pushed under the surface of the road, at a minimum depth of 36" inches.
3. The bore shall be cased and booted within the road template. If vented, the vent has to be placed off the road right-of-way, or a minimum of 75' from the centerline of the road.
5. Above ground fixtures shall be located off the road right-of-way or on the right-of-way line.
6. All trenches and other excavations shall be carefully backfilled in such a manner as to eliminate settlement, and the surface of the ground shall be returned to its original condition.
7. It is understood and agreed that Billings County will not be liable for any costs in connection with the future required relocation of the facility due to road improvement.
8. Installation, maintenance, relocation, and removal of said facilities on county right-of-way shall be done in a manner satisfactory to, and subject to supervision by the County Engineer for the County Highway Department.
9. Billings County shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the right-of-way. Applicant and/or its successors shall hold the County harmless for injury to persons or damage to property resulting from the location of said facilities on county right-of-way. Applicant and/or its successors are responsible for any and all claims of damage, personal injury, or bodily injury that might result from their activities in crossing any existing road or section line in Billings County. Furthermore, the applicant and/or its successors agree to indemnify and hold harmless Billings County for any and all claims of damage, either personal injury or property or any type of claim for damages of any nature whatsoever, whether valid or invalid, that is made against Billings County on account of the activities conducted by the applying company and/or its successors in crossing any existing road or section line.

10. Applicant and/or its successors shall promptly remove said facilities from county right-of-way or shall relocate or adjust said facility, at its sole cost and expense when requested to do so by the County. When the applying company and/or its successors uses an existing road or section line easement, the applying company shall be responsible to pay for all costs of moving, relocating, or reconstructing the facility, should Billings County deem it necessary or advisable, in its sole discretion, to repair or reconstruct existing roads or to build new roads on section lines or off section lines as allowed by North Dakota State law. Should the applicant and/or its successors fail to take necessary steps to relocate, or reconstruct its facility, the county may take steps to have the same accomplished, and the applying company agrees to reimburse the county for all expenses incurred by Billings County in moving, relocating or reconstruction of the facility so the existing roads may be repaired or reconstructed, or new roads may be built on the section line or off the section line as allowed by North Dakota law.

COPY


11. If at any time Billings County wants to excavate in this area and if it should require the said facility to be moved, it will be at the expense of the applying company and/or its successors.
12. Applicant and/or its successors 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, including but not limited to slumping in of trenches, collapse of pipe, etc.
13. A GPS'd drawing of proposed location must be placed on file with Billing County Auditor and must show at a minimum the location of the proposed facility from a section or quarter line, section, township and range where the said facility will be placed.
14. The applicant plans to bury a pipeline facility that will follow or cross an existing section line or road easement which is further detailed as the following: (type, size, product carried in pipeline, etc.) 8" OIL WITH 2' FIBER OPTIC

\*\*This application shall be accompanied by a \$25.00 fee.

Applicant (Representative, Company) ROBERT FEREM, MANAGER ROW  
1700 BROADWAY, SUITE 2300  
Applicant Address (Address, City, State, Zip) DENVER CO 80260  
Phone Number(s) of Applicant 303-242-4747 Fax \_\_\_\_\_

  
Chairman, County Board of Commissioners

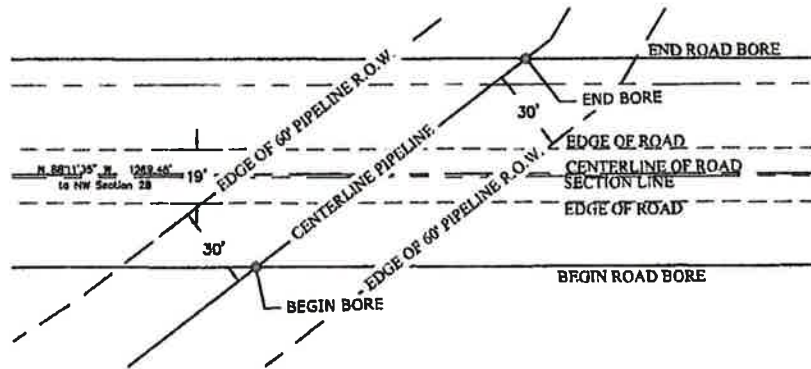
Date 11-1-11

Attest:   
County Auditor

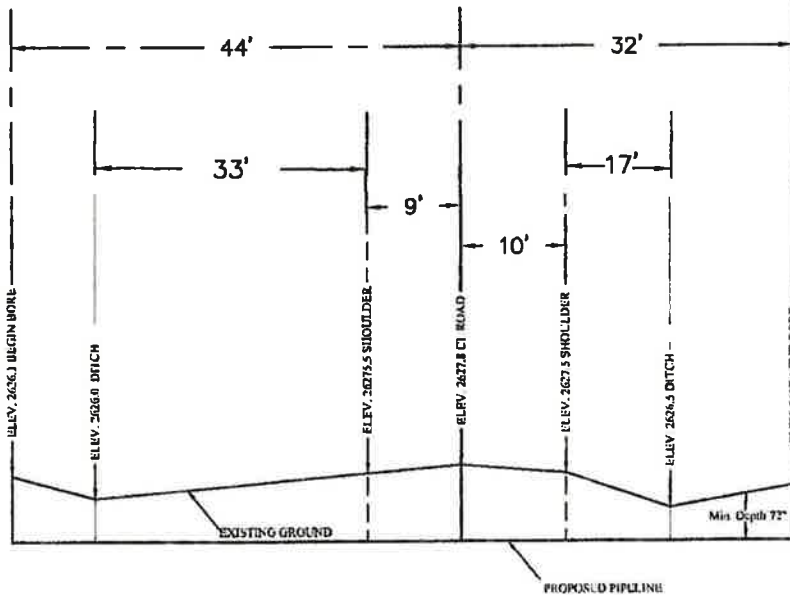
Revised 08/29/11

**COPY**

**BELFIELD OIL PIPELINE**  
 28TH STREET SW UTILITY CROSSING  
 CENTERLINE 60' EASEMENT  
 SECTIONS 21 & 28, TOWNSHIP 141 NORTH, RANGE 98 WEST  
 OF THE 5th PRINCIPAL MERIDIAN, BILLINGS COUNTY, NORTH DAKOTA



*Plan View:*  
 28th Street SW Utility Crossing  
 Scale=1"=50'



*Profile View:*  
 28th Street SW Utility Crossing  
 Scale= N.T.S.

<p><b>HIGHLANDS ENGINEERING &amp; SURVEYING, PLLC</b>          253 24th Street East          Dickinson, ND 58601          701.483.2444 office          701.483.2610 fax          www.highlandseng.com</p>	<p align="center"><b>28TH STREET SW UTILITY CROSSING</b>          SECTIONS 21 &amp; 28, T141N, R98W, 5th PRINCIPAL MERIDIAN          BILLINGS COUNTY, NORTH DAKOTA</p> <p align="center"><b>HIGHLANDS ENGINEERING &amp; SURVEYING, PLLC</b></p>	<p><b>WHITING OIL &amp; GAS CORPORATION</b>          1700 BROADWAY, SUITE 2300          DENVER, CO 80290-2300</p> <p>DATE: OCTOBER 31, 2011          SHEET NUMBER: 1 OF 1          DRAWN BY: DVP          PROJECT NO. 112317</p> <p align="center"><b>WHITING</b>          Whiting Petroleum Corporation</p>
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May 17, 2010

North Dakota Pollutant Discharge Elimination System (NDPDES)  
General Permit for Stormwater Discharges from Construction Activity  
NOTICE OF COVERAGE

Permittee(s)

Owner Contact: Blaine Hoffmann  
Whiting Oil and Gas Corporation  
2020 Highway 85  
Fairfield, ND 58627

Operator Contact: Not Specified

Coverage under the 2009 reissued construction general permit (NDR10-0000) is identified as follows:

Permit ID: NDR103242      Site Name: Pronghorn Prospect - Various Well

Please remember to update the Stormwater Pollution Prevention (SWPP) plan as appropriate for site conditions. The best management practices (BMPs) and temporary structures must be inspected, maintained and adjusted until the site is stabilized following construction activities. Once the site is stabilized as outlined in the general permit, you may end permit coverage by filing a termination notice. Cities or counties may impose additional requirements and/or specific BMPs for construction affecting their storm drainage system. Please check with the local officials to be sure all local stormwater management considerations are addressed.

Additional Information

The permit conditions, forms and related information may be found on our web site at:

[www.ndhealth.gov/wq/Storm/Construction/ConstructionHome.htm](http://www.ndhealth.gov/wq/Storm/Construction/ConstructionHome.htm)

Should you have any questions on the permit, please contact a stormwater staff person listed below.

Dallas Grossman  
Division of Water Quality  
701.328.5242  
[dgrossma@nd.gov](mailto:dgrossma@nd.gov)

Cory Lawson  
Division of Water Quality  
701.328.5244  
[cllawson@nd.gov](mailto:cllawson@nd.gov)

Randy Kowalski  
Division of Water Quality  
701.328.5239  
[rkowalsk@nd.gov](mailto:rkowalsk@nd.gov)

Whiting Oil and Gas Corporation

**MASTER STORMWATER POLLUTION  
PREVENTION PLAN  
(Pronghorn Prospect)**

State of North Dakota

In compliance with General Permit No. NDR10-0000  
Authorization to Discharge Under the North Dakota  
Pollutant Discharge Elimination System

Prepared By:

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**Kadrmās**  

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**Lee &**  

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**Jackson**  

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Engineers Surveyors  
Planners

PO Box 1118  
Dickinson, ND 58602-1118

May 2010

## INTRODUCTION

All facilities covered by the North Dakota Pollutant Discharge Elimination System General Permit associated with storm water discharges from construction activity, NDR10-0000, shall prepare and implement a Stormwater Pollution Prevention (SWPP) Plan prior to beginning any construction requiring the permit. The SWPP plan and revisions are subject to review by the North Dakota Department of Health. The objectives of the plan are to identify potential sources of sediment or other pollution from construction activity and to ensure practices are used to reduce the contamination of pollutants from construction site runoff.

This document represents Whiting Oil and Gas Corporation's Master North Dakota SWPPP, as required by NDR10-0000. This SWPPP establishes a program by which sediments and other potential pollutant impacts to receiving waters from construction activities can be substantially reduced or eliminated. Since each site varies little in the construction process, the common information and guidelines provided in this Master SWPPP will apply to well sites and pipelines in Whiting's Pronghorn project operations. Specific information unique to each site will be entered into a database that is continuously updated.

This Master SWPPP includes guidelines for:

- Determining whether permit coverage is required, and what stormwater discharges are not covered
- Obtaining NDR10-0000 coverage and authorization
- Site inspection and documentation requirements
- Terminating NDR10-0000 coverage
- SWPPP plan review, revisions, and records guidelines

## **GUIDELINES FOR COMPLIANCE**

### **Is Coverage Required**

NDR10-0000 applies to all areas within the jurisdiction of North Dakota. It applies to stormwater discharges associated with large and small construction activities as defined in NDR10-0000 part I-A-2a & 2b, respectively. It also applies to stormwater discharges from support activities related to construction sites such as concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, and embankment material borrow areas. Presently, oil & gas exploration is exempt for projects that involve less than five acres of soil disturbance.

Stormwater discharges that will not be covered under permit NDR10-0000 include:

- Stormwater discharges associated with industrial facilities from any source other than construction activities
- Post construction discharges from industrial activity that happen after final stabilization is achieved
- The placement of fill into waters of the state requiring authorizations
- Discharges to waters with a total maximum daily load (TMDL) allocation, that is not included in the SWPPP and in accordance with the requirements of the approved TMDL
- Stormwater discharges that will or could violate water quality standards

### **Notice of Intent (NOI) – Obtaining Coverage and Authorization**

Whiting will provide the following information to the North Dakota Department of Health to obtain authorization under the general permit number NDR10-0000:

- Owner name, mailing address and phone number
- Project contact name and phone number
- Project/site name, location (street address, section, township, range, or latitude and longitude), and county
- Brief description of construction activity
- Anticipated starting and completion date for the construction activity
- Estimated Total area of disturbance in acres
- Name of receiving water(s) or the name of the municipal storm sewer system and receiving water(s)
- List of contractors/subcontractors working at the site (if known)
- The signature of the applicant(s), owner (and operator if co-applicants) signed in accordance with Part IV-E of NDR10-0000

Kadmas, Lee & Jackson, Inc. (KLJ) will maintain a database of all construction activities.

### **Inspections and Documentation**

During construction, personnel familiar with permit conditions and the proper installation and operation of control measures shall perform inspections to monitor all disturbed areas, areas used for storage of materials exposed to precipitation, storm water control measures and locations where vehicles enter or exit the site. Inspections will take place at least once every 14 calendar days and within 24 hours after any storm and/or snow melt event greater than a 0.50 inch. If weather conditions prevent inspections, they will take place on the next possible day.

Inspections will be documented. Records of maintenance and inspection activity will include:

- Date, time and name of person(s) conducting inspections.
- Assessment of effectiveness of BMP's and whether repair or maintenance is warranted (Deficiencies shall be corrected as soon as possible).
- Descriptions of corrective actions taken.
- Dates of rainfall events of ½ inch or greater in a 24 hour period.
- Documentation that the SWPPP has been amended in response to deficiencies found during inspections, if necessary.

**Terminating Permit Coverage**

Compliance with the conditions in this plan is required until the permittee has submitted a Notice of Termination (NOT). Within 30 days of final stabilization the NOT will be submitted identifying the project, reason why the permit is no longer needed and signed in accordance with Part IV-E of NDR10-0000.

A NOT will not be submitted until stormwater discharges associated with construction activities are eliminated and final stabilization is achieved in accordance with Part II-E, or when transfer of ownership is submitted and approved in accordance with Part 1-F of NDR10-0000.

**Plan Review, Revisions and Records**

The plan will be signed in accordance with Part IV-E of NDR10-0000. Copies of the NOI permit authorization letter and SWPPP will be retained at offices of Kadrmas, Lee & Jackson, Inc. in Dickinson, North Dakota.

The plan will be amended whenever there is a change to design, construction, operation or maintenance which could have a significant effect on the potential for the discharge of pollutants to the waters of the state.

The plan will be amended if it is found to be ineffective in controlling pollutants present in stormwater.

The plan will be made available, upon request, to the North Dakota Department of Health or United States Environmental Protection Agency.

Copies of the SWPPP and all documentation required by NDR10-0000 will be retained for at least three years from the date of final stabilization of the site.

## SITE DESCRIPTION

This plan covers various well throughout Whiting's Pronghorn Prospect. A database of all sites shall be kept on file and will include the following:

- Legal description of site location
- Estimated total disturbed area
- Approximate date of construction
- Indication of sites that have reached final stabilization
- Description of the soil within disturbed area
- Current operator at the site
- Site maps indicating drainage, BMPs, and any other nearby items of concern

## STANDARD CONSTRUCTION PRACTICES

Whiting has construction sites that consist of a system of well locations, access roads and pipeline facilities. Several sites will be under construction simultaneously. Soil disturbing activities will consist primarily of site excavation, grading and leveling.

An estimated sequence of soil disturbing activities follows:

### **Site Grading and Excavation of Reserve Pit**

Begin site grading and topsoil stripping. The site will be graded and leveled in accordance with design specifications. Establish topsoil stockpile. Spoil material from excavation of reserve pit will be stockpiled for backfilling. Stormwater controls will be installed as soon as a need is identified.

### **Site Surfacing**

Pad and access road will be surfaced with scoria or gravel as soon as grading is complete.

### **Mobilize Project Specific Equipment**

General construction activities including foundation, building and equipment installation and rig mobilization will occur. Pipelines will be installed, inspected and repaired (as needed).

### **Completion of Construction Activities**

Excavations will be backfilled, and the site reclaimed for production purposes. Additional stormwater measures will be implemented, if necessary.

### **Demobilize Project Specific Equipment**

Equipment will be removed from construction site.

### **Final Stabilization**

If needed, disturbed areas will be seeded. Seeding will take place as soon as practical after construction activities are complete. Stabilized areas will be monitored until final stabilization is met. Remove all temporary control BMP's and stabilize any areas disturbed with erosion controls.

### **Access Road Construction**

Access road construction is necessary to provide access to each well and will usually be permanent to allow movement of equipment in and out of the locations initially and during subsequent maintenance and operations. These roads will also provide access for periodic monitoring.

The following guidelines will be used to the extent practical during road siting:

- Existing roads will be used where possible to minimize soil disturbance and protect natural features and soil.
- Existing contours will be followed to minimize road grades and lessen the potential of water erosion.
- Road grades will be kept at a minimum when possible. In areas where it is necessary to have severe grades, silt fence, fiber rolls, water bars, or other adequate sediment controls will be used in ditches to reduce runoff velocities and prevent erosion and sedimentation.

The following guidelines will be used to the extent practical during road construction:

- When feasible, road locations will avoid highly erosive soils and wetlands. However if it is necessary to construct roads in these areas, erosion control methods and wetland road construction techniques will be used to minimize the disturbance to these areas.
- No known hazardous or toxic materials will be used in roadbed construction.
- Vegetated buffer strips will be maintained between streams, wetlands, and/or floodplains and roads to slow runoff, provide area for runoff to permeate soil, and filter sediment. Other permanent methods (geotextile, riprap, matting, etc.) may be used instead of or in addition to vegetated buffer strips, provided the watercourse is not altered or diverted.
- Measures will be taken to prevent construction materials (dirt, boulders, rock, grass, trees, etc.) from being deposited into water bodies. However, if these materials inadvertently enter the water body, they will be removed immediately.
- Road will be surfaced with scoria or similar material as soon as leveling and grading is complete to prevent erosion.
- Contractors will be familiar with construction techniques providing erosion control.

Due to the topography of the operational area, roadways will need to cross streams. The following guidelines, where practical, will be used in developing road-stream crossings:

- Stream crossings will be minimized as practical. Existing culverts, bridges, fords and/or other crossings will be employed whenever possible.
- Crossings, where practical, will be made at right angles to the main stream channel.
- No known hazardous or toxic materials will be used in road-stream crossings.
- The crossing will be designed to withstand a 2 year, 24 hour storm event.

### **Well Location Construction**

Well location construction is necessary to provide an area adequate to allow movement of the drilling rig and associated equipment on to the site to begin production. This location is all weather accessible to provide operation, maintenance and observation of the well. The drilling pad is kept as small as possible to minimize soil disturbance and protect natural features and soil.

The following guidelines will be implemented where practical in well location construction:

- Pad size will be as small as practical to minimize soil disturbance.
- All slope grades will be kept to a minimum and proper construction techniques will be used to control erosion. In order to maintain sheet flow and minimize rills and/or gullies, there will be no unbroken slope length of greater than 75 feet for slopes with a grade of 3:1 or steeper.
- Pads and/or pits will be constructed a sufficient distance away from stream beds, wetlands or flood lands to allow for a vegetative buffer to prevent soil from entering the water bodies. When pads and/or pits are constructed near water bodies, measures will be taken to protect that surface water quality. Where sufficient area is not available, other erosion control methods will be used in addition to or instead of vegetative buffers provided the water is not altered or diverted.
- Measures will be taken to prevent construction materials (dirt, boulders, rock, grass, trees, etc.) from being deposited into water bodies. However, if these materials inadvertently enter the water body, they will be removed immediately.
- Temporary soil stockpiles will have effective sediment controls, if necessary.
- Contractors will be familiar with construction techniques providing erosion control.
- Reserve pits will be constructed in cut or non-disturbed areas, instead of fill areas. If it is necessary to construct pits in fill areas, pit walls will be compacted to ensure structural integrity.
- Reserve pits will be lined with non-permeable material. Operators will take care not to puncture or tear pit liner. Should this happen, pit liner will be repaired or replaced immediately and will show no evidence leaking.
- Reserve pit wastewater will be disposed under the guidelines established by the governing body.
- Liquid levels in pits are not permitted to rise within two feet of the top of the reserve pit levees or walls. Reserve pit levees and/or walls will be maintained at all times to prevent deterioration, overflow and leakage to the environment.
- After removal of liquids and all contaminated material, reserve pits will be closed by burial, after liner is sufficiently perforated or in accordance with recommended state practices.
- Operators will prevent, as practical, the placing of trash or other materials into a reserve pit which would increase difficulty of cleanup of the pit. Such material will be properly stored and disposed of according to applicable state or federal regulations. No garbage will be burned or buried on site. All garbage and trash will be disposed of at an approved landfill site.

### **Pipeline Construction**

Pipeline construction is necessary for the collection and transference of water and production materials from remote locations to processing and disposal facilities. Surface disturbance is minimal and site reclamation begins quickly after the start of construction.

The following guidelines will be used at the extent practical when siting pipelines:

- Gathering lines will follow road rights-of-way.
- Stream crossings will be minimized if roadways cannot be followed. If it is necessary to cross a stream, measures will be taken to minimize stream disturbance and proper erosion controls will be used to prevent sediment runoff into stream.
- Pipeline grades will be kept at a minimum when possible.
- Right-of-ways will be as small as practical to minimize soil disturbance.

The following guidelines will be used to the extent practical during pipeline construction:

- In areas where it is necessary to have severe grades, silt fence, fiber rolls or other adequate sediment controls will be used to reduce runoff velocities and prevent erosion and sedimentation.
- When feasible, pipeline locations will avoid highly erosive soils and wetlands. However if it is necessary to construct pipelines in these areas, erosion control methods and wetland pipeline construction techniques will be used to minimize the disturbance to these areas.
- Vegetated buffer strips will be maintained between streams, wetlands, and/or floodplains and pipelines to slow runoff, provide area for runoff to permeate soil, and filter sediment. Other permanent methods (geotextile, riprap, matting, etc.) will be used instead of or in addition to vegetated buffer strips, provided the watercourse is not altered or diverted.
- Contractors will be familiar with construction techniques providing erosion control.
- Pipeline surface disturbance will be minimized.

## **BEST MANAGEMENT PRACTICES (BMPS)**

### **Operational Controls**

Due to the remote location and existing road surfacing, no significant vehicle tracking is anticipated. Vehicular traffic will be minimized as much as possible to reduce dust and prevent soil erosion. Access roads will be surfaced as soon as grading is complete. If sediment is tracked onto paved surfaces, it will be cleaned up as soon as possible.

All waste materials, including sanitary wastes, will be removed to an appropriate licensed disposal/recycling facility. Personnel will be instructed regarding the correct disposal of trash and construction debris. Individuals who manage day-to-day site operations will be responsible for verifying that these procedures are followed. No wastes will be discharged into the waters of the state.

### **Spill Prevention and Control Practices**

Site employees are trained in proper methods for cleanup of spills of various products used on site. Site employees are aware of the location of related information, materials and equipment necessary for cleanup of potential spills.

All spills will be cleaned up immediately upon discovery and the appropriate agencies notified, if needed.

All vehicles and equipment will be checked for leaking oil or other fluids. Leaks will be repaired immediately. Vehicles or equipment unfit for use will be removed from the project site.

### **Material Handling and Management Practices**

The following good housekeeping practices will be followed, to reduce the risk of spills or other runoff contamination:

- Materials on site will be kept in their original containers and labeled accordingly.
- Partially empty containers will be used at another site, recycled, or returned to the manufacturer.
- Manufacturers' recommendations for proper use and disposal will be followed.
- Vehicles and equipment will be fueled and lubricated a sufficient distance from any drainage pattern.

### **Maintenance and Inspections**

Inspections will be conducted to monitor the condition of storm water discharge outlets and effectiveness of BMPs. They will be performed at least once every 14 calendar days and within 24 hours after any storm event of greater than a 0.50 inch per 24-hour period during active construction. If weather conditions prevent inspections, they will take place on the next possible day.

Inspections will be suspended when the ground is frozen and no sediment displacement is expected.

All erosion and sediment control measures identified in this plan will be maintained in effective operating condition. If site inspections identify BMPs not operating effectively, maintenance will be arranged and accomplished within 24 hours of discovery or as soon as practical.

Following are some guidelines when conducting inspections:

- Disturbed areas and areas used for storage of materials exposed to precipitation will be inspected for evidence of, or the potential for pollutants entering the drainage system.
- All erosion and sediment control measures in the plan will be inspected to ensure they are implemented, maintained and operating effectively to minimize erosion and prevent stormwater contamination from construction materials.
- Vehicles and equipment on site will be checked for oil or other fluid leakage.
- Any drainage near the site will be observed to ensure no contamination is occurring.
- Chemical storage containers, if any, will be inspected to ensure they are not leaking.
- Reseeded soil will be monitored for washouts and bare spots.
- If site is near a paved road, entrances and exits will be inspected for evidence of offsite sediment tracking.

### **FINAL STABILIZATION**

All sites must reach final stabilization. A Notice of Termination (NOT) will be submitted within 30 days after final stabilization is complete, or another owner has assumed control over all areas that are not stabilized.

Final stabilization will be achieved when:

- All soil disturbing activities are complete and all soils are stabilized with a uniform perennial vegetative cover with a density of 70 percent of preexisting levels over the entire surface area, or other equivalent means necessary to prevent soil failure in erosive conditions.
- All drainage ditches, constructed to drain water from the site after construction is complete, are stabilized to prevent erosion.
- All temporary erosion control and sediment control BMPs are removed and any areas disturbed during removal are reseeded immediately.
- For soil disturbing activities on land used for agricultural purposes, final stabilization will be accomplished by returning the disturbed land to its pre-disturbance use.

**SWPPP CERTIFICATION**

Certification Instructions:

The SWPPP must be signed by a responsible corporate officer, a general partner, a principal executive officer or a ranking elected official of the owner(s).

The SWPPP may be signed by a duly authorized representative of the owner described above only if:

- The authorization is made in writing by a person described above and submitted to the Department; and
- The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.

Certification:

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein. Based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.

WHITING OIL AND GAS CORPORATION

**Blaine Hoffmann**

Name

*Superintendent*

Title

  
Signature

*5-11-2010*

Date