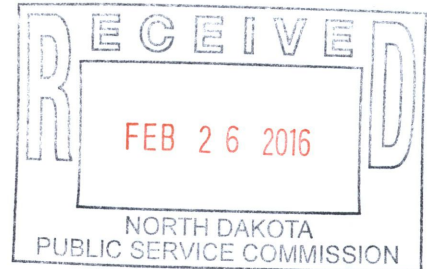


February 26, 2016

**VIA HAND DELIVERY**

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



**RE: BAKKEN OIL EXPRESS, LLC  
CASE NUMBER PU-13-825**

Dear Mr. Nitschke:

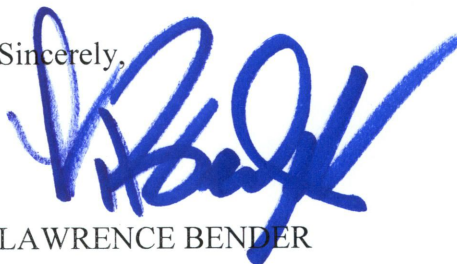
Enclosed for filing, please find an original and ten (10) copies of the following documents of Bakken Oil Express, LLC in the above-referenced matter:

1. Consolidated Application for Second Amended Certificate of Corridor Compatibility and Second Amended Route Permit;
2. Application of Bakken Oil Express, LLC for Waiver or Reduction of Procedures and Time Schedules;
3. Affidavit of Scott Besmer regarding exclusion and avoidance areas, including:
  - Exhibit A - map depicting the approved and proposed modified route and corridor;
  - Exhibit B – SHPO Letter;
  - Exhibit C – Wetland Delineation; and
4. Certification of John C. Wadsworth in Support of the Application of Bakken Oil Express, LLC, for a Second Amended Certificate of Corridor Compatibility and Route Permit, and the Application for Waiver or Reduction of Procedures and Time Schedules.

Attorneys & Advisors / Fredrikson & Byron, P.A.  
main 701.221.8700 / 1133 College Drive, Suite 1000  
fax 701.221.8750 / Bismarck, North Dakota  
www.fredrikson.com / 58501-1215

Also enclosed is a CD containing the above-referenced documents in PDF format. If you should have any questions, please advise.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lawrence Bender', written in a cursive style.

LAWRENCE BENDER

LB/dmk  
Enclosures

58101375\_1.docx

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA**

**Bakken Oil Express, LLC  
Crude Oil Pipeline — Dunn and Stark Counties  
Siting Application**

**CASE NO. PU-13-825**

---

**CONSOLIDATED APPLICATION FOR SECOND AMENDED  
CERTIFICATE OF CORRIDOR COMPATIBILITY AND SECOND  
AMENDED ROUTE PERMIT**

---

On October 4, 2013, Bakken Oil Express, LLC (“BOE”) filed with the North Dakota Public Service Commission (“Commission”) a Consolidated Application for a Certificate of Corridor Compatibility and Route Permit (“Siting Application”) to authorize the construction of a 38-mile 16-inch diameter crude oil pipeline (the “Project”) in Dunn and Stark Counties, North Dakota. *See* PSC Docket No. 1. On December 30, 2013, the Commission entered its Findings of Fact, Conclusions of Law and Order (“Order”) issuing Certificate of Corridor Compatibility Number 150 and Route Permit Number 161 for the Project. *See* PSC Docket No. 36.

On January 21, 2014, BOE filed with the Commission a request to amend the Order to change the approved pipeline diameter from 16-inches to 20-inches for the southernmost approximately four (4) miles of the Project pipeline to facilitate an interconnect with True Oil, LLC’s Belle Fourche Pipeline. *See* PSC Docket No. 42. On January 29, 2014, the Commission issued a Notice of Opportunity for Hearing on BOE’s request to amend the Order and its application for a waiver of procedures and time schedules, with comments and requests for a hearing due by February 20, 2014. *See* PSC Docket No. 46. On February 26, 2014, the Commission entered its Findings of Fact, Conclusions of Law and Order (“Second Order”) granting the request for an amendment and issuing First Amended Certificate of Corridor

Compatibility Number 150 and First Amended Route Permit Number 161 for the Project. *See* PSC Docket No. 64.

Construction of the Project was completed in July of 2014. *See* PSC Docket No. 89. However, the North Dakota Department of Transportation (“DOT”) has contacted BOE and requested an approximately 275-foot shift in the location of the Project. The purpose of the shift is to avoid construction of a portion of the Dickinson Bypass being constructed by the DOT within Sections 23 and 26 of Township 140 North, Range 97 West along 116th Street SW, Dickinson, North Dakota. A map of the existing and requested Project route and corridor location is enclosed herewith.

In paragraph 30 of the Certification Relating to Order Provisions – Transmission Facility Siting attached and incorporated into the December 30, 2013 Order of the Commission, BOE certified that it agreed to “inform the Commission in writing of any plans to modify the transmission facility . . . [and] to obtain written approval from the Commission prior to any modifications to the site plan or the transmission facility. Approval may be granted after notice and opportunity for hearing.” The requested modifications to the Certification of Corridor Compatibility and Route Permit requested herein are in essence a modification to the transmission facility, as a portion of the route must now be relocated due to the construction of the Dickinson Bypass. A portion of the corridor must also be modified.

Based on the above cited Certification provision, North Dakota Century Code Sections 49-22-03, 49-22-08, 49-22-08.1, and North Dakota Administrative Code Section 69-06-05-02(3), BOE files this request for a second amended Certificate of Corridor Compatibility and second amended Route Permit. This request is supported by the documents submitted herewith.

Dated this 26th day of February, 2016.

FREDRIKSON & BYRON, P.A.

A handwritten signature in blue ink, appearing to be 'L. Bender', written over a horizontal line.

By

LAWRENCE BENDER, ND Bar #03908  
DANIELLE M. KRAUSE, ND Bar #06874  
*Attorneys for Bakken Oil Express, LLC*  
1133 College Drive, Suite 1000  
Bismarck, ND 58501-1215  
(701) 221-8700



**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA**

**Bakken Oil Express, LLC  
Crude Oil Pipeline — Dunn and Stark Counties  
Siting Application**

**CASE NO. PU-13-825**

---

**APPLICATION OF BAKKEN OIL EXPRESS, LLC FOR WAIVER OR  
REDUCTION OF PROCEDURES AND TIME SCHEDULES**

---

In connection with its submission of a consolidated application for a second amended Certificate of Corridor Compatibility and second amended Route Permit for approximately 38 miles of 16-inch and 20-inch steel crude oil pipeline originating at a tanker truck unloading and pumping facility near Killdeer, in Dunn County, North Dakota, and terminating at a rail loading and storage facility owned and operated by Bakken Oil Express, LLC (“BOE”), located to the southwest of the City of Dickinson, in Stark County, North Dakota (the “Project”), BOE submits to the Commission this application for a waiver or reduction of procedures and time schedules set forth in Chapter 49-22 of the North Dakota Century Code (“Siting Act”) and Article 69-06 of the North Dakota Administrative Code (“Siting Rules”). In accordance with Section 49-22-07.2 of the North Dakota Century Code and Chapter 69-06-06 of the North Dakota Administrative Code, BOE requests that the Commission waive and/or reduce procedures and time schedules required by the Siting Act and Siting Rules to accomplish the purposes as requested herein. BOE’s request includes, but is not limited to:

1. That the Commission waive, pursuant to North Dakota Century Code Sections 49-22-07.2 and 49-22-13, and North Dakota Administrative Code Section 69-06-01-02 and Chapter 69-06-06, any applicable provisions of North Dakota Century Code Sections 49-22-08, 49-22-08.1, and 49-22-13, and North Dakota

Administrative Code Section 69-06-01-02 insofar as they require the separate filing of applications for a second amended Certificate of Corridor Compatibility and a second amended Route Permit, separate notices of such applications, and certain time schedules as set forth in said statutes and rules.

2. That the Commission waive the requirements of Sections 49-22-07.2, 49-22-08, 49-22-08.1 and 49-22-13 of the North Dakota Century Code and Chapter 69-06-01-02 of the North Dakota Administrative Code insofar as these sections may require that the Commission hold a public hearing on a waiver request, the application for a second amended Certificate of Corridor Compatibility, and/or the application for a second amended Route Permit. Instead, BOE requests that the Commission proceed by its notice of opportunity for hearing procedures, as set forth in the Certification Relating to Order Provisions with respect to modifications of the transmission facility, and issue a second amended Certificate of Corridor Compatibility and second amended Route Permit after the notice of opportunity for hearing time has expired, unless a hearing is specifically requested by an interested party.

Consistent with the Commission's Energy and Transmission Facility Siting Guidelines ("Guidelines"), BOE provides the following information in support of its requests for waiver or reduction of procedures and time schedule:

**A. Description of Proposed Project.**

1. **Type:** The Project is an existing crude oil pipeline system consisting of approximately 38 miles of 16-inch and 20-inch steel crude oil pipeline located in Dunn and Stark Counties, North Dakota.

2. **Product:** The Project, as modified, will continue to transport crude oil produced in Dunn and Stark Counties, North Dakota.

3. **Size and Design:** The size and design of the Project, as modified, will remain the same as approved in the Commission's orders issued in this matter, excepting the following change:

- Dickinson Bypass Reroute: In Sections 23 and 26, T140N, R97W along 116th Street SW, Stark County, Dickinson, North Dakota, per North Dakota Department of Transportation ("DOT") request, BOE requests permission to construct a replacement segment of pipeline, which will shift the Project to the east approximately 275-foot to avoid the construction of a portion of the Dickinson Bypass being constructed by the DOT.

5. **Geographical Service Area:** As noted above, and as set forth in the documents previously submitted by BOE in this matter, the Project provides North Dakota Bakken oil producers in portions of Dunn and Stark Counties, North Dakota, with access to a number of potentially attractive markets across the United States, and this shift will allow BOE to continue to provide this service.

6. **Time Schedule:** Construction of the Project was completed in July of 2014. Construction for the transmission facility modification requested herein is expected to commence upon Commission approval, and will take approximately four (4) weeks to complete.

7. **Future Plans:** At this time, BOE has no specific plans for additions to or modifications of the Project, other than requested in the accompanying documents.

**B. Need for Facility.**

In its current configuration, the Project allows BOE to provide a safe and efficient mechanism to transfer crude oil in Dunn and Stark Counties. Transporting crude oil in western North Dakota currently involves significant movement of crude oil by tanker truck over public roadways, a public safety issue that the Project will continue to prevent. Approval of the

requested modifications to the Project will allow BOE to continue to provide the needed capacity to transport crude oil production safely and economically from the Bakken and Three Forks formations to facilities with access to major markets. The need for the facility is further addressed in the Commission's December 30, 2013 Order granting approval of the Project.

**C. Cost.**

The corridor and route modifications are estimated to cost approximately \$400,000.

**D. Waiver Request.**

The waivers of time schedules and procedures requested herein are needed to prevent potentially significant delays in continued utilization of the Project, as Project construction was completed in July of 2014. The request for modification of the transmission facility contained herein stems from a request made by the DOT to reroute a section of the existing Project due to potential conflicts associated with the adjacent Dickinson Bypass roadway project. The request is therefore based on factors which are outside the control of BOE.

Without a timely waiver grant, continued use of the Project may be delayed which could have negative impacts. Construction and utilization of the Project has benefited landowners, municipalities, and the citizens of North Dakota by significantly reducing traffic congestion and impacts on road infrastructure caused by truck transportation. It has also benefited oil producers and mineral owners by alleviating dependence upon previously constrained pipeline capacity, and by providing access to new markets for Bakken crude oil products. Without the waivers of time schedules and procedures requested, BOE will not immediately be able to provide a needed means of transporting crude oil to new markets in a timely manner, which will limit the ability of those producers to market their crude oil, and could limit the reduction of truck traffic and its associated impacts the Project has seen to date.

Section 49-22-07.2 of the North Dakota Century Code provides that the Commission may waive procedures and time schedules upon a finding that “the proposed facility is of such length, design, location, or purpose that it will produce minimal adverse effects.” Granting the waivers requested is appropriate because the Commission has already issued a first amended Certificate of Corridor Compatibility and first amended Route Permit for the Project; thus, it has been determined that the Project will produce minimal adverse effects. The Project has also been in-service since 2014.

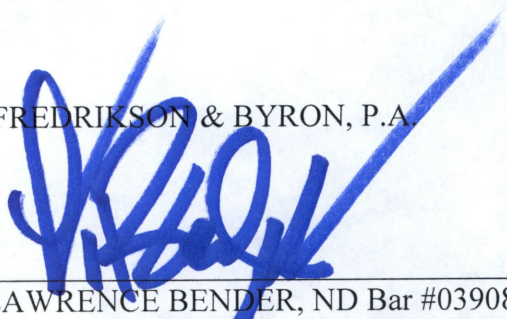
The requested modification to the transmission facility, which amounts to a small shift by request of the DOT, will also produce minimal adverse effects. The approximately 275-foot shift in the location of the pipeline is in an area where the DOT has obtained a right-of-way and the land is owned by the State of North Dakota. Additionally, all necessary environmental and archaeological reviews of the modification have been completed. The route change will not affect any of the Public Service Commission exclusion, avoidance, or selection criteria.

For the reasons set forth above, and based on the documentation submitted in connection with the consolidated application for a second amended Certificate of Corridor Compatibility and second amended Route Permit, BOE respectfully requests that the Commission grant the requested waivers and render an expeditious decision through its notice and opportunity for hearing procedures.

Dated this 26th day of February, 2016.

FREDRIKSON & BYRON, P.A.

By



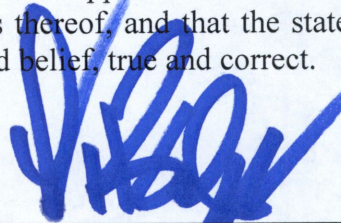
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LAWRENCE BENDER, ND Bar #03908  
DANIELLE M. KRAUSE, ND Bar #06874  
*Attorneys for Bakken Oil Express, LLC*  
1133 College Drive, Suite 1000  
Bismarck, ND 58501-1215  
(701) 221-8700

STATE OF NORTH DAKOTA )  
 ) ss.  
COUNTY OF BURLEIGH )

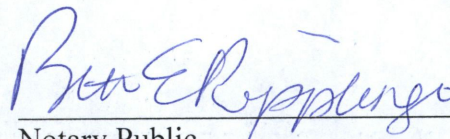
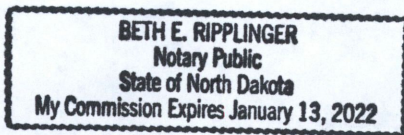
LAWRENCE BENDER, of lawful age, being first duly sworn, on oath deposes and says:

That he is one of the attorneys for Applicant in the foregoing application; that he executed the foregoing application for and on behalf of said Applicant and as its said attorney that he has read said application and knows the contents thereof, and that the statements made and contained therein are, to the best of his knowledge and belief, true and correct.



\_\_\_\_\_  
LAWRENCE BENDER

Subscribed and sworn to before me this 26th day of February, 2016.



\_\_\_\_\_  
Notary Public  
My Commission Expires:



letter from the North Dakota State Historic Preservation Office, dated November 25, 2015, concurring with the inventory's findings, is attached hereto as **Exhibit B**.

5. That a wetland survey has been completed for the proposed route and corridor modifications.

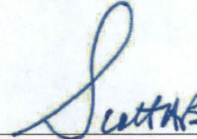
6. That the Wetland Delineation prepared by KLJ for the BOE Phase I Pipeline Reroute in Stark County is attached hereto as **Exhibit C**.

7. That KLJ does not anticipate any impacts to botany or wildlife, other than the impacts previously discussed in the Siting Application, based on the limited distance between the original route and the route modification.

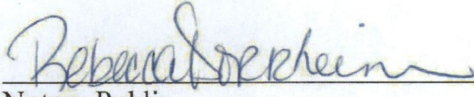
8. That no new exclusion or avoidance areas will be crossed by the proposed route and corridor modifications.

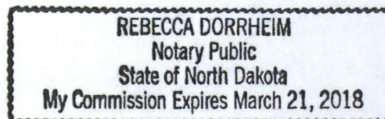
9. That no selection criteria, as set forth in Section 69-06-08-02(3) of the North Dakota Administrative Code, will be adversely impacted by the proposed route and corridor modifications.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Scott Besmer

Subscribed and sworn to before me  
this 20th day of January, 2016.

  
\_\_\_\_\_  
Notary Public

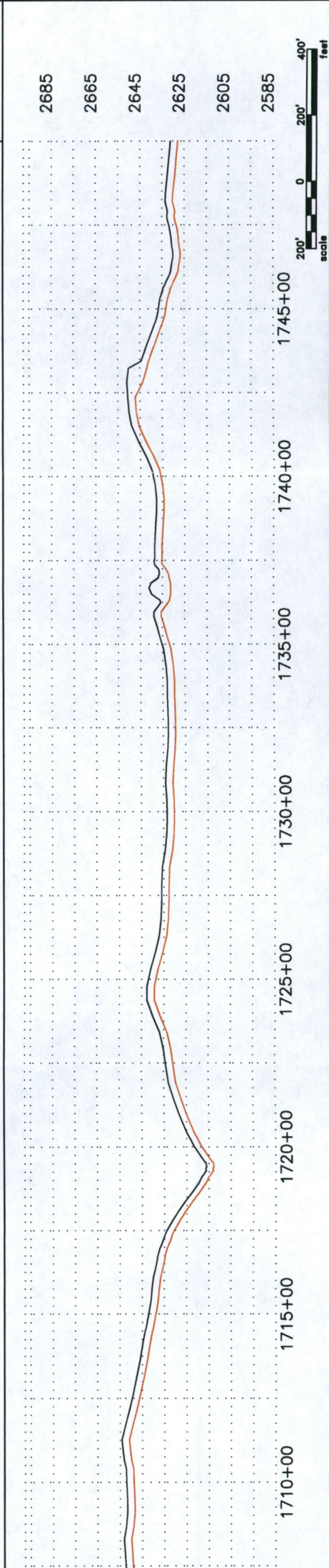
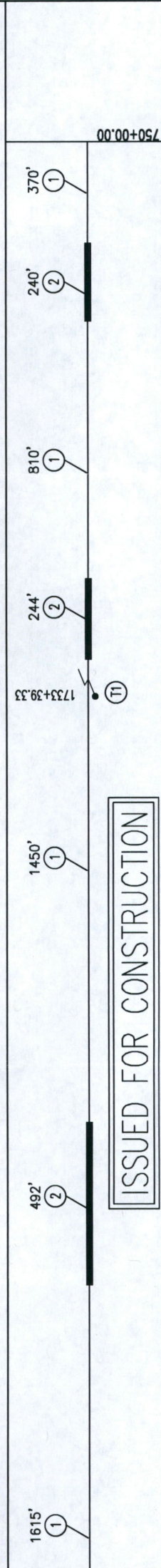
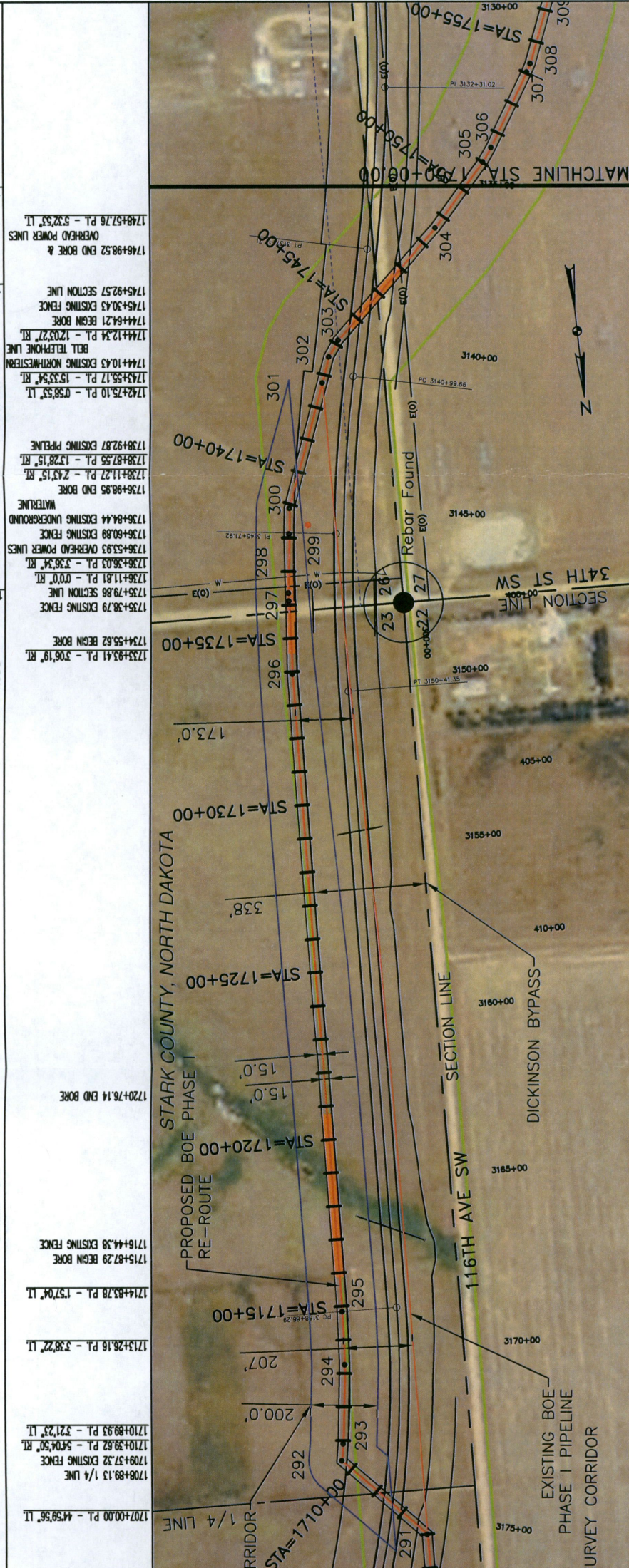


STATE OF NORTH DAKOTA  
 NW1/4, SW1/4 & SE1/4  
 3579.86 FEET  
 216.96 RODS

ARTHUR S RIDL, ETAL  
 NW1/4  
 1012.71 FEET  
 61.38 RODS

ARTHUR S RIDL, ETAL  
 NE1/4  
 407.43 FEET  
 24.69 RODS

1707+00.00 PL - 44°59'56" LT  
 1708+89.13 1/4 LINE  
 1709+37.32 EXISTING FENCE  
 1710+89.93 PL - 3°21'23" LT  
 1711+89.93 PL - 54°04'50" RT  
 1712+26.16 PL - 3°38'22" LT  
 1713+83.78 PL - 1°37'04" LT  
 1715+87.29 BEGIN BORE  
 1716+44.38 EXISTING FENCE  
 1717+89.86 FEET  
 216.96 RODS



MATERIAL SUMMARY		REFERENCE DRAWINGS		REVISIONS	
DWG. NO.	DESCRIPTION	NO.	DATE	NO.	DESCRIPTION
16	OD, 0.281" W.T. API 5L X70, 13-15 MIL FBE				

SCALE: 1" = 400'  
 DRAWN BY: A. ROMANN  
 DATE: 11/19/2015

BAKKEN OIL EXPRESS PIPELINE

**KLD**



STATE  
HISTORICAL  
SOCIETY  
OF NORTH DAKOTA

RECEIVED

NOV 30 2015

Jack Dalrymple  
Governor of North Dakota

North Dakota  
State Historical Board

Margaret Puetz  
Bismarck - President

Gereld Gerntholz  
Valley City - Vice President

Albert I. Berger  
Grand Forks - Secretary

Calvin Grinnell  
New Town

Diane K. Larson  
Bismarck

Chester E. Nelson, Jr.  
Bismarck

A. Ruric Todd III  
Jamestown

Sara Otte Coleman  
Director  
Tourism Division

Kelly Schmidt  
State Treasurer

Alvin A. Jaeger  
Secretary of State

Mark Zimmerman  
Director  
Parks and Recreation  
Department

Grant Levi  
Director  
Department of Transportation

Claudia J. Berg  
Director

Accredited by the  
American Alliance  
of Museums since 1986

November 25, 2015

Mr Tim Dodson  
Principal Investigator  
KLJ  
PO Box 1157  
Bismarck, ND 58505

ND SHPO Ref: 13-1035 PSC Case PU-13-825 Class I Letter Report Addendum to the BE Pipeline: A Class III Cultural Resource Inventory in Dunn and Stark Counties, North Dakota, Volumes 1 & 2 in portions of [T140N R97W Sections 23, 26] Stark County

Dear Mr. Dodson:

We reviewed ND SHPO Ref: 13-1035 PSC Case PU-13-825 Class I Letter Report Addendum to the BE Pipeline: A Class III Cultural Resource Inventory in Dunn and Stark Counties, North Dakota, Volumes 1 & 2 and find the Class I letter report acceptable. We find that there are "No Significant Sites Affected" in the small area noted in your Class I report.

Thank you for the opportunity to review this project addendum. Please include the ND SHPO reference number listed above in any further correspondence for this specific project. If you have any questions, please contact Susan Quinnell at (701) 328-3576 or [squinnell@nd.gov](mailto:squinnell@nd.gov).

Sincerely,

Claudia J. Berg  
Director, State Historical Society of North Dakota



# WETLAND DELINEATION

**BOE Phase I Pipeline Reroute  
Stark County, North Dakota**

*Prepared for:*  
BOE Pipeline, LLC

*Prepared by:*  
Nute Bishop  
KLJ

December 2015



**KLJ**  
EXHIBIT C

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**Appendix A, Delineated Wetland Maps**

**Appendix B, Site Photos**

**Appendix C, Data Sheets**



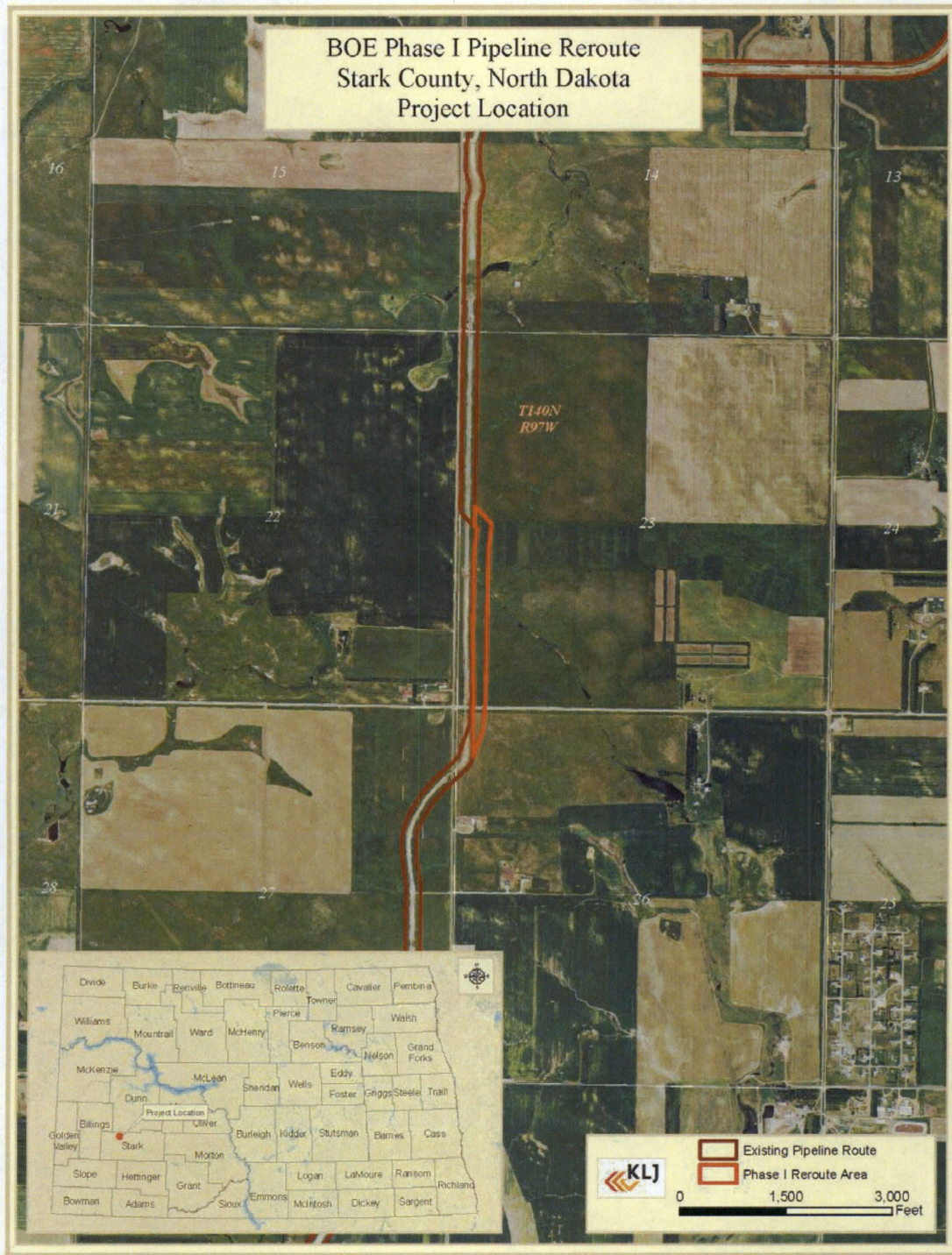
## I. INTRODUCTION

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Kadmas, Lee & Jackson (KLJ) was contracted by BOE Pipeline, LLC (BOE) to conduct a field wetland delineation along an approximate one-mile corridor. The project study area begins west of Dickinson, North Dakota (ND) in Section 26, T140N, R97W and terminates in Section 23, T140N, R97W. The purpose of the project is to re-route a section of the existing BOE Phase I Pipeline due to potential conflicts associated with an adjacent roadway project. The project is anticipated to begin construction during the 2016 construction season. Please refer to **Exhibit 1, Project Location Map** below.

The field wetlands delineation and GPS data collection were conducted on November 12, 2016 by Nute Bishop of KLJ. A study area of approximately 13.72 acres was surveyed, which would encompass the proposed project construction limits.





*Exhibit 1, Project Location Map*



## II. DEFINITIONS AND METHODS

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The wetlands delineation conducted by KLJ was in accordance with the 1987 United States Army Corps of Engineers (USACE) Wetland Delineation Manual and the USACE March 2010 Regional Supplement: Great Plains Region (Version 2.0). The routine approach with onsite inspection was utilized, including the standard multi-parameter approach (vegetation, hydrology, and soils) for wetland identification. An area is considered to be a wetland if hydrophytic vegetation, wetland hydrology, and hydric soils are all present. Sample locations were determined using United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) maps along with sites which visually supported a hydrophytic plant community, as well as characteristics of wetland hydrology and hydric soils. Definitions and methodologies for determining each of these three parameters are summarized below:

### A. Hydrophytic Vegetation

**Definition:** The prevalence (>50%) of dominant plant species that are adapted to life in saturated soil conditions.

**Method:** To determine if vegetation was hydrophytic, the scientific name and indicator status of dominant plant species at each wetland were recorded on USACE data sheets. Dominance refers to the spatial extent of a species that is directly observed in the field. Dominance is calculated by identifying the most abundant species that individually or collectively account for more than 50 percent of the total coverage of vegetation in the stratum as well as any other species that, by itself, accounts for at least 20 percent of the total. Where 50 percent or more of all dominant species were hydrophytic, the hydrophytic vegetation parameter was met. Absolute percent cover<sup>1</sup> of dominant species within each stratum is listed on data sheets.

### B. Wetland Hydrology

**Definition:** Fourteen or more consecutive days of flooding, ponding, or water table within 12 inches of the surface during the growing season at a minimum frequency of 5 out of 10 years (50%).

**Method:** Wetland hydrology was determined by observing the presence of primary and/or secondary indicators listed on the USACE data sheet. If one primary indicator or two secondary indicators were present, the wetland hydrology parameter was met.

### C. Hydric Soils

**Definition:** Soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper 12-inches.

---

<sup>1</sup> Absolute percent cover within each stratum is not required to add up to 100 percent on the data sheets.



Method: Soils were characterized using a Munsell Soil Color Chart. If one or more of the hydric soil indicators on the USACE data sheet were identified, the soil was considered to be hydric.

Base field maps were developed using aerial photography in combination with information from the USFWS NWI maps, Natural Resources Conservation Service (NRCS) WebSoilSurvey data from Stark County and United States Geological Service (USGS) topographic quadrangle maps.

One wetland was delineated within the study area. Portions of the wetland extended beyond the limits of the study area; however only boundaries within the study area were delineated. Please refer to **Appendix A for Delineated Wetland Maps**.

Wetland boundaries were determined based on the USACE wetland delineation process through completing paired sample points as needed and investigating vegetation, hydrology, and/or hydric soil parameters. The wetland boundaries were surveyed using GPS data collection.

### III. RESULTS AND DISCUSSION

---

The study area is located in the ecoregion identified by the USGS as the Northwest Great Plains of North Dakota. The ecoregion is a semiarid rolling plain of shale, siltstone, and sandstone punctuated by occasional buttes and badlands. Native grasslands persist in areas of steep or broken topography, but they have been largely replaced by agriculture over most of region. The proposed project occurs in an area dominated primarily by agricultural use, located approximately three miles west of Dickinson, ND. Dominant vegetation within the study area is comprised of various introduced/native rangelands.

One wetland totaling approximately 0.21 acres was delineated within the study area. The wetland extended beyond the limits of the study area; however, the wetland was only delineated to the boundary of the study area. The delineated wetland is associated with a naturally occurring drainage. Please refer to **Appendix B, Site Photos** for a visual overview of the wetland, **Table 1, Delineated Wetland** for wetland type and location, and **Appendix C, Data Sheets** for additional information regarding site specific vegetation, soils and hydrology.



Table 1, Delineated Wetland

WETLAND NUMBER	LOCATION	LONG/LAT (DEC. DEG.)	COWARDIN CLASSIFICATION	WETLAND TYPE	WETLAND SIZE (ACRES)	WETLAND FEATURE
1	Sec. 23, T140N, R97W	46.924199°N/ -102.892570°W	PEMF	Drainage	0.21	Natural

#### IV. CONCLUSION

---

Approximately 0.21 acres of wetlands were field delineated and identified within the study area. Final determination of jurisdictional wetlands within the study area is ultimately the decision of the USACE. All necessary permits shall be acquired in the event that the delineated wetlands within the study area are determined to be jurisdictional by the USACE and will be affected by the proposed construction.



## V. REFERENCES

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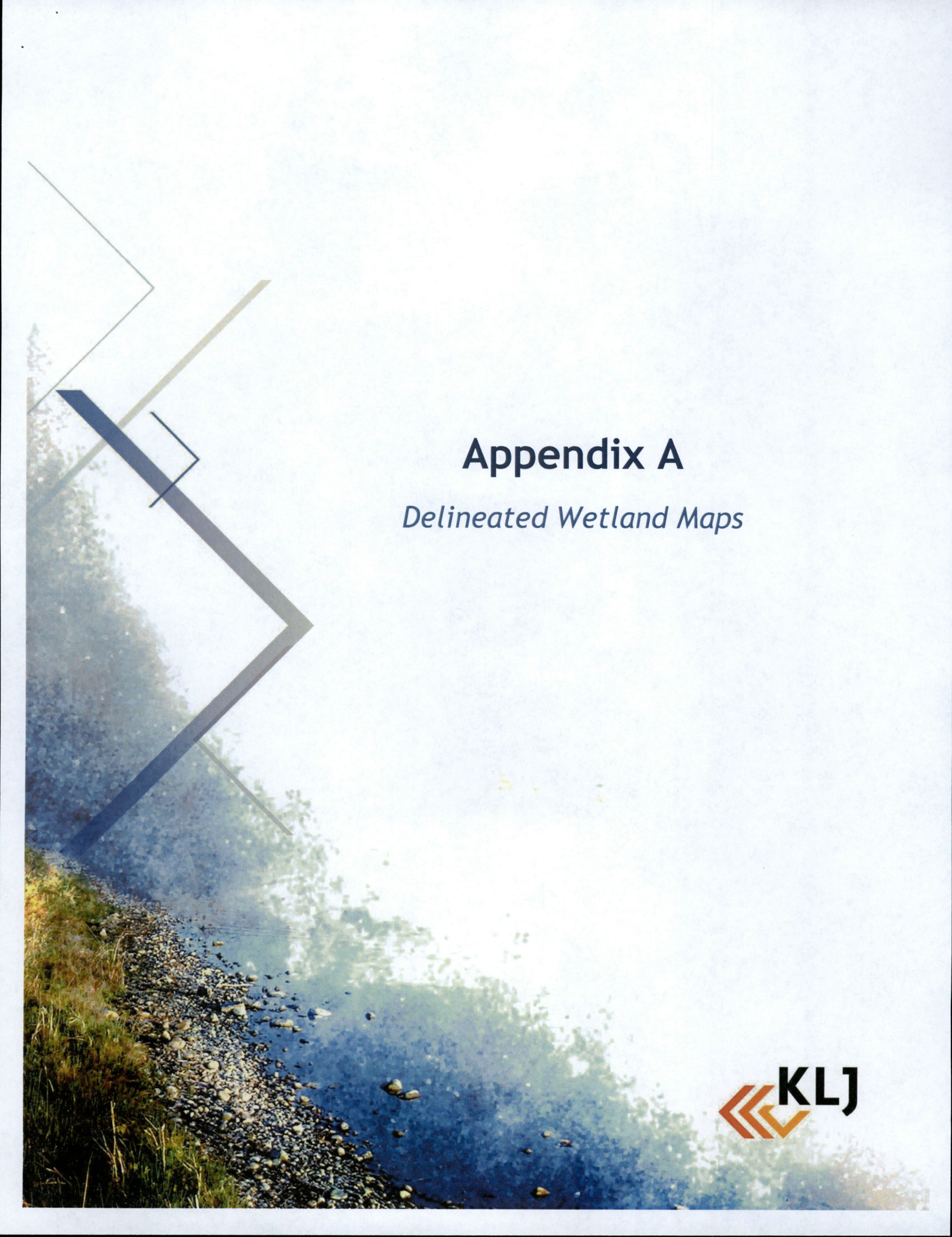
- Bryce, Sandra, Omernik, J. M., Pater, D.E, Ulmer, M., Schaar, J., Freeouf, J., Johnson, R.,... Azevedo, S.H. 1998. Ecoregions of North Dakota and South Dakota. Jamestown, ND: Northern Prairie Wildlife Research Center Online. <http://www.npwrc.usgs.gov/resource/habitat/ndsdeco/index.htm> (Version 30NOV1998).
- Coordinated effort between the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS), the United States Geological Survey (USGS), and the Environmental Protection Agency (EPA). The Watershed Boundary Dataset (WBD) was created from a variety of sources from each state and aggregated into a standard national layer for use in strategic planning and accountability. Watershed Boundary Dataset for North Dakota. Retrieved from <http://datagateway.nrcs.usda.gov>
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## VI. DELINEATORS' CREDENTIALS

---

NUTE BISHOP	
Education:	<ul style="list-style-type: none"><li>› Southern New Hampshire University – MBA in Environmental Compliance and Sustainability (in progress)</li><li>› Minnesota State University Morehead – BA Biology-Emphasis in Ecology and Evolution</li></ul>
Training:	<ul style="list-style-type: none"><li>› Richard Chinn Environmental Training, Inc.; Successfully completed training requirements for the 38 Hour Army Delineation Training Program. (August 2015)</li></ul>
Professional Memberships:	<ul style="list-style-type: none"><li>› National Association of Environmental Professionals</li><li>› Wildlife Society – ND Chapter</li></ul>





# Appendix A

## *Delineated Wetland Maps*



BOE Phase I Pipeline Reroute  
Stark County, North Dakota  
Delineated Wetlands & USFWS NWI









22  
T140N R97W



23  
T140N R97W

27  
T140N R97W

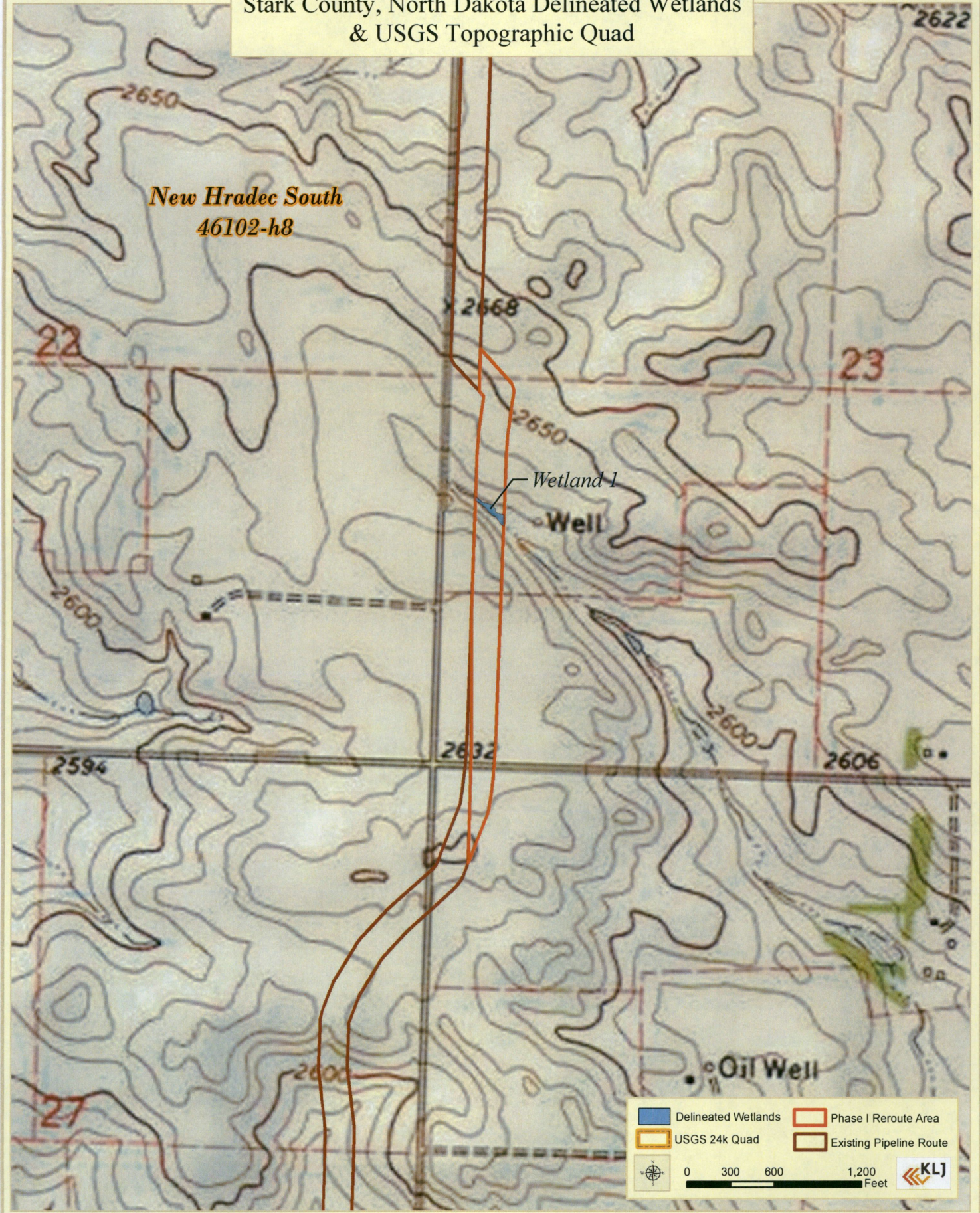
26  
T140N R97W

Wetland 1

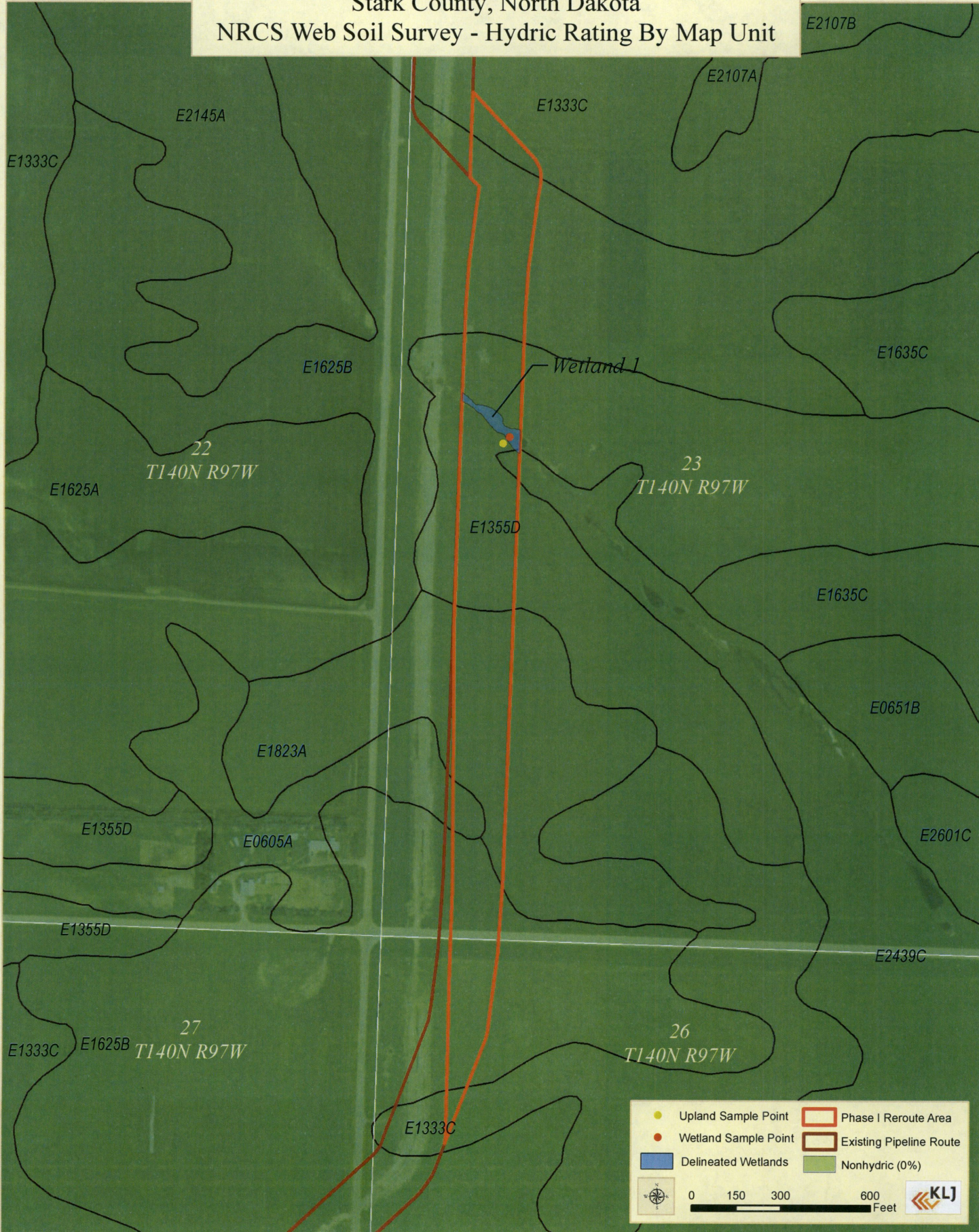
	Upland Sample Point		Delineated Wetlands
	Wetland Sample Point		Phase I Reroute Area
	USFWS NWI		Existing Pipeline Route

 0 150 300 600 Feet 

BOE Phase I Pipeline Reroute  
Stark County, North Dakota Delineated Wetlands  
& USGS Topographic Quad




BOE Phase I Pipeline Reroute  
 Stark County, North Dakota  
 NRCS Web Soil Survey - Hydric Rating By Map Unit



	Upland Sample Point		Phase I Reroute Area
	Wetland Sample Point		Existing Pipeline Route
	Delineated Wetlands		Nonhydic (0%)

0 150 300 600 Feet



# Appendix B

*Site Photos*

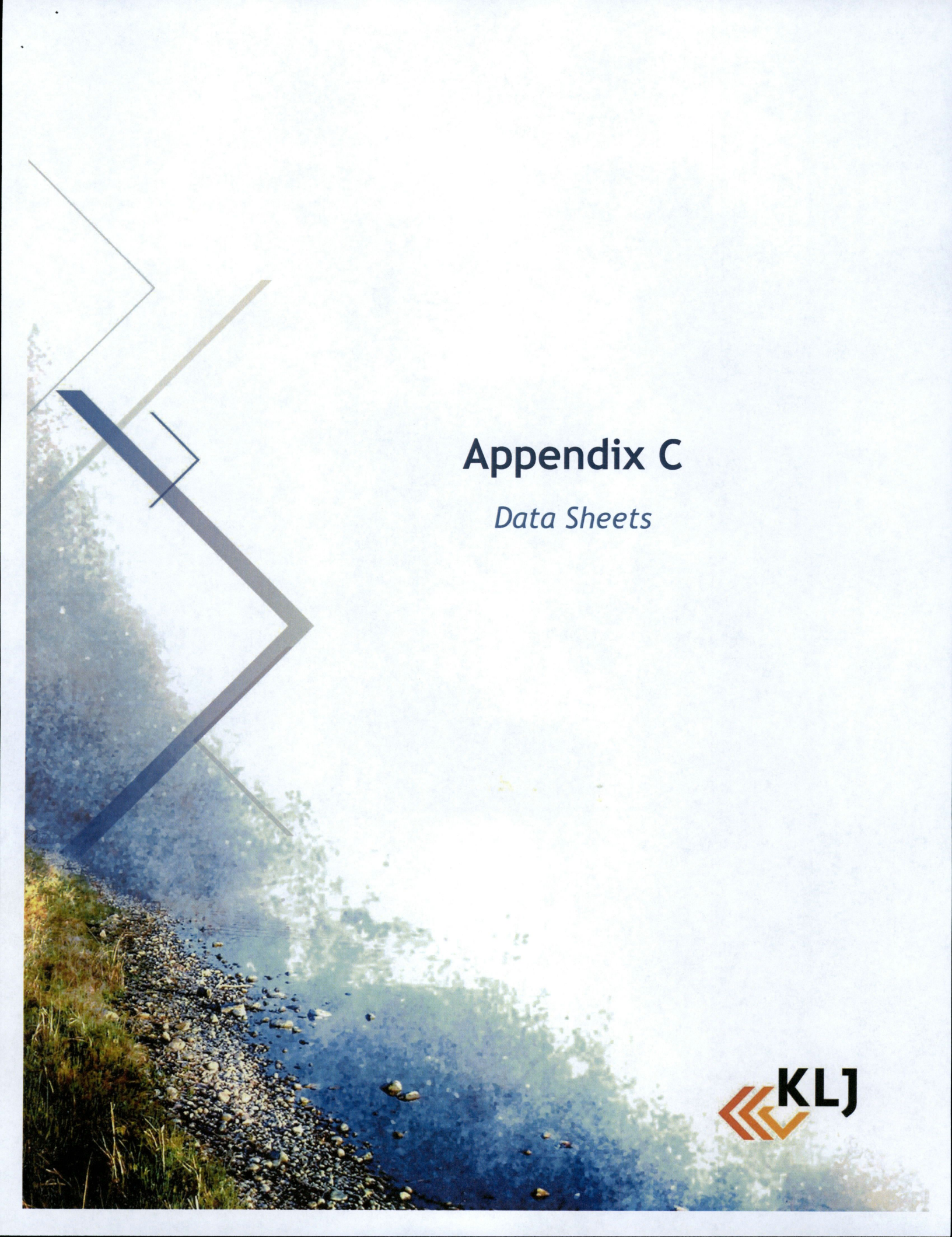




*Wetland 1 - View Northeast*



*Wetland 1 - View Northwest*



# Appendix C

*Data Sheets*



**WETLAND DETERMINATION DATA FORM – Great Plains Region**

Project/Site: BOE City/County: Stark Sampling Date: 11/12/15  
 Applicant/Owner: BOE State: ND Sampling Point: 1a  
 Investigator(s): Nute Bishop Section, Township, Range: Sec 23 T140N R97W  
 Landform (hillslope, terrace, etc.): Drainage Local relief (concave, convex, none): Concave Slope (%): 3  
 Subregion (LRR): F Lat: 46.924199 Long: -102.892570 Datum: NAD 83  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: PEMF

Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<b>Is the Sampled Area within a Wetland?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			
Remarks:					

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: <u>30 ft radius</u> )	Absolute % Cover	Dominant Species?	Indicator Status	
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
0 = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>15 ft radius</u> )				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
0 = Total Cover				
Herb Stratum (Plot size: <u>5 ft radius</u> )				
1. <u>Poa palustris</u>	90	Y	FACW	
2. <u>Spartina pectinata</u>	10	N	FACW	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
100 = Total Cover				
Woody Vine Stratum (Plot size: <u>30 ft radius</u> )				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
0 = Total Cover				
% Bare Ground in Herb Stratum <u>0</u>				

**Dominance Test worksheet:**  
 Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): \_\_\_\_\_ (A)  
 Total Number of Dominant Species Across All Strata: \_\_\_\_\_ (B)  
 Percent of Dominant Species That Are OBL, FACW, or FAC: \_\_\_\_\_ (A/B)

**Prevalence Index worksheet:**  
 Total % Cover of: \_\_\_\_\_ Multiply by: \_\_\_\_\_  
 OBL species \_\_\_\_\_ x 1 = 0  
 FACW species \_\_\_\_\_ x 2 = 0  
 FAC species \_\_\_\_\_ x 3 = 0  
 FACU species \_\_\_\_\_ x 4 = 0  
 UPL species \_\_\_\_\_ x 5 = 0  
 Column Totals: 0 (A) 0 (B)  
 Prevalence Index = B/A = NaN

**Hydrophytic Vegetation Indicators:**  
 1 - Rapid Test for Hydrophytic Vegetation  
 2 - Dominance Test is >50%  
 3 - Prevalence Index is ≤3.0<sup>1</sup>  
 4 - Morphological Adaptations<sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)  
 Problematic Hydrophytic Vegetation<sup>1</sup> (Explain)

<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes  No

Remarks:

**SOIL**

Sampling Point: 1a

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-16	2.5Y 2.5/1	90	5YR 3/4	10	C	M	SL	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Coast Prairie Redox (A16) (LRR F, G, H)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Dark Surface (S7) (LRR G)
<input type="checkbox"/> Stratified Layers (A5) (LRR F)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	<input type="checkbox"/> High Plains Depressions (F16)
<input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<b>(LRR H outside of MLRA 72 &amp; 73)</b>
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Reduced Vertic (F18)
<input type="checkbox"/> Thick Dark Surface (A12)	<input checked="" type="checkbox"/> Redox Dark Surface (F6)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H)	<input type="checkbox"/> Redox Depressions (F8)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F)	<input type="checkbox"/> High Plains Depressions (F16)	<sup>3</sup> Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

**(MLRA 72 & 73 of LRR H)**

**Restrictive Layer (if present):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

**Hydric Soil Present?** Yes  No

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<b>Primary Indicators (minimum of one required; check all that apply)</b>		<b>Secondary Indicators (minimum of two required)</b>
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)
<input checked="" type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input checked="" type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<b>(where tilled)</b>
<input type="checkbox"/> Drift Deposits (B3)	<b>(where not tilled)</b>	<input type="checkbox"/> Crayfish Burrows (C8)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input checked="" type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Thin Muck Surface (C7)	<input checked="" type="checkbox"/> Geomorphic Position (D2)
<input checked="" type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Water-Stained Leaves (B9)		<input type="checkbox"/> Frost-Heave Hummocks (D7) (LRR F)

**Field Observations:**

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_

Water Table Present? Yes  No  Depth (inches): 14

Saturation Present? Yes  No  Depth (inches): 10

**Wetland Hydrology Present?** Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM – Great Plains Region**

Project/Site: BOE City/County: Stark Sampling Date: 11/12/15  
 Applicant/Owner: BOE State: ND Sampling Point: 1b  
 Investigator(s): Nute Bishop Section, Township, Range: Sec 23 T140N R97W  
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 5  
 Subregion (LRR): F Lat: 46.924142 Long: -102.892655 Datum: NAD 83  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: n/a

Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
Remarks:					

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: <u>30 ft radius</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): _____ (A)  Total Number of Dominant Species Across All Strata: _____ (B)  Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
0 = Total Cover				<b>Prevalence Index worksheet:</b> Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = 0 FACW species _____ x 2 = 0 FAC species _____ x 3 = 0 FACU species _____ x 4 = 0 UPL species _____ x 5 = 0 Column Totals: 0 (A) 0 (B)  Prevalence Index = B/A = <u>NaN</u>
Sapling/Shrub Stratum (Plot size: <u>15 ft radius</u> )	Absolute % Cover	Dominant Species?	Indicator Status	
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
0 = Total Cover				
Herb Stratum (Plot size: <u>5 ft radius</u> )	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>Bromus inermis</u>	100	Y	UPL	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
100 = Total Cover				
Woody Vine Stratum (Plot size: <u>30 ft radius</u> )	Absolute % Cover	Dominant Species?	Indicator Status	
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
0 = Total Cover				
% Bare Ground in Herb Stratum <u>0</u>				
Remarks:				<b>Hydrophytic Vegetation Indicators:</b> <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup> <input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
				<b>Hydrophytic Vegetation Present?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**SOIL**

Sampling Point: 1b

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-2	10YR 3/6	100					SL	
2-16	7.5YR 3/4	100					SL	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

- |  |  |
|--|--|
| <input type="checkbox"/> Histosol (A1)                             | <input type="checkbox"/> Sandy Gleyed Matrix (S4)      |
| <input type="checkbox"/> Histic Epipedon (A2)                      | <input type="checkbox"/> Sandy Redox (S5)              |
| <input type="checkbox"/> Black Histic (A3)                         | <input type="checkbox"/> Stripped Matrix (S6)          |
| <input type="checkbox"/> Hydrogen Sulfide (A4)                     | <input type="checkbox"/> Loamy Mucky Mineral (F1)      |
| <input type="checkbox"/> Stratified Layers (A5) (LRR F)            | <input type="checkbox"/> Loamy Gleyed Matrix (F2)      |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H)              | <input type="checkbox"/> Depleted Matrix (F3)          |
| <input type="checkbox"/> Depleted Below Dark Surface (A11)         | <input type="checkbox"/> Redox Dark Surface (F6)       |
| <input type="checkbox"/> Thick Dark Surface (A12)                  | <input type="checkbox"/> Depleted Dark Surface (F7)    |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)                  | <input type="checkbox"/> Redox Depressions (F8)        |
| <input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) | <input type="checkbox"/> High Plains Depressions (F16) |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F)      |  |
- (MLRA 72 & 73 of LRR H)**

**Indicators for Problematic Hydric Soils<sup>3</sup>:**

- 1 cm Muck (A9) (LRR I, J)
- Coast Prairie Redox (A16) (LRR F, G, H)
- Dark Surface (S7) (LRR G)
- High Plains Depressions (F16) (LRR H outside of MLRA 72 & 73)
- Reduced Vertic (F18)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

**Restrictive Layer (if present):**

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one required; check all that apply)

- |  |   |
|--|---|
| <input type="checkbox"/> Surface Water (A1)                        | <input type="checkbox"/> Salt Crust (B11)                           |
| <input type="checkbox"/> High Water Table (A2)                     | <input type="checkbox"/> Aquatic Invertebrates (B13)                |
| <input type="checkbox"/> Saturation (A3)                           | <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                 |
| <input type="checkbox"/> Water Marks (B1)                          | <input type="checkbox"/> Dry-Season Water Table (C2)                |
| <input type="checkbox"/> Sediment Deposits (B2)                    | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) |
| <input type="checkbox"/> Drift Deposits (B3)                       | <b>(where not tilled)</b>   |
| <input type="checkbox"/> Algal Mat or Crust (B4)                   | <input type="checkbox"/> Presence of Reduced Iron (C4)              |
| <input type="checkbox"/> Iron Deposits (B5)                        | <input type="checkbox"/> Thin Muck Surface (C7)                     |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Other (Explain in Remarks)                 |
| <input type="checkbox"/> Water-Stained Leaves (B9)                 |   |

Secondary Indicators (minimum of two required)

- Surface Soil Cracks (B6)
- Sparsely Vegetated Concave Surface (B8)
- Drainage Patterns (B10)
- Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- Crayfish Burrows (C8)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- FAC-Neutral Test (D5)
- Frost-Heave Hummocks (D7) (LRR F)

**Field Observations:**

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Saturation Present? Yes  No  Depth (inches): \_\_\_\_\_  
 (includes capillary fringe)

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA**

**Bakken Oil Express, LLC  
Crude Oil Pipeline — Dunn and Stark Counties  
Siting Application**

**CASE NO. PU-13-825**

---

Certification of John C. Wadsworth in Support of the Application of Bakken Oil Express, LLC,  
for a Second Amended Certificate of Corridor Compatibility and Route Permit, and the  
Application for Waiver or Reduction of Procedures and Time Schedules

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STATE OF KANSAS

COUNTY OF SEDGWICK

John C. Wadsworth states and alleges as follows:

1. That I am the Chief Operating Officer of Bakken Oil Express, LLC (“BOE”) with the authority to bind BOE to the statements set forth in this Certification.
2. That I submit this Certification in support of BOE’s request for a second amended Certificate of Corridor Compatibility and Route Permit, filed in the above-captioned matter.
3. That on October 4, 2013, BOE filed its Combined Certificate of Corridor Compatibility and Route Permit Application (“Siting Application”) with the North Dakota Public Service Commission (“Commission”).
4. That on December 9, 2013, a public hearing was held in this matter.
5. That on December 30, 2013, the Commission issued its Findings of Fact, Conclusions of Law and Order (“Order”), along with Certificate of Corridor Compatibility Number 150 and Route Permit Number 161.
6. That on January 21, 2014, BOE filed with the Commission a request to amend the Order to modify the approved pipeline diameter from 16-inches to 20-inches for the

southernmost approximately four (4) miles of the Project pipeline to facilitate an interconnect with True Oil, LLC's Belle Fourche Pipeline.

7. That on February 26, 2014, the Commission issued its Findings of Fact, Conclusions of Law and Order, along with First Amended Certificate of Corridor Compatibility Number 150 and First Amended Route Permit Number 161.

8. That in July of 2014, construction of the pipeline was complete, and notification was provided to the Commission regarding commencement of operations.

9. That the North Dakota Department of Transportation ("DOT") has contacted BOE and requested an approximately 275-foot shift in the location of the pipeline. The purpose of the shift is to avoid any potential conflicts associated with the construction of a by-pass by the DOT within Sections 23 and 26, T140N, R97W along 116th Street SW, Dickinson, North Dakota. A map depicting the existing and requested pipeline route and corridor location is attached to the Affidavit of Scott Besmer.

10. That during the original proceedings for the Siting Application, the DOT sent a communication to KLJ dated June 24, 2013, stating, "This project should have no adverse effect on the North Dakota Department of Transportation highways."

11. It was not until after the commencement of construction that the DOT notified BOE that the location of BOE's pipeline would interfere with the DOT's planned road construction.

12. That no landowners on which the adjustments are to be located oppose the adjustment.

13. That the DOT has obtained a right-of-way within the adjustment area. The land within the adjustment area is owned by the State of North Dakota. No governmental entity has opposed the adjustments.


14. That field studies encompassing the adjustment area have been completed, and that the results of those studies are enclosed with the Affidavit of Scott Besmer.

15. That the adjustment area that is outside the previously approved corridor is less than one and one-half miles long, as shown in the map enclosed herewith.

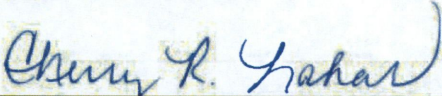
16. That, because the requested reroute (1) has been requested and approved by the DOT, (2) does not affect any new exclusion or avoidance areas, and (3) does not adversely impact any selection criteria, BOE requests the Commission grant BOE's requested route and corridor amendments through its notice and opportunity for hearing procedures.

17. That BOE will continue to comply with the Commission's order, laws, and rules designating the corridor and route.

BAKKEN OIL EXPRESS PIPELINE, LLC

  
\_\_\_\_\_  
John C. Wadsworth

Subscribed and sworn to before me  
this 25<sup>th</sup> day of February, 2016.

  
\_\_\_\_\_  
Notary Public

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