

5. Pursuant to Certification Relating to Order No. 15, a professional examination of these sites has occurred and corresponding information has been submitted to the North Dakota State Historical Society (SHPO). Additionally, these sites have been marked, preserved, and protected from further disturbances. Attachment 2 to the Memorandum is correspondence from the SHPO concurring with Cenex's avoidance strategy for these sites.
6. North Dakota Century Code section 49-22.1-15(1) provides:

Before or during construction, a utility, without any action by the commission, may adjust the route of a gas or liquid transmission line within the designated corridor if, before conducting any construction activities associated with the adjustment, the utility files with the commission certification and supporting documentation that:

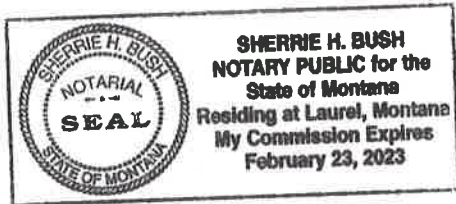
 - a. The construction activities will be within the designated corridor;
 - b. The construction activities will not affect any known exclusion or avoidance areas within the designated corridor; and
 - c. The utility will comply with the commission's order, laws, and rules designating the corridor and designating the route.
7. Pursuant to the statutory certification procedure set forth above, Cenex provides written notice of its intent to adjust the Project route within the existing Commission approved 200-foot-wide Project corridor in two locations to avoid impacts to the cultural resource sites identified in the Attachment 1 to the Memorandum. *See*, PU-17-097 Order, Docket No. 100, Order Provision No. 2; *see, also*, N.D.C.C. § 49-22.1-15(1)(a).
8. Construction activities for the route adjustments occur within the previously surveyed and approved 200-foot-wide Project corridor. *See*, N.D.C.C. § 49-22.1-15(1)(a).
9. Cenex analyzed the potential impacts of the route adjustment pursuant to the Commission's designated Avoidance and Exclusion Areas (N.D. Admin. Code § 69-06-08-02). Activities associated with the route adjustments will not affect any known Exclusion or Avoidance Area. *See*, N.D.C.C. § 49-22.1-15(1)(b).
10. Cenex will continue to comply with the Commission's Order, laws, and rules designating the Project's corridor and route. N.D.C.C. § 49-22.1-15(1)(c).



Greg Brown
President
Cenex Pipeline, LLC

STATE OF MONTANA)
) ss.
COUNTY OF YELLOWSTONE)

On this 28th day June 2019, before me personally appeared Greg Brown, known to me to be the President of the limited liability company that is described in and that executed the within instrument, and acknowledged to me that such limited liability company executed the same.




Notary Public