

STATE OF NORTH DAKOTA  
BOARD OF UNIVERSITY & SCHOOL LANDS

The State of North Dakota acting through the Board of University and School Lands (PERMITTER), in consideration of \$22,280.70.00, which has been received, conveys to CENEX PIPELINE LLC, 803 HIGHWAY 212 S, PO BOX 909, LAUREL, MT 59044 (PERMITTEE), a permit to conduct temporary construction near and adjacent to an existing Cenex pipeline (ROW#7873) with the right of ingress and egress, over certain land in the NW4 of Section 36, T155N, R91W, N2 of Section 36, T155N, R92W and N2 of Section 36, T155N, R94W, Mountrail County, North Dakota, containing approximately 13.95 acres as depicted on the attached map and titled as Exhibit "A1 -A3".

This permit is granted for the purpose of grading, filling and other incidental work as authorized for the purpose of providing a suitable gradeline and adequate drainage for the proposed pipeline construction to be located adjacent to the above described land, and shall be subject to the following stipulations:

1. PERMITTEE shall make a satisfactory settlement with the surface tenant for damage to seeded annual crops, fences or other improvements owned by the tenant, caused by construction, operation, maintenance or removal of the temporary construction and shall notify the surface tenant of the construction schedule at least one week before construction.
2. PERMITTEE shall, prior to construction, maintenance or removal, reserve the top 12 inches of soil from areas subject to topsoil and subsoil mixing. The reserved soil must be stockpiled to minimize wind and water erosion. Upon completion of construction, and maintenance or removal, PERMITTEE shall promptly reclaim the disturbed area. It must be recontoured to conform to the adjacent natural topography, the reserved soil must be evenly respread over the disturbed area, and the entire disturbed area must be revegetated with a mixture of native perennial grasses as shown on Exhibit "B". Reclamation is not complete until erosion is controlled and the surface is revegetated with a mixture of native perennial grasses.
3. PERMITTEE may cut or trim trees and shrubs, but only to the extent they interfere with or endanger the operation or maintenance of temporary construction. Any trees or shrubs disturbed by the temporary construction must be removed completely from the property and disposed of at an approved landfill facility.
4. PERMITTEE shall maintain the natural water flow and drainage.
5. PERMITTEE shall implement reasonable measures to prevent accelerated erosion. If an erosion problem develops, PERMITTEE shall promptly take the necessary actions to correct it and shall repair any erosion damage.
6. If, prior to or during construction, archeological or paleontological items are discovered, or such items are disturbed, PERMITTEE shall cease construction activities immediately. PERMITTEE shall then promptly notify PERMITTER and must not resume construction until written approval is given by PERMITTER.
7. Through this permit, PERMITTEE is not acquiring any subsurface interest. Subsurface interests include, but are not limited to oil, gas, coal, cement materials, sodium sulfate, sand and gravel, scoria, road material, building stone, chemical substances, metallic ores, uranium ores, or colloidal or other clays.
8. PERMITTEE, or its agent, shall have a legible copy of this permit with them on site for reference during construction, operation, maintenance or reclamation and shall present the copy upon PERMITTER's request.
9. PERMITTER neither warrants nor agrees to defend title to the permit area.
10. PERMITTER reserves the right to use the permit area and to allow others to use the permit area for purposes compatible with PERMITTEE's use. If someone other than PERMITTER uses the permit area in a manner inconsistent with PERMITTEE's use, PERMITTER is not liable or responsible.
11. This permit is not transferable and shall not be filed for record.

- 12. This permit is subject to all of the PERMITTER's existing rights and privileges.
- 13. This permit shall automatically expire one year from the date it is signed by PERMITTER or upon completion of construction and reclamation, whichever occurs earlier.
- 14. PERMITTER and PERMITTEE each agrees to assume its own liability for any and all claims of any nature including costs, expenses, and attorneys' fees which may in any manner result from or arise out of this permit.
- 15. This permit is also subject to the conditions in Exhibits "A1 – A3" & "B" which are attached and made a part of this permit.

Dated this 20 day of September, 2019, at Bismarck, North Dakota.

PERMITTER:

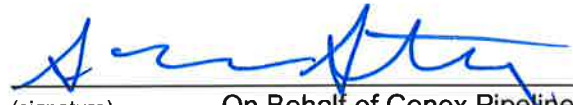
STATE OF NORTH DAKOTA  
BOARD OF UNIVERSITY & SCHOOL LANDS



Jodi Smith, Commissioner  
of University and School Lands

PERMITTEE:

CENEX PIPELINE LLC



(signature)

On Behalf of Cenex Pipeline LLC  
803 Highway 212 S, PO Box 909  
Laurel, MT 59044

ROW #8531

LESSEE INFORMATION

<i>Legal Description</i>	<i>County</i>	<i>Lessee Name</i>	<i>Address</i>	<i>Telephone #</i>	<i>Lease Expiration</i>
155-91-36: NW4	Mountrail	JIM ENGE	7885 56TH ST NW STANLEY ND 58784	(701) 628-2356	2021
155-92-36: NE4	Mountrail	JOSEPH REUM	PO BOX 431 STANLEY ND 58784	701) 340-8830	2022
155-92-36: NW4	Mountrail	PAUL OGDEN	5419 86TH AVE NW STANLEY ND 58784-1042	(701) 629-1410	2022
155-94-36: N2	Mountrail	JUSTIN LUND	8715 59TH ST NW ROSS ND 58776-9071	(701) 628-1225	2021

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MTM





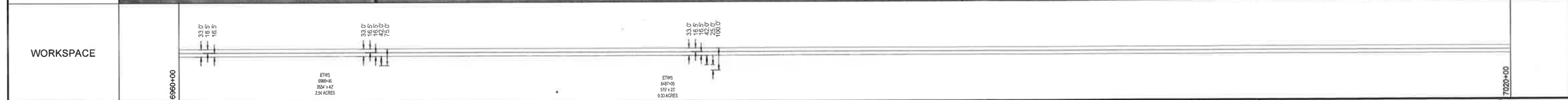
ROW #8547 Exhibit "A3"

TRACT NO.	2206		
OWNERSHIP	STATE OF NORTH DAKOTA		
ENCUMBRANCE	UN (1)		
STIPULATIONS	6960+00	6966+46	7020+00

PIPE STATIONING	6966+74 TEST LEAD 6966+70 BARBED WIRE FENCE LINE 6967+44 END BORE 6967+86 WME STANLEY ALTS PIPELINE	6991+56 WME STANLEY ALTS PIPELINE
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WORKSPACE		
TEMPORARY WORKSPACE		
2634' x 42'	2.54 ACRES	2634' / 16.5 = 159.64 RODS
DRIVING ACCESS		
575' x 25'	0.33 ACRES	575' / 16.5 = 34.85 RODS



LEGEND		MATERIAL SUMMARY		REFERENCE DRAWINGS			REVISIONS	
SYMBOL	DESCRIPTION	MK. NO.	QTY.	DWG. NO.	REF. NO.	DESCRIPTION	NO.	DATE
[Symbol]	PROPOSED PIPELINE							
[Symbol]	PROPOSED BORE							
[Symbol]	SECTION LINE							
[Symbol]	QUARTER SECTION LINE							
[Symbol]	PROPERTY LINE							
[Symbol]	WATER LINE							
[Symbol]	FOREIGN PIPELINE							
[Symbol]	UNDERGROUND TELE. LINE							
[Symbol]	FIBER OPTIC LINE							
[Symbol]	OVERHEAD ELECTRIC							
[Symbol]	UNDERGROUND ELECTRIC							
[Symbol]	DRAINAGE							
[Symbol]	EDGE OF ROAD							
[Symbol]	FENCE							
[Symbol]	GRASSLAND EASEMENT							
[Symbol]	WETLAND EASEMENT							
[Symbol]	PERMANENT EASEMENT							
[Symbol]	TEMPORARY EASEMENT							
[Symbol]	EXTRA TEMPORARY WORKSPACE							

SHEET SIZE: ARCH D DATE: 8/21/19 DRAWN BY: SRS CHECKED BY: EL, MWB APPROVED BY: EL, TJ KLJ JOB NUMBER: 1907-00112 REVISION: - SHEET: N/A	100' 0 100' 200' SCALE 1"=200' FEET  <b>CENEX PIPELINE</b> IFC ALIGNMENT SHEET MOUNTRAIL COUNTY, NORTH DAKOTA	 2611 Gabel Road Billings, MT 59102-7329 © KLJ 2019
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NORTH DAKOTA  
BOARD OF UNIVERSITY & SCHOOL LANDS  
(ND Department of Trust Lands)

Native Grass Seeding Specifications

<u>Species</u>	<u>lbs.</u> <u>PLS*/acre</u>
Western wheatgrass	8
Slender wheatgrass	5
Green needlegrass	4
Side-oats grama	<u>2</u>
	19

\*PLS - Pure Live Seed (based on 50 PLS/sq. feet)

1. The seed bed should be firmly packed (footprints left in the soil should be less than 1/2 inch deep).
2. An early spring seeding (before May 24th) is preferred. A dormant fall seeding (after October 20th) is acceptable.
3. A cover crop of oats at 10 lbs. PLS/acre must be seeded on the disturbed area.
4. A drill designed specifically for native grass seeding will give the best seeding results. The seed should be planted at a depth of 1/2 to 1 inch. Precaution must be taken not to plant the seed too deeply in the soil or poor germination will result.
5. On areas where equipment cannot be used, broadcast seed and rake or drag to cover seed. Where seed is broadcast, double the seeding rate.
6. Use only North Dakota certified seed.

Caution: Be sure to clean out the drill before seeding to avoid any contamination with smooth brome grass or crested wheatgrass that may remain in the drill from previous use on private land. These are invasive grasses in native prairie and are not allowed on school trust lands. Contamination with or use of crested wheatgrass or smooth brome will result in the applicant being required to spray out the grass and reseed with the above native grass seed mixture. Sweet clover and alfalfa are also not allowed – only the above native grass seed mixture may be used for revegetation on school trust land.