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ATTORNEYS

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701.223.6585
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February 26, 2018

Hand Delivery

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

In re: ONEOK Rockies Midstream, L.L.C.
Bear Creek Gas Plant Expansion Project
Dunn County
Case No. PU-18-021
Our File No. 072530-000016

Dear Mr. Nitschke:

Please find enclosed eleven copies of the Army Corps of Engineers agency response to the request contained in Exhibit C of the application in the captioned case.

Please feel free to contact the undersigned should you have any questions. Thank you.

Sincerely,

Wade C. Mann

WCM/lh
enc.

cc: Michael Dailey (via email)
Paul Hartzheim (via email)
Deborah Perry (via email)

17 PU-18-21 Filed: 2/26/2018 Pages: 3
Army Corp of Engineers correspondence
ONEOK Rockies Midstream, L.L.C.
Wade Mann, Crowley Fleck, PLLP

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK ND 58504-7565

January 9, 2018

NWO-2018-00070-BIS

RECEIVED
JAN 17 2018
ONEOK
CORP. ENVIRONMENTAL

ONEOK Rockies Midstream, LLC
Attn: Ms. Deborah Perry-Chambers
100 West 5th Street
Tulsa, Oklahoma 74103

Dear Ms. Perry-Chambers:

The U.S. Army Corps of Engineers (Corps) has reviewed the information you provided for the proposed Bear Creek Natural Gas Plant Expansion project. This information was received by our office on January 2, 2018. The project is located at Latitude 47.440523, Longitude -102.784664, Dunn County, North Dakota.

Specifically, the project proposes the expansion of the facility to increase the gas processing capacity to 175 MMscfd.

The Corps is responsible for administering federal laws that regulate certain activities in the waters of the United States (WOUS). The authority applicable to this responsibility is Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344), which prohibits the discharge of dredged or fill material into waters of the United States without authorization in the form of a Department of the Army (DA) permit.

Based on the information provided, the project will not involve a regulated discharge of dredged or fill material under Section 404 of CWA. Therefore, the activity is not subject to DA regulatory authorities and no permit pursuant to Section 404 is required from the Corps. However, a DA permit authorization may be required should changes be made in your project that result in a regulated discharge of dredged or fill material into waters of the U.S.

Although a Department of the Army permit is not required for this project, this does not eliminate the requirement that you obtain any other applicable Federal, State, Tribal or local permits as required.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number NWO-2018-00070-BIS in any correspondence concerning this project. If you have any questions, please contact Jeremy Nygard at the letterhead address, by email at *jeremy.s.nygard@usace.army.mil*, or telephone at (701) 255-0015 X 2006. For more information regarding our program, please visit our website at *www.spk.usace.army.mil/Missions/Regulatory.aspx*.

Sincerely,

Patricia L. McQueary
North Dakota State Program Manager
Omaha District Regulatory Division