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March 13, 2020

*Via Hand Delivery and Electronic Mail*

Mr. Steve Kahl  
Executive Director  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480  
[ndpsc@nd.gov](mailto:ndpsc@nd.gov)

In re: ONEOK Bakken Pipeline, L.L.C.  
Tioga Lateral Pipeline Project  
Case No. PU-19-368  
Our File No. 072591-000009

Dear Mr. Kahl:

Enclosed for filing in the above-referenced matter, please find eight copies of ONEOK Bakken Pipeline, L.L.C.'s ("ONEOK") Proposed Findings of Fact, Conclusions of Law and Order.

At the March 6, 2020 hearing, ONEOK was asked to provide an update regarding the status of remaining easements and 500-foot setback waivers along with the filing of its Proposed Order. The following information is provided in response to this request.

**500-foot Setback Waivers**

As detailed in ONEOK's February 26, 2020 waiver update filed with the Commission as Docket No. 45 (Hearing Exhibit 4), 20 occupied structures (owned by 19 distinct landowners) are located within 500 feet of the Project route. ONEOK has obtained waivers from 13 landowners for 14 of the 20 occupied structures. At the March 6 hearing, ONEOK testified landowner waivers remain outstanding for the six occupied structures identified in its February 26 filing, and that four of the six occupied structures are owned by corporate entities. With respect to the four corporate landowners, ONEOK is actively working on securing waivers from these entities and is coordinating to obtain signatures from the appropriate representatives of these entities. With respect to the two remaining private landowners, a verbal agreement has been reached with one landowner and ONEOK anticipates receiving an executed waiver within the upcoming week. The second landowner is in the process of reviewing route information provided by ONEOK.

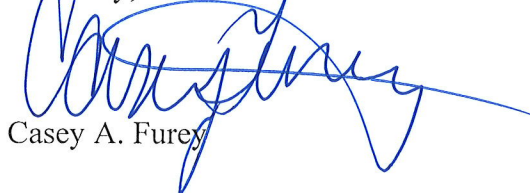
## Easements

Additionally, at the March 6 hearing ONEOK testified it has acquired easements for 95 percent of the Project right-of-way and that approximately 3.75 miles, or five percent of the right-of-way remains to be acquired from ten landowners. Of the ten landowners, four are private landowners and/or landowner groups, three are political subdivisions, and the remaining three landowners are corporate entities that have commercial accounts with ONEOK. Additional details are provided below.

- The first private landowner recently completed a change in estate ownership and the parties are actively working on easement language. ONEOK anticipates securing this easement by the beginning of April.
- The second private landowner has verbally agreed to the terms of the easement and ONEOK anticipates receiving an executed easement within the upcoming week.
- The third landowner group is currently resolving estate ownership and is in the process of transferring ownership to a new entity. ONEOK anticipates securing this easement by mid-April.
- The fourth landowner group has recently acquired the property as remaindermen in a life estate. ONEOK is currently negotiating with all parties and anticipates securing all necessary authorizations by mid-April.
- ONEOK is currently negotiating easements with Williams County, Hebron and Wheelock Townships and anticipates securing these easements by early to mid-April.
- ONEOK is currently working on securing easements from the three corporate entities with whom it has commercial accounts and anticipates securing these easements by mid-April.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,



Casey A. Furey

CAF/lh  
enc.

cc: Wade C. Mann (via email)  
Victor Schock (via email)  
Zachary Pelham (via email)  
Timothy Dawson (via email)  
Michael Dailey (via email)  
Beth Ludwig (via email)  
Paul Hartzheim (via email)