

**Mr. Schock:**

We are writing to you in response to your notice of a ND One-Call complaint filed against Cowboy Crane Service, LLC by Ryan Farmer of Kinder Morgan. Included in this letter will be our first-hand account of the actions taken on the Slawson Bootlegger 6 as well as pictures provided by Mr. Farmer himself. I believe it is important to note that we have already spoken to a Kinder Morgan representation over the phone and tried to provide some context to the pictures. A representative from Slawson Exploration has done the same as well.

**Slawson Bootlegger 6 12-27-19**

On December 27th of 2019 around 2:30 PM CDT a two-man crew from Cowboy Crane Service was contacted by a representative of Slawson Exploration Inc. The crew was notified that a natural spring behind the tank battery had flooded the area and frozen. The shut off valve for Kinder Morgan's equipment had been covered in water and was now unusable. The valve, being an important isolation valve, it was deemed that action was necessary immediately. A plan was put together to acquire a backhoe and head to the Bootlegger 6.

Upon arrival the job scope was surveyed. It was deemed that backhoe would be needed to remove ice and snow to allow the water to drain away from the Kinder Morgan Valve. Ice chippers and shovels we used to remove the ice from around the valve and make it usable again. Upon review, it was deemed that if the water was not given a channel to move away from the valve, that the valve would be frozen in place and again be inaccessible.

While attempting to get into position with backhoe, the rear tire broke through the ice and became stuck. Mr. Farmer illustrates this with pictures multiple times. The ensuing struggle to free the backhoe left a large rut with standing water in it as well as large spot where the ground was visibly disturbed. At no point was excavation attempted, these ruts are purely from a vehicle becoming stuck in the mud.

The Cowboy Crane Service employees then repositioned the backhoe so that the bucket of the equipment was facing mostly to the west and began scraping away the ice East to West. This built a channel in the ice for the water to flow from the area of the valve out toward the location. This was accomplished by simply scraping the ice with rear bucket teeth back and forth, like one would do with a rake, until through the ice. Then with the bottom the bucket, the ice and snow were moved to the sides of the channel.

At no point was excavation of location surface attempted although some dirt was moved while pushing the ice out of the center of the channel.

We disagree completely with the assertion that the work shown in pictures provided by Kinder Morgan, was in no way 1 to 2 ft deep except where the equipment became stuck. We will agree that in places up to 1 ft of ice and snow was removed, but any ground disturbance was very slight and in no way intended. The job scope was to scrape away the ice and snow. Breaking through the ice exposed unfrozen water underneath which then muddied the ice and snow that had been removed. This then gives off the impression that excavation occurred. It is our opinion that the Kinder Morgan Operator simply did not understand that a natural spring was present in that area and that the level of frozen water was so high.

Cowboy Crane Service has filed hundreds of One Call requests for multiple companies in the Bakken and continues to adhere to strict excavation guidelines.

If you have any questions at all please feel free to contact me anytime at (406) 478-7276 or at [brian@cowboycraneservice.com](mailto:brian@cowboycraneservice.com).

Sincerely,

Brian Vine

Cowboy Crane Service

Roustabout Manager

11800 HWY 261

Sidney, MT 59270



**The pictures above were sent to the Slawson Rep by the Slawson Lease Operator.**

**As you can see the water and ice level was very high, almost to the top of the containment wall.**



1. This picture is the best view available to see that there is a natural spring that fills this location corner.
2. If you look along the edge of work area, the ice and snow line is visible.
3. To the rear of the picture, you can see open water standing. This is the area where the backhoe was stuck and struggled to get back out. No excavation of any kind was attempted in this area. The only ground disturbance is directly from tire rutting.



**This picture shows a clear view of the water line and depth of water made by the natural spring as well as the amount of water surrounding valve. Also if you look towards the top of the picture, below the pickup, you can see how far the water drainage stretches out toward the center of location**

**The spoil piles along the “trench” that the Kinder Morgan operator pointed out in this picture are snow and ice with small amounts of dirt mixed in. The snow and ice became muddied by the open water found in the trench upon removal of the ice.**



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Uknown work  
Danny Prine

Slawson bootlegger 6  
28 Dec 2019, 13:41:14

**This photo again shows disturbance as a result of the backhoe failing through the ice created by the natural spring and the struggle that ensued to get the backhoe back out.**



**This picture again illustrates the ruts made from when the backhoe fell through the ice and struggled to back out.**



**Pictured is the Kinder Morgan valve again on 1-10-20. We wanted to include this picture to add some context to the amount of water and ice that we were dealing with in the work area.**