

Peter J. Breuer 601 S Washington St # 332 Stillwater, OK 74074 (720)-883-8580 pbreuer@jf3law.com

June 6, 2024

### **VIA FEDERAL EXPRESS**

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

RE: Thunder Butte Pipeline, LLC's Waiver Application and Consolidated Application for a Certificate of Corridor Compatibility and Route Permit for the Thunder Butte Pipeline Project, 2nd Amendment Application Case No. PU-24-086

To Whom it May Concern:

Thunder Butte Pipeline, LLC (TBPL) respectfully submits this letter with amended information with respect to the Consolidated Application for a Certificate of Corridor Compatibility and Route Permit for the Thunder Butte Pipeline Project dated January 5, 2024. TBPL is proposing to relocate the midline pump station to a new location. This 2nd amendment application provides information on TBPL's proposed new location for the midline pump station and supersedes the February 19, 2024 amendment application for the pump station location.

The proposed new location for the midline pump station is an approximately 2.1-acre site located approximately 7.5 miles northwest of Plaza, North Dakota, in Section 1, Township 153 North, Range 88 West as shown on the attached figures. Please refer to the Consolidated Application as filed for all additional information regarding the midline pump station; no other changes have resulted from modification of the site location.

No Exclusion Areas, Avoidance Areas, cultural resources, or wetlands are present within or near the location of the proposed midline pump station. No adverse effects are anticipated from the proposed aboveground facilities.

Please find attached six hard copies of this letter with amended maps showing the Midline Pump Station Site Location, Exclusion Areas, Avoidance Areas, and Route Selection Criteria Considered, and a compact disc with this letter and maps in PDF format, and the corresponding GIS Shapefiles.

26 PU-24-86 Filed 06/13/2024 Pages: 45 Response to Second Request for Additional Information and CD Containing GIS Files Thunder Butte Pipeline, LLC Peter J. Breuer. Fredericks Law Firm LLC In accordance with N.D.AC. 69-06-05(4) all of the foregoing will be served upon the Ward and Mountrail County Auditors. Enclosed with this Letter is a Certificate of Service for such action.

If you have any questions, please let me know.

Sincerely,

Peter J. Breuer OK Bar No. 31490

601 S. Washington St

#332

Stillwater, OK 74074 pbreuer@jf3law.com

Enc. (2)

Cc: Ward County Auditor
Mountrail County Auditor

### **CERTIFICATE OF SERVICE**

The following documents were filed with the North Dakota Public Service Commission on June 6, 2024 via Federal Express (Tracking Number: please see attachments).

Five hard copies of this letter with amended information with respect to the Consolidated Application for a Certificate of Corridor Compatibility and Route Permit for the Thunder Butte Pipeline Project, and a compact disc with this letter and maps in PDF format showing the Midline Pump Station Site Location, Exclusion Areas, Avoidance Areas, and Route Selection Criteria Considered, and the corresponding GIS Shapefiles.

The foregoing were also placed with Federal Express for service upon the following (Tracking Numbers: please see attachments):

Ward County Auditor Ms. Marisa Haman 225 3rd Street SE 2nd Floor Minot, ND 58701

Mountrail County Auditor Ms. Stephanie Pappa 101 N Main Street Stanley, ND 58784

Kathryn Cloutier, M.S.

Kathryn Cloutier

Project Manager Arcadis U.S. Inc. 630 Plaza Drive Highlands Ranch, CO 80129 kathryn.cloutier@arcadis.com

### DOMESTIC SHIPPING REQUEST FROM: Kathryn Clouties DATE: 6-12-2024 **BILLING CODE:** (ORACLE BILLING CODE AND TASK ARE REQUIRED FOR SHIPMENT) TO: CONTACT NAME: COMPANY: 6 hard copies and 1 CD: ADDRESS: **Executive Director** North Dakota Public Service Commission CITY/STATE/ZIP: 600 E. Boulevard, Dept. 408 Bismarck, ND 58505-0480 PHONE: 701-328-2400 KEEP IN DATABASE? NO **EMAIL NOTIFICATION:** @arcadis.com @arcadis.com Delivery Options: Next Day by 10:30 a.m. Next Day by 3:00 p.m. X Economy 2-Day Economy 3-Day GROUND SATURDAY Delivery (Saturday delivery is not guaranteed for evi Dep: Ref: 30192665.8 Date: 12Jun24 SHIPPING: Wgt: 10.45 LBS SPECIAL: 7.97 DSR (Direct Signature Required) HANDLING: 0.00

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	225 3rd Street SE,		
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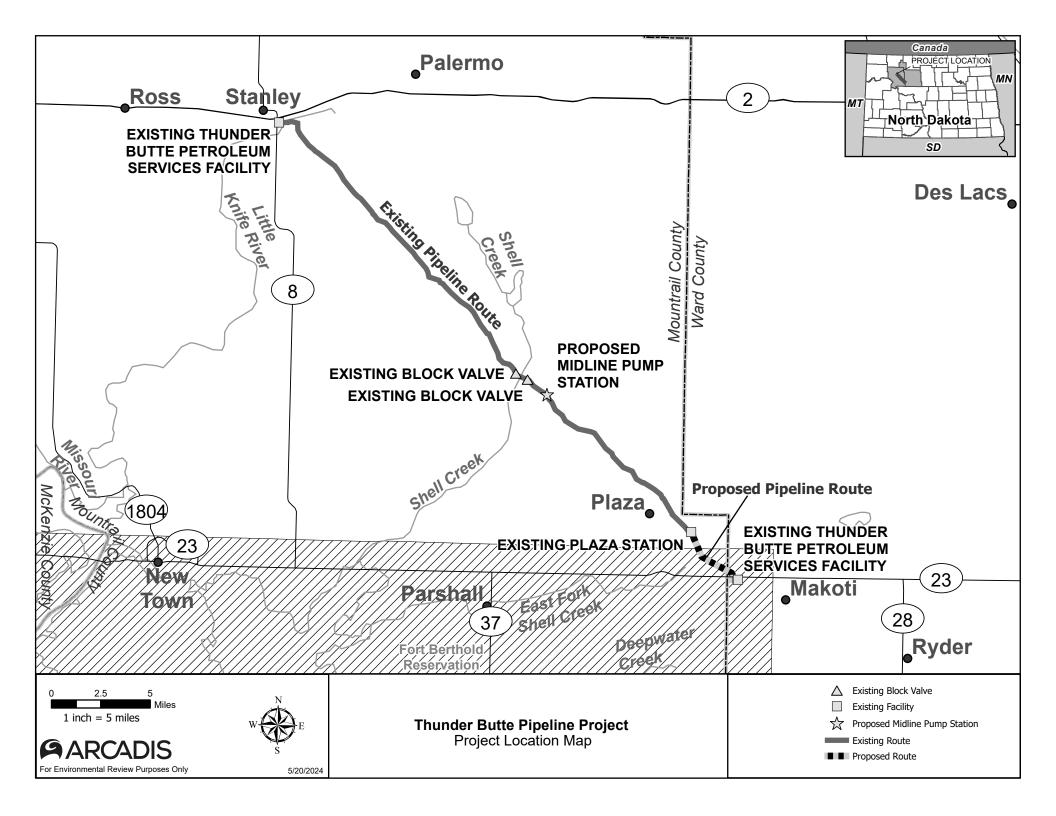
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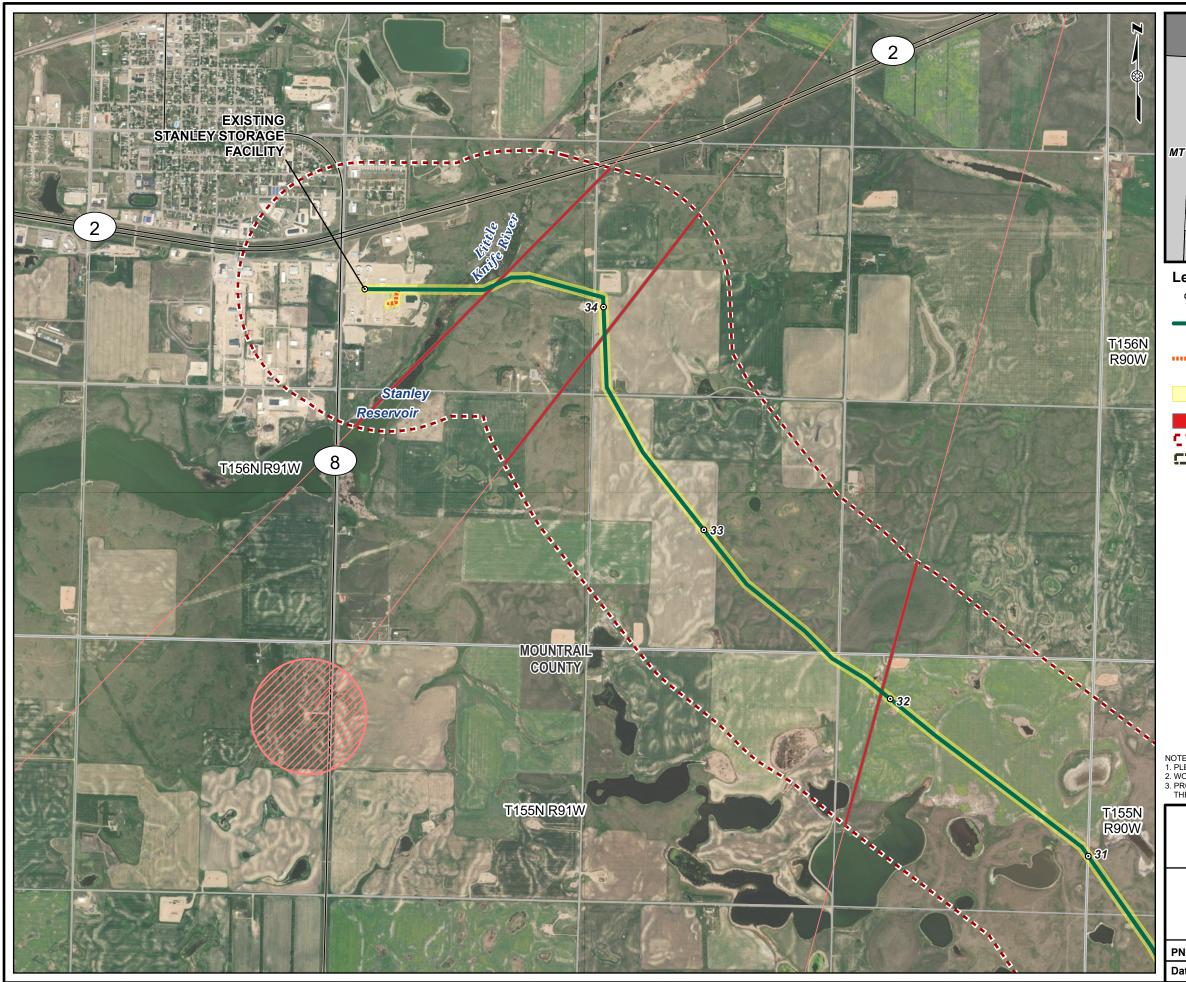
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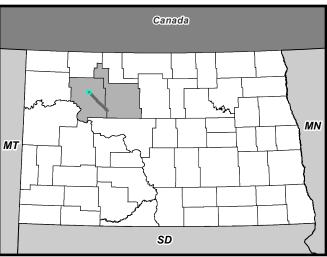
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Government Shipment HAZARDOUS MATERIAL

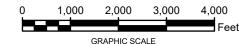
(FULL DESCRIPTION OF CONTENTS & ALL FORMS NEEDED)







- Milepost
- Existing Pipeline Route (30-foot permanent
- Proposed Pipeline Route (30-foot permanent ROW)
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- IBCM Direct Line (30 feet)
- Study Area (1 mile)
- County Boundary



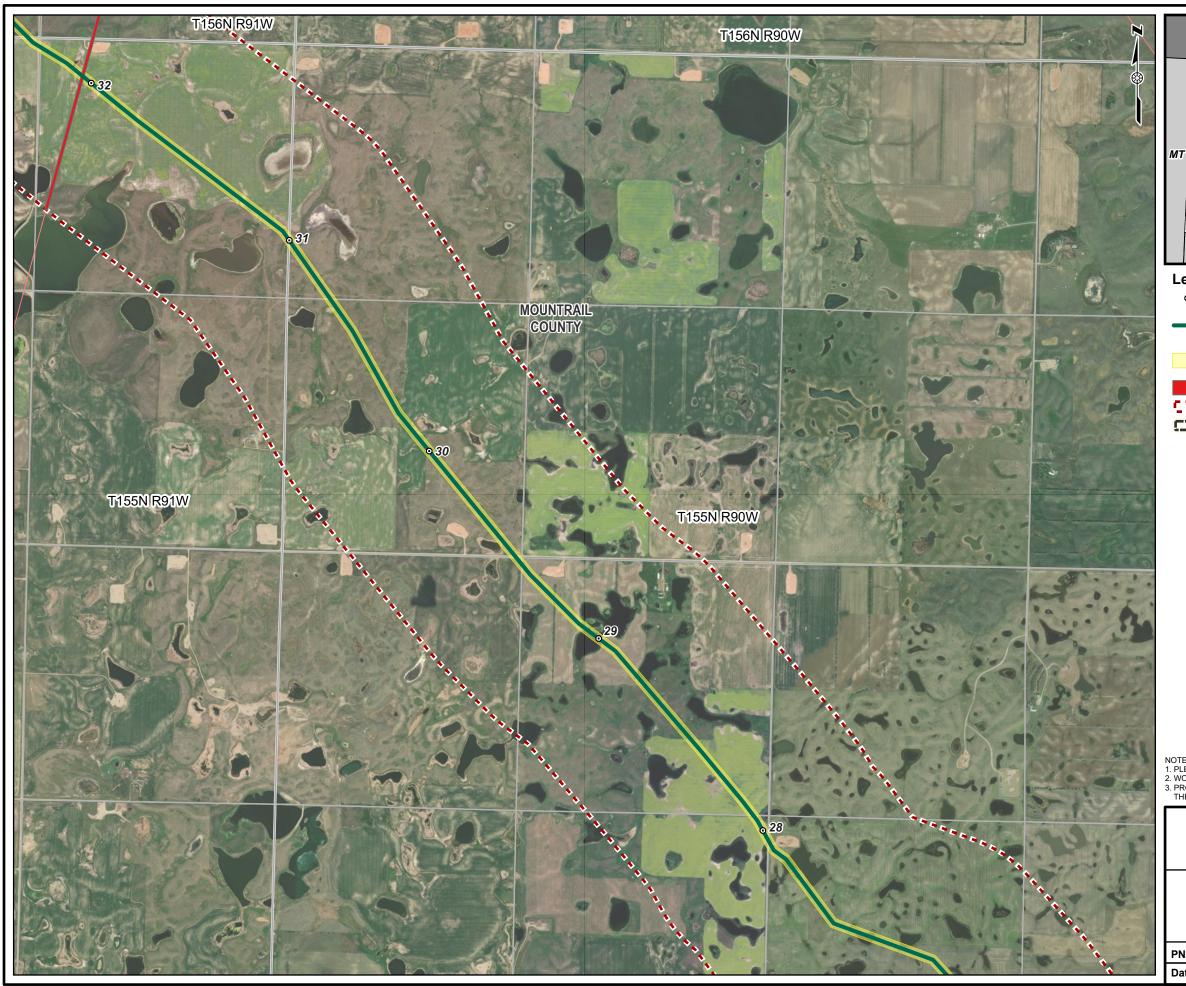
- NOTES:
  1. PLEASE SEE REFERENCE DETAILS IN SECTION 16, CONSOLIDATED APPLICATION.
  2. WORLD IMAGERY IS OBTAINED FROM ESRI WORLD IMAGERY SERVICE.
  3. PROJECTION IS NAD 1983 STATE PLANE NORTH DAKOTA N FIPS 3301 (US FEET). THE SCALE IS: 1:24,000.

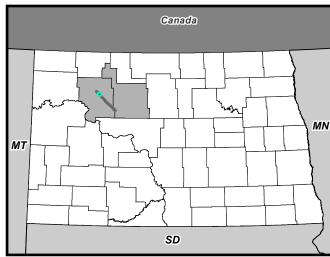
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**EXCLUSION AREAS DETAIL SHEET 1 OF 9** 

PN:CO002338.0001







- Milepost
- Existing Pipeline Route (30-foot permanent
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- IBCM Direct Line (30 feet)
- Study Area (1 mile)
- County Boundary



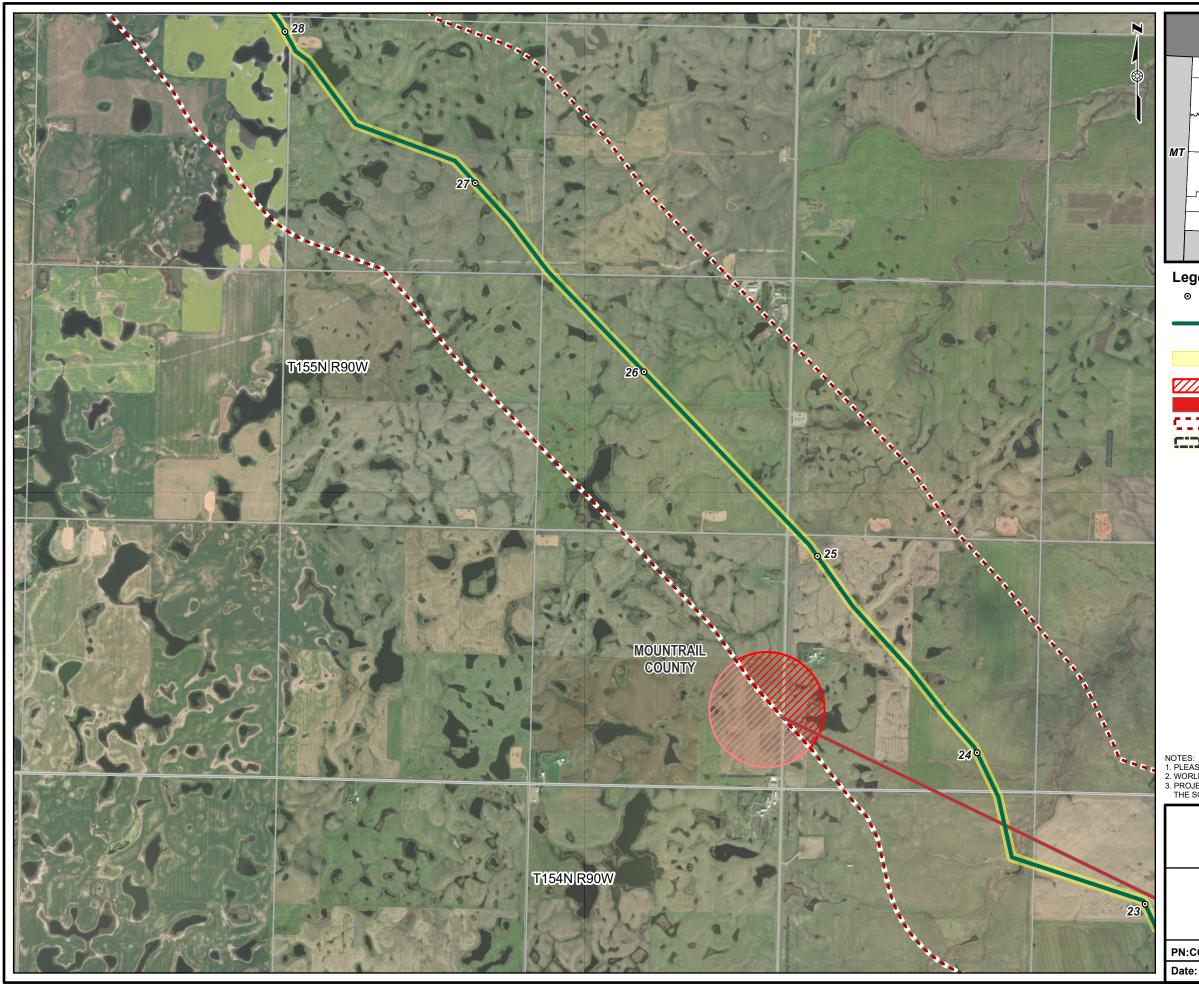
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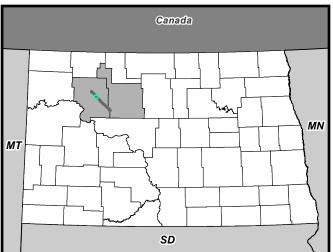
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**EXCLUSION AREAS DETAIL SHEET 2 OF 9** 

PN:CO002338.0001







- Milepost
- Existing Pipeline Route (30-foot permanent
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- IBCM Exclusion Area (1200 feet)
- IBCM Direct Line (30 feet)
- Study Area (1 mile)
- County Boundary



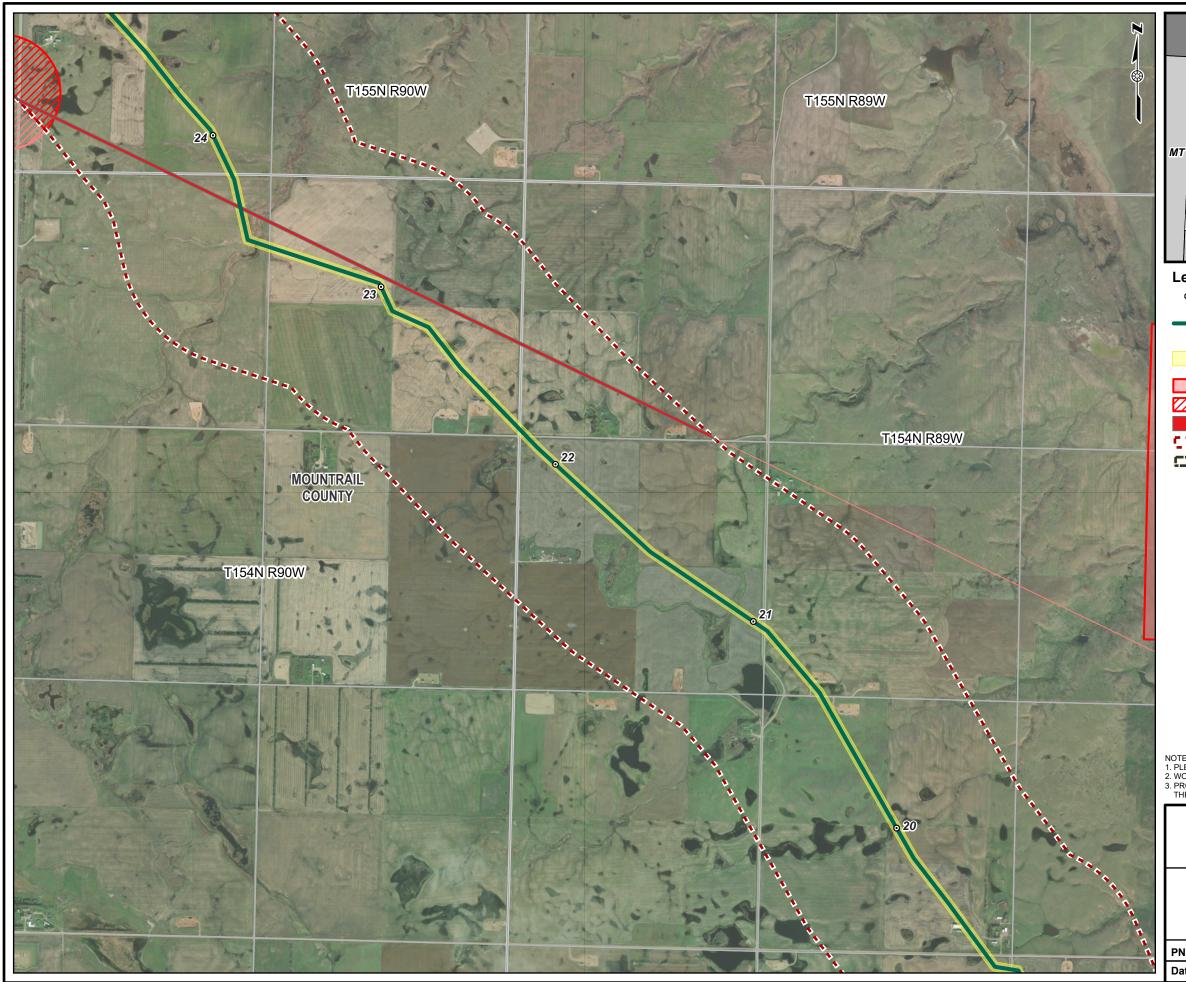
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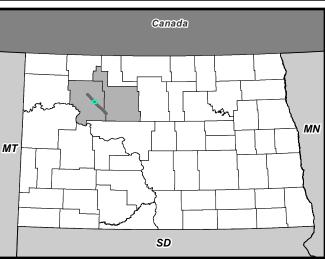
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**EXCLUSION AREAS DETAIL SHEET 3 OF 9** 

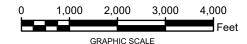
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- Milepost
- Existing Pipeline Route (30-foot permanent
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- USFWS National Wildlife Refuge
- IBCM Exclusion Area (1200 feet)
- IBCM Direct Line (30 feet)
- Study Area (1 mile)
- County Boundary



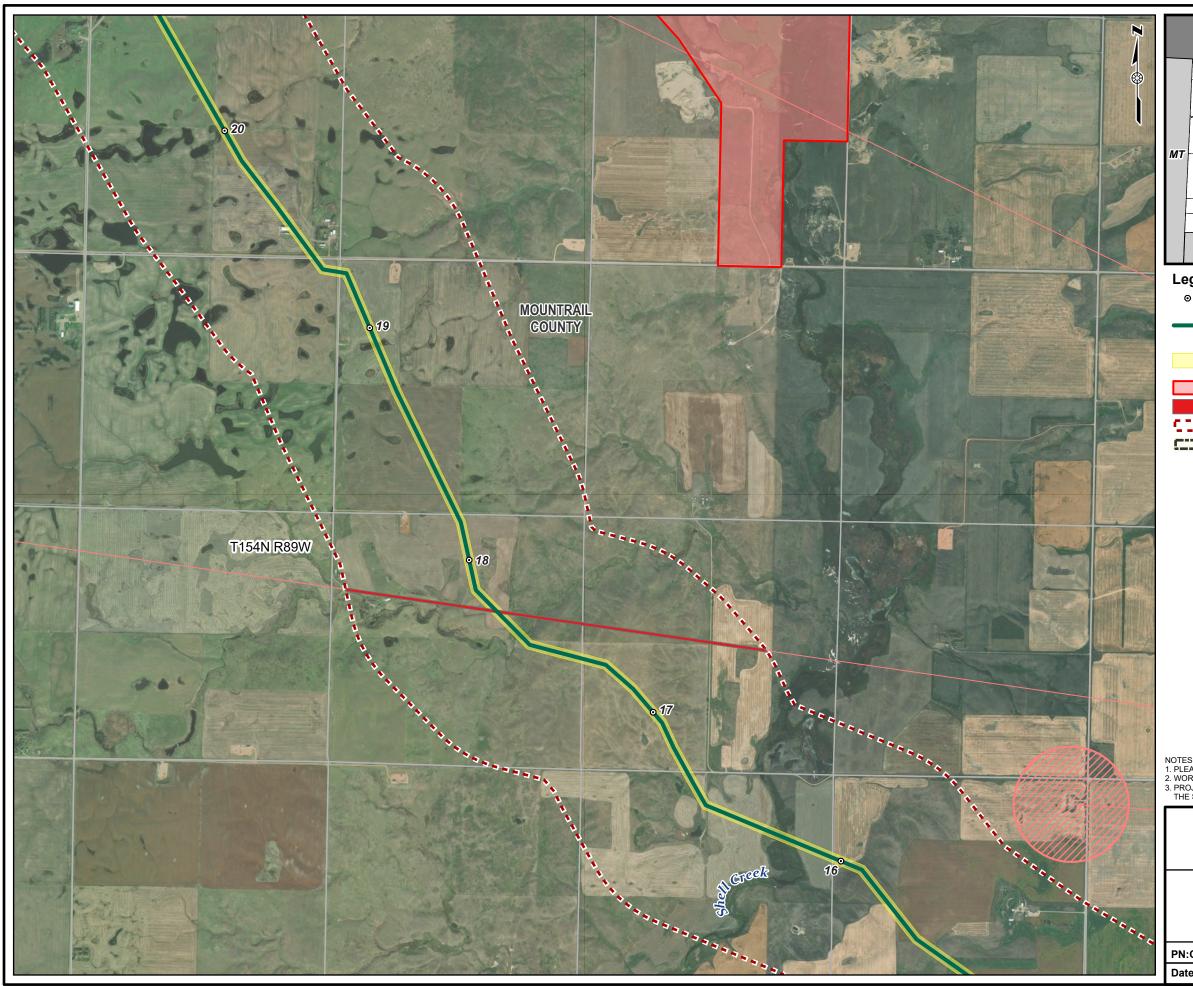
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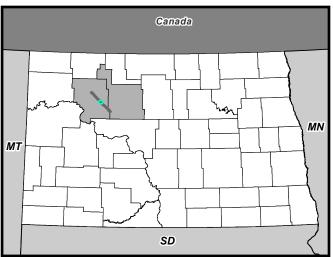
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**EXCLUSION AREAS DETAIL SHEET 4 OF 9** 

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- Milepost
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- USFWS National Wildlife Refuge
- IBCM Direct Line (30 feet) Study Area (1 mile)
- County Boundary



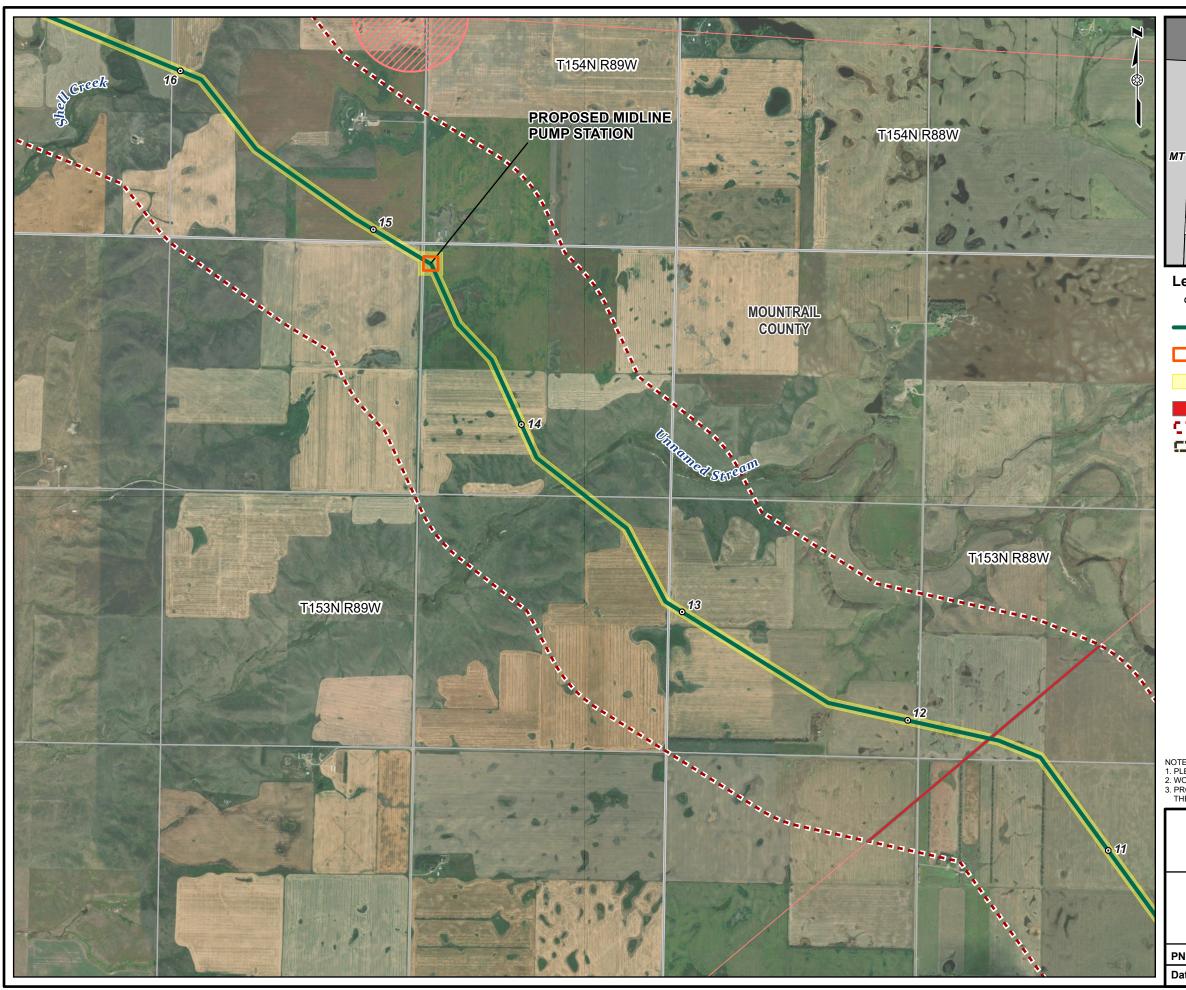
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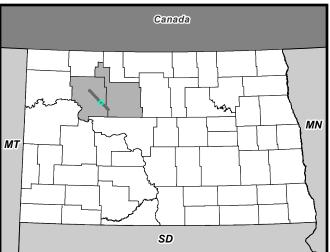
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**EXCLUSION AREAS DETAIL SHEET 5 OF 9** 

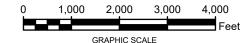
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- Milepost
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- Proposed Midline Pump Station 2.0 acres 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- IBCM Direct Line (30 feet)
- Study Area (1 mile)
- County Boundary



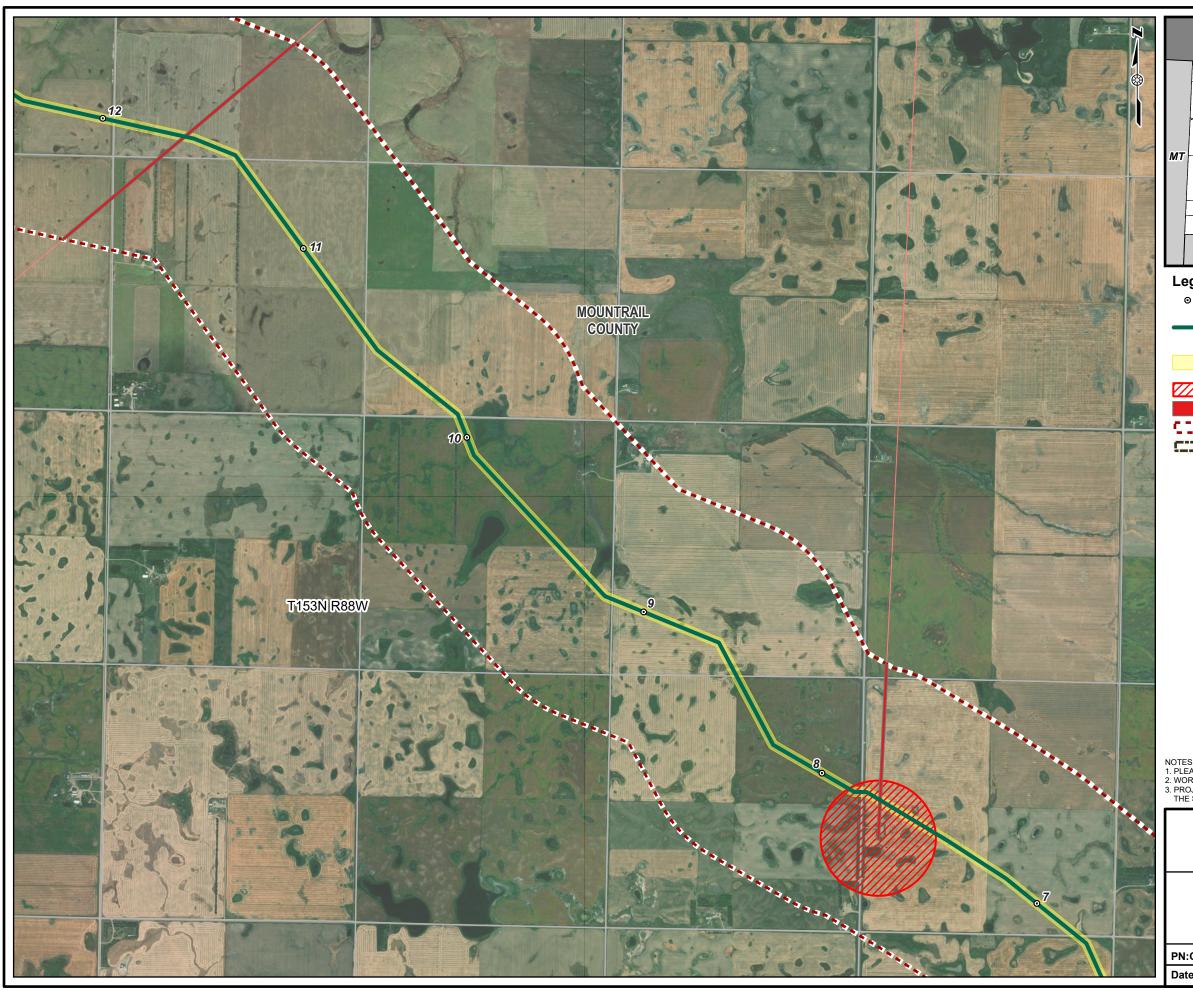
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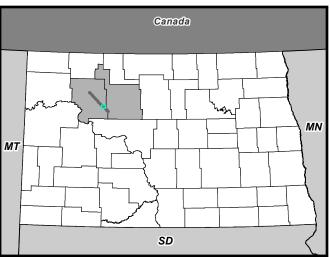
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**EXCLUSION AREAS DETAIL SHEET 6 OF 9** 

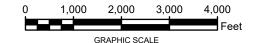
PN:CO002338.0001







- Milepost
- Existing Pipeline Route (30-foot permanent ROW)
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- IBCM Exclusion Area (1200 feet)
- IBCM Direct Line (30 feet)
- Study Area (1 mile)
- County Boundary



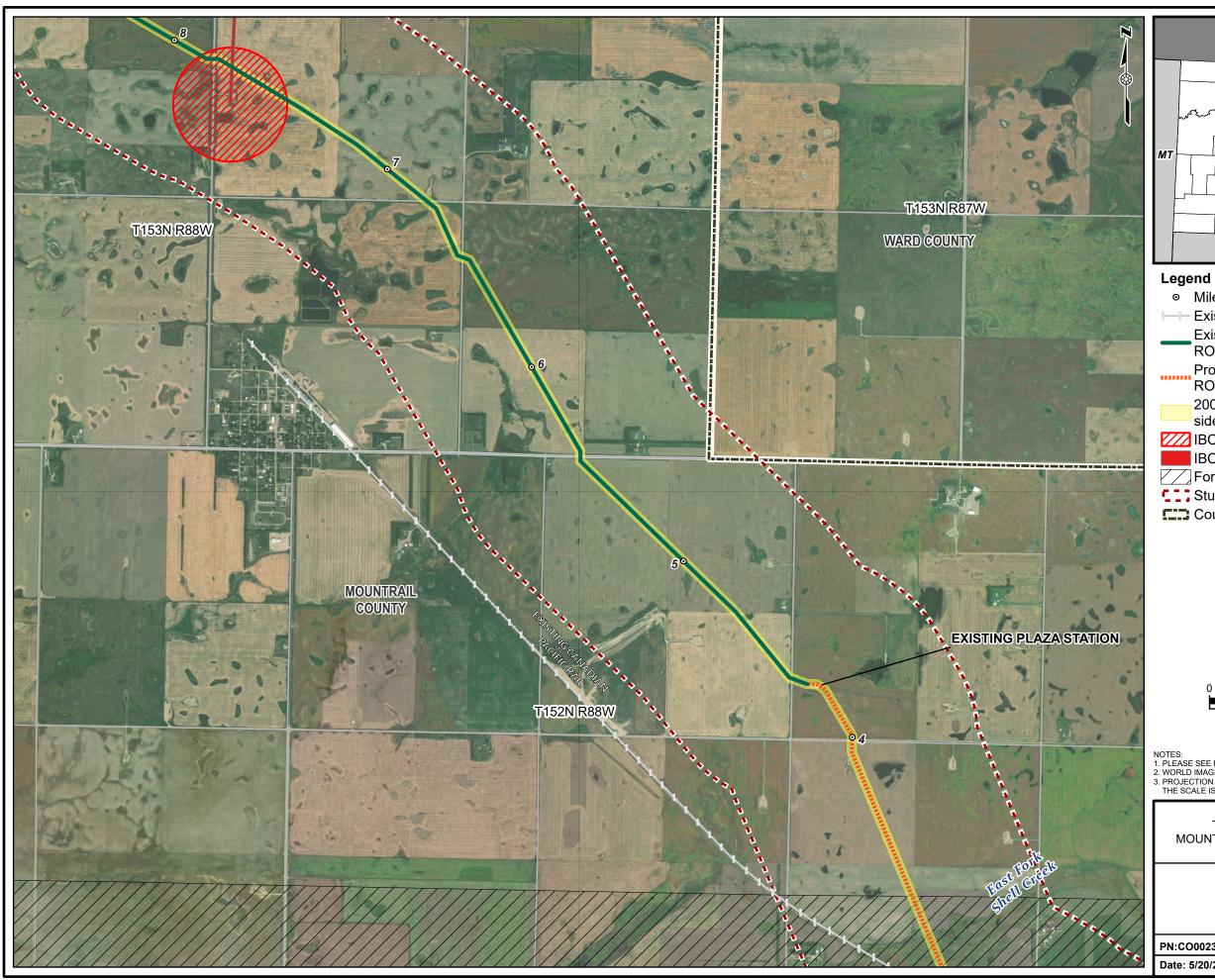
- NOTES:
  1. PLEASE SEE REFERENCE DETAILS IN SECTION 16, CONSOLIDATED APPLICATION.
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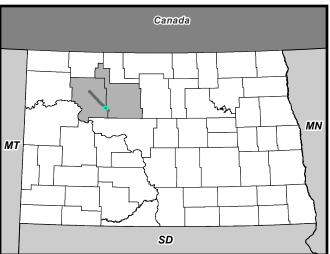
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**EXCLUSION AREAS DETAIL SHEET 7 OF 9** 

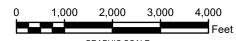
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- Milepost
- Existing Canadian Pacific Railway
- Existing Pipeline Route (30-foot permanent
- Proposed Pipeline Route (30-foot permanent ROW)
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- IBCM Exclusion Area (1200 feet)
- IBCM Direct Line (30 feet)
- Fort Berthold Indian Reservation Boundary
- Study Area (1 mile)
- County Boundary



- NOTES:

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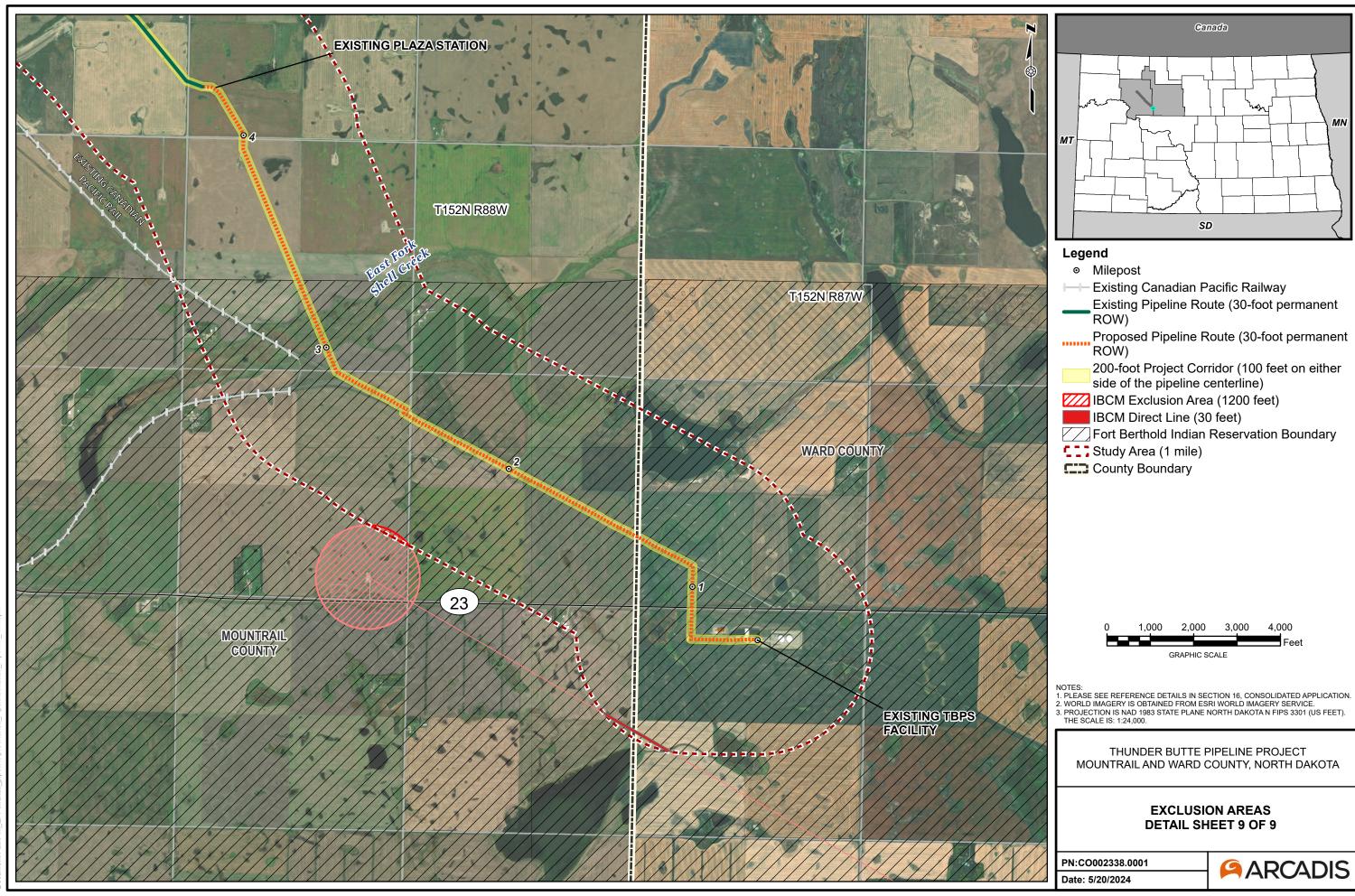
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THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL AND WARD COUNTY, NORTH DAKOTA

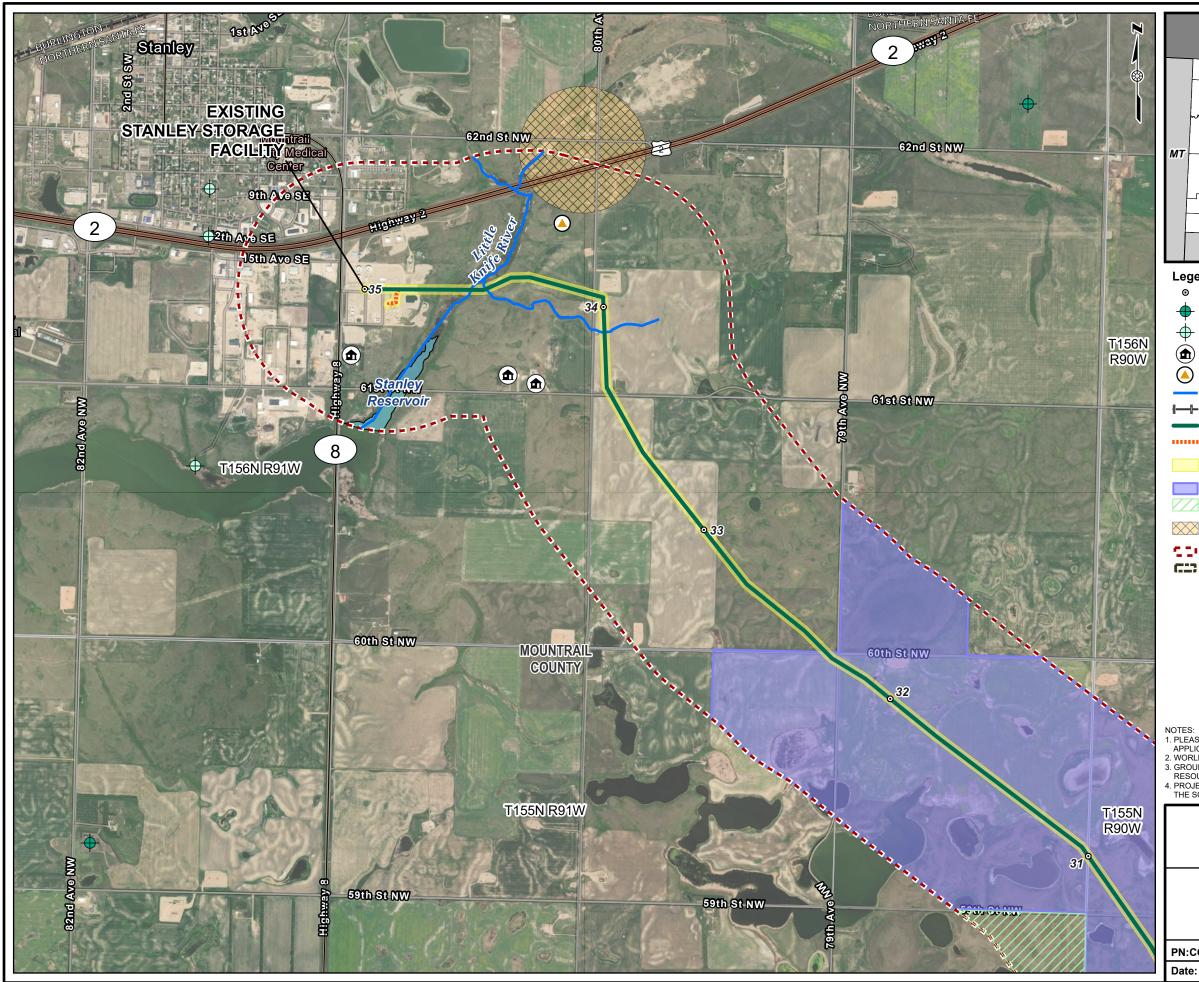
**EXCLUSION AREAS DETAIL SHEET 8 OF 9** 

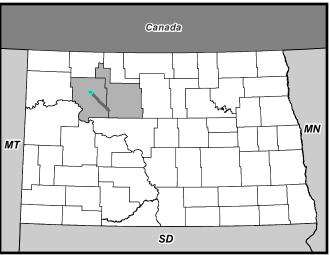
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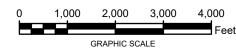


Date: 5/20/2024 User Name: MNugent Document Path: T\ FPPIMakoti nipeline\Makoti Pineline\Makoti Pineline





- Milepost
- Domestic Well
- Municipal Well
- Occupied Residence
- Gravel Pit
- --- NHD Stream
- **├─** Existing Canadian Pacific Railway
- Existing Pipeline Route (30-foot permanent ROW)
- Proposed Pipeline Route (30-foot permanent ROW)
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- USFWS Waterfowl Production Area
- NDDTL School Trust Lands
- Source Water Protection Area Noncommunity (Inactive)
- Study Area (1 mile)
- **County Boundary**



- GRAPHIC SCALE

  NOTES:

  1. PLEASE SEE REFERENCE DETAILS IN SECTION 16, CONSOLIDATED APPLICATION.

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  3. GROUND WATER SITES ARE DERIVED FROM ND DEPARTMENT OF WATER RESOURCES AT: HTTPS://WWW.DWR.ND.GOV/THEDWR/.

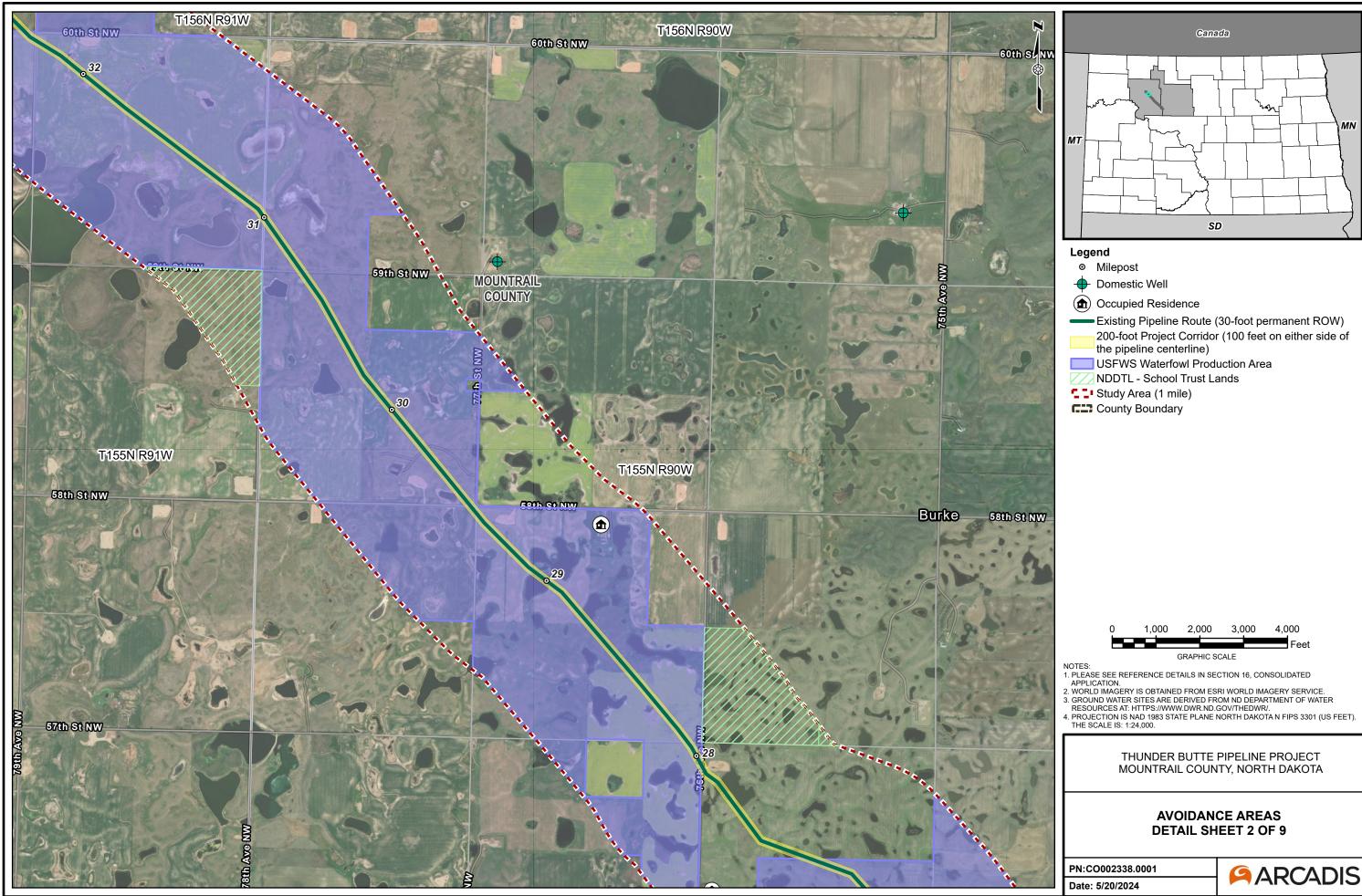
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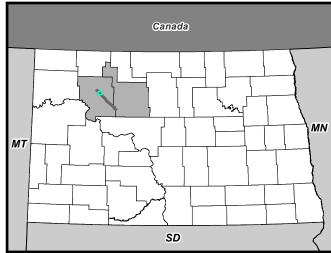
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**AVOIDANCE AREAS DETAIL SHEET 1 OF 9** 

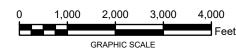
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- Milepost
- Domestic Well
- Occupied Residence
- Existing Pipeline Route (30-foot permanent ROW) 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- USFWS Waterfowl Production Area
- NDDTL School Trust Lands
- Study Area (1 mile)
- County Boundary

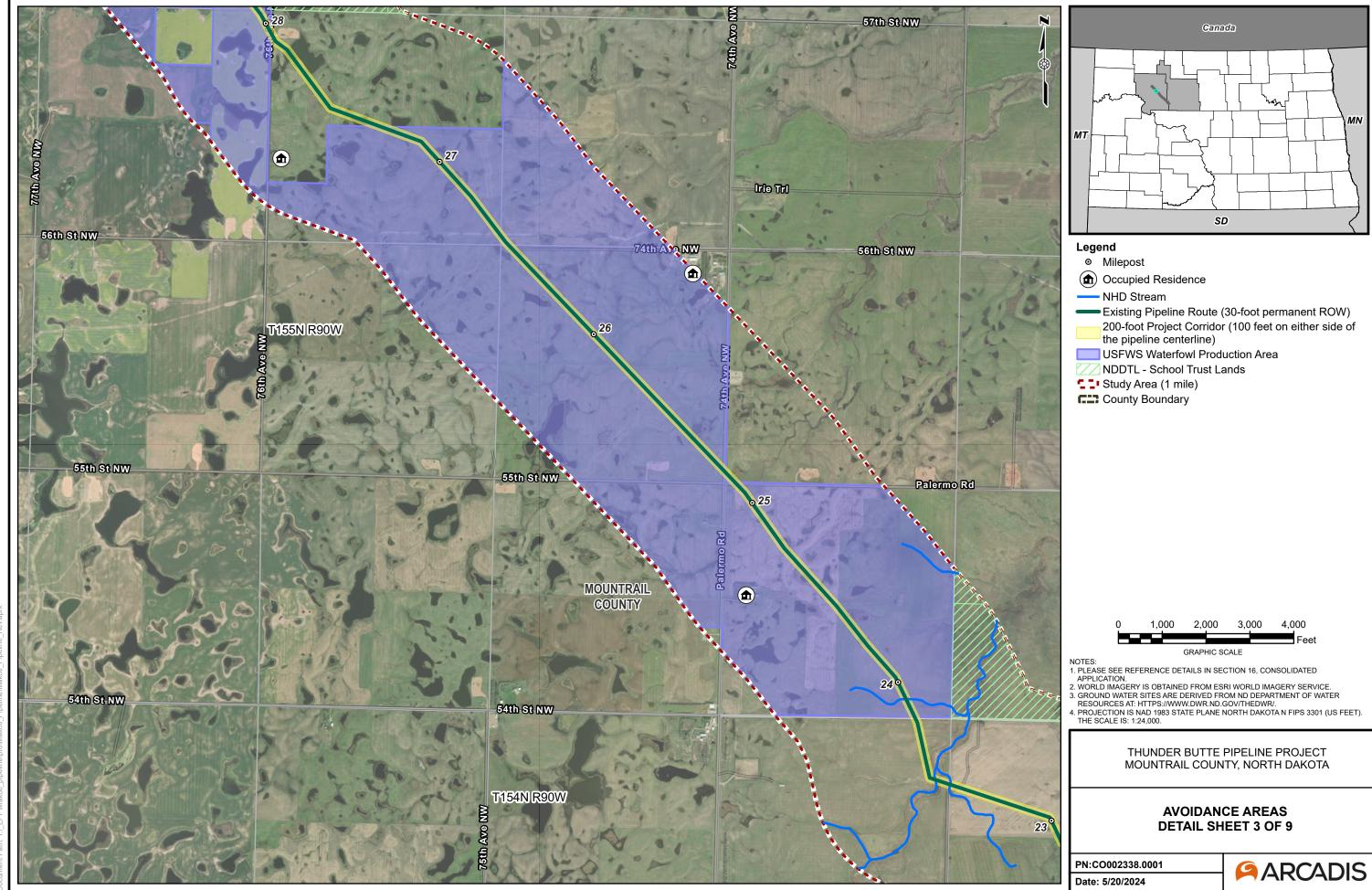


THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

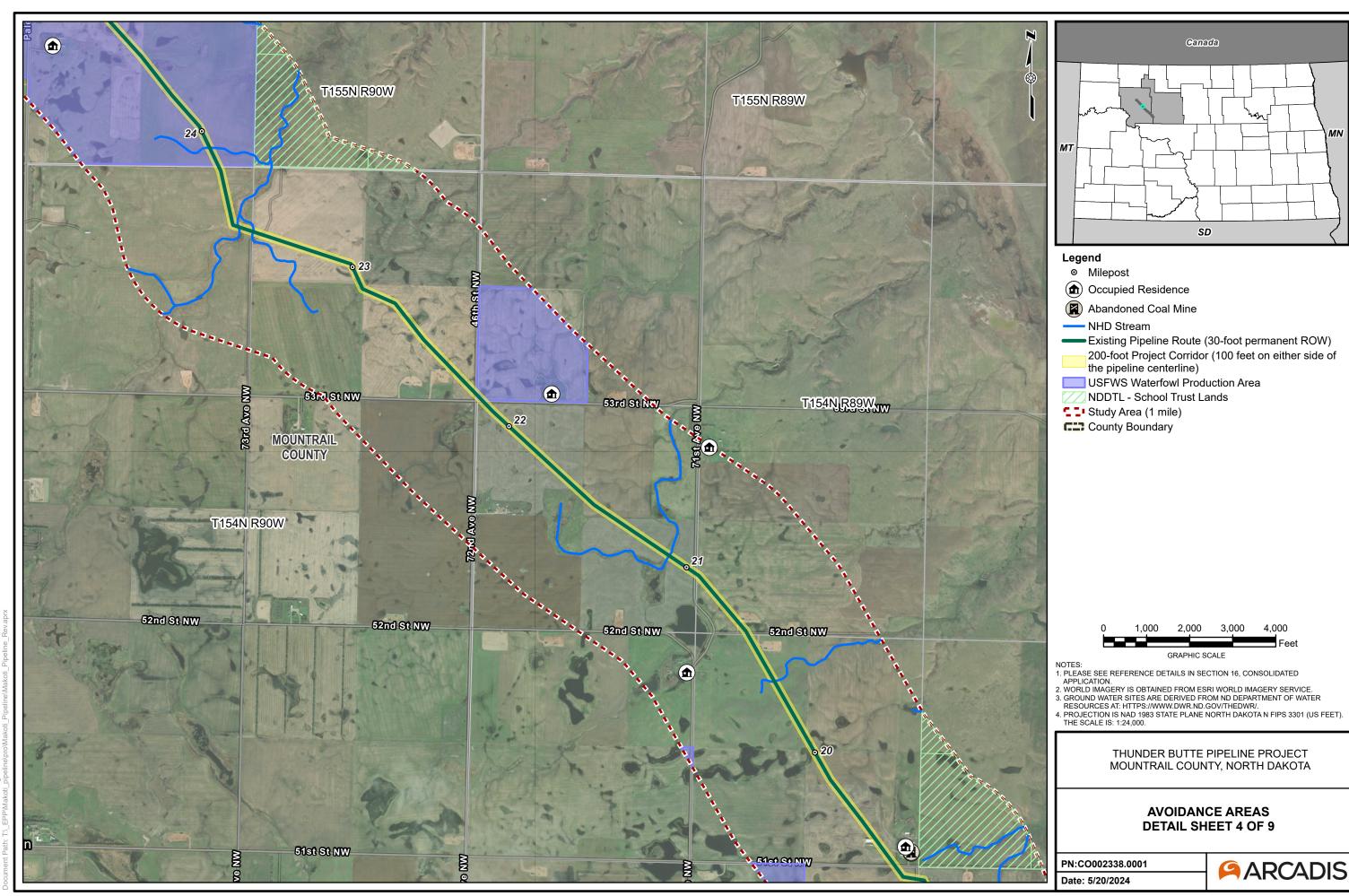
**AVOIDANCE AREAS DETAIL SHEET 2 OF 9** 

PN:CO002338.0001

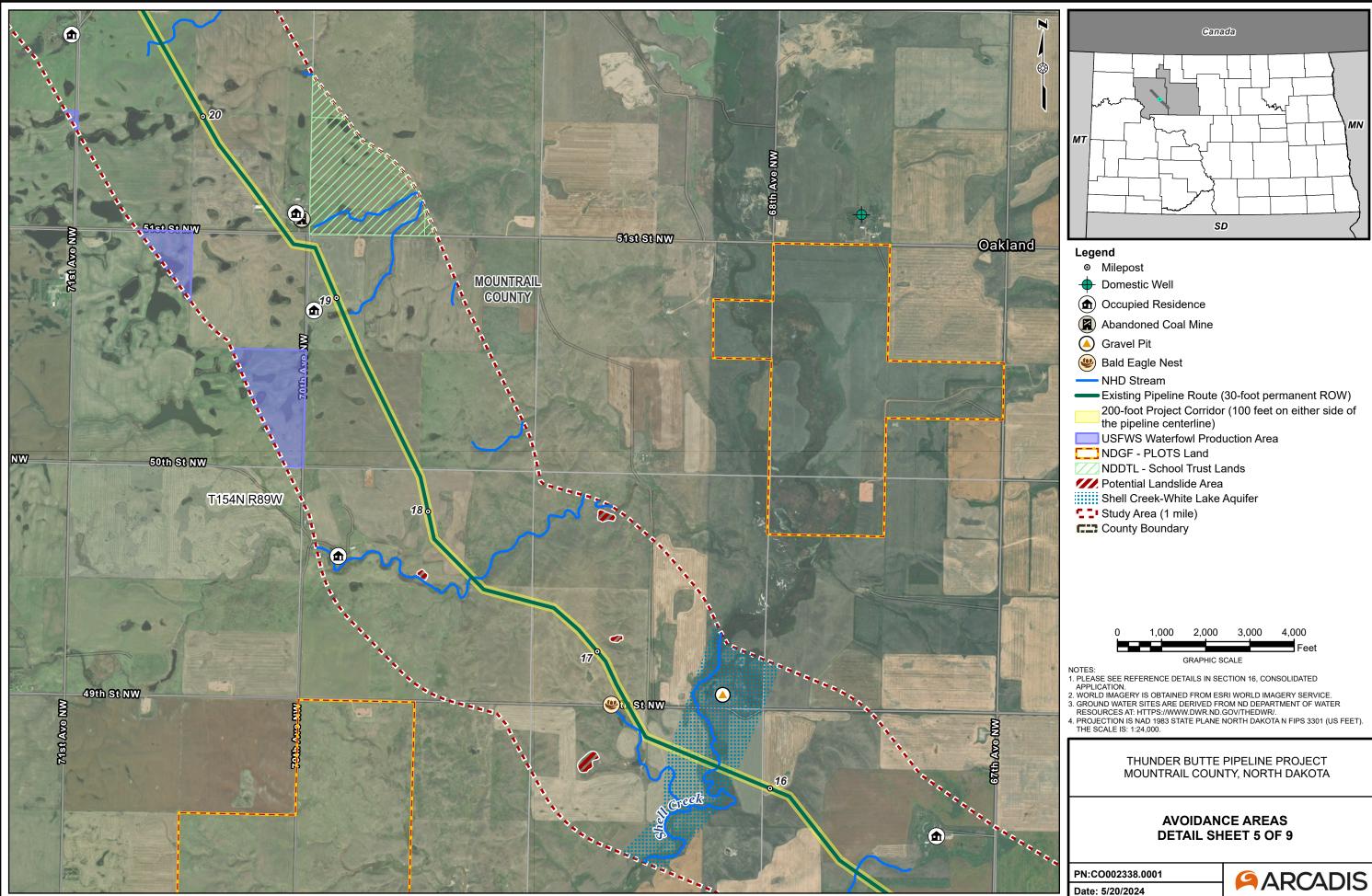


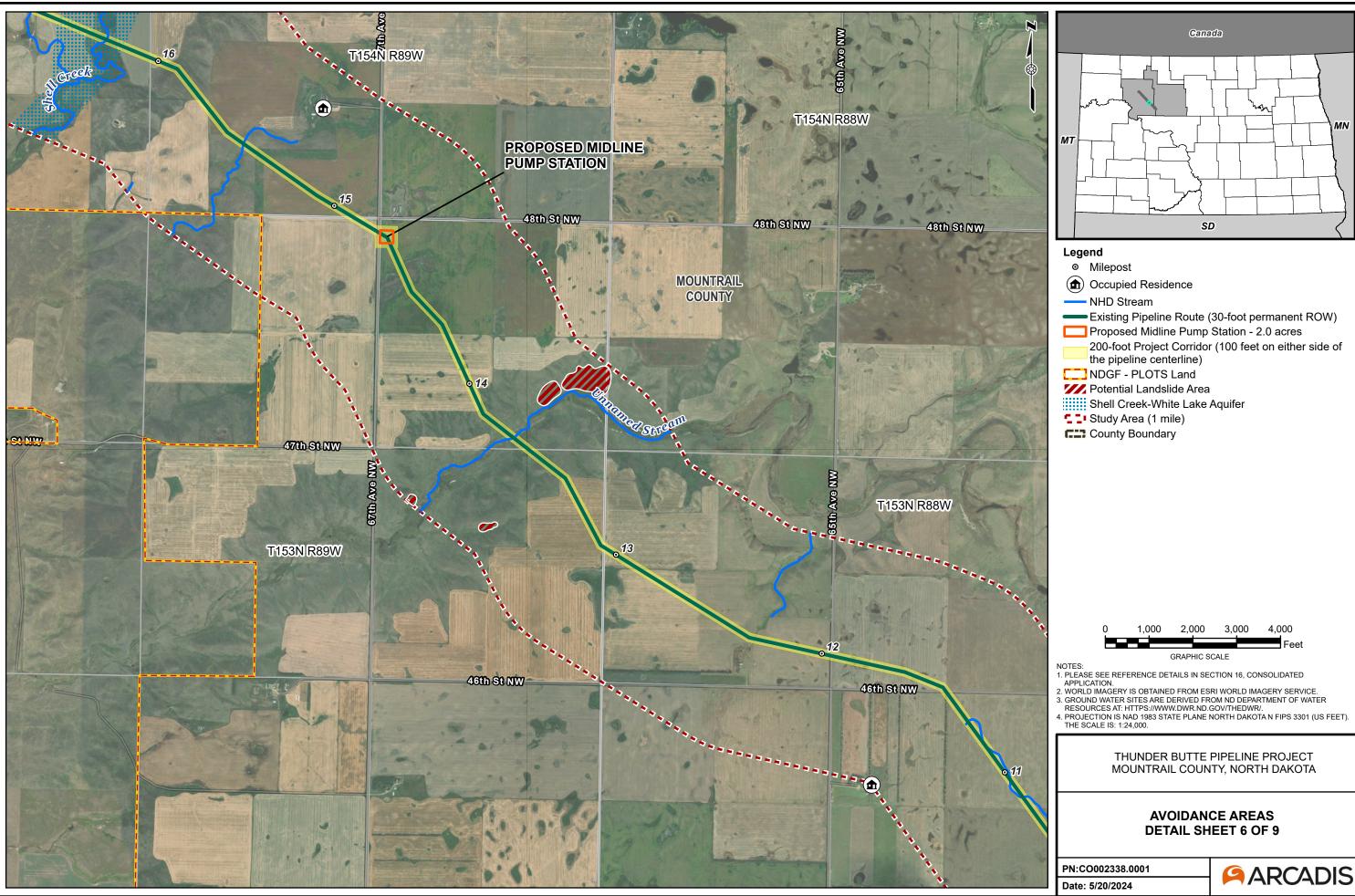


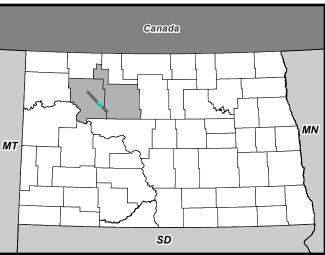
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**ARCADIS** 







① Occupied Residence

NHD Stream

Existing Pipeline Route (30-foot permanent ROW)

Proposed Midline Pump Station - 2.0 acres

200-foot Project Corridor (100 feet on either side of the pipeline centerline)

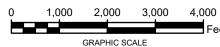
NDGF - PLOTS Land

Potential Landslide Area

Shell Creek-White Lake Aquifer

Study Area (1 mile)

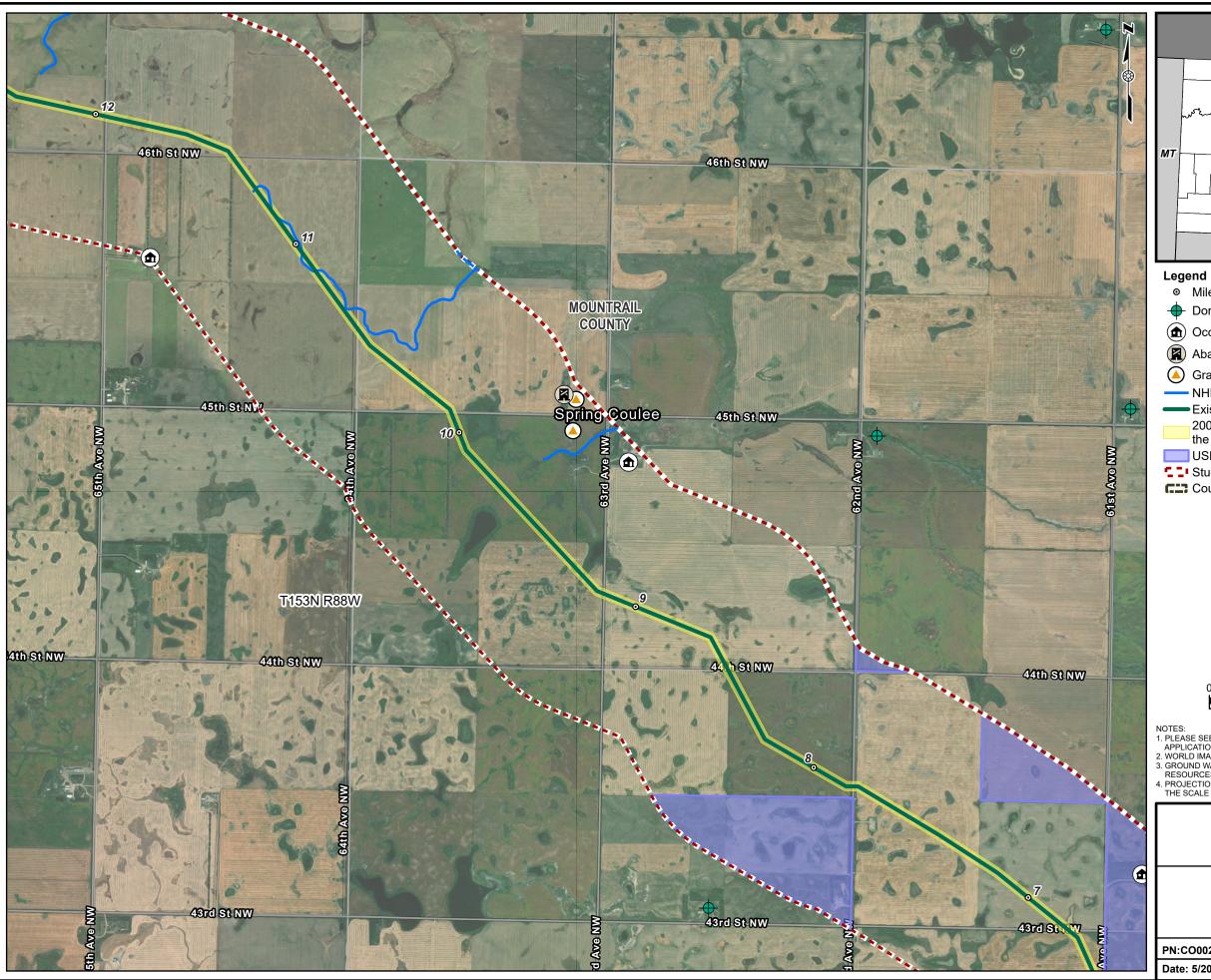
County Boundary



THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**AVOIDANCE AREAS DETAIL SHEET 6 OF 9** 

PN:CO002338.0001



Canada SD

- Milepost
- Domestic Well
- Occupied Residence
- Abandoned Coal Mine
- Gravel Pit
- NHD Stream
- Existing Pipeline Route (30-foot permanent ROW)
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- USFWS Waterfowl Production Area
- Study Area (1 mile)
- County Boundary



- GRAPHIC SCALE

  NOTES:

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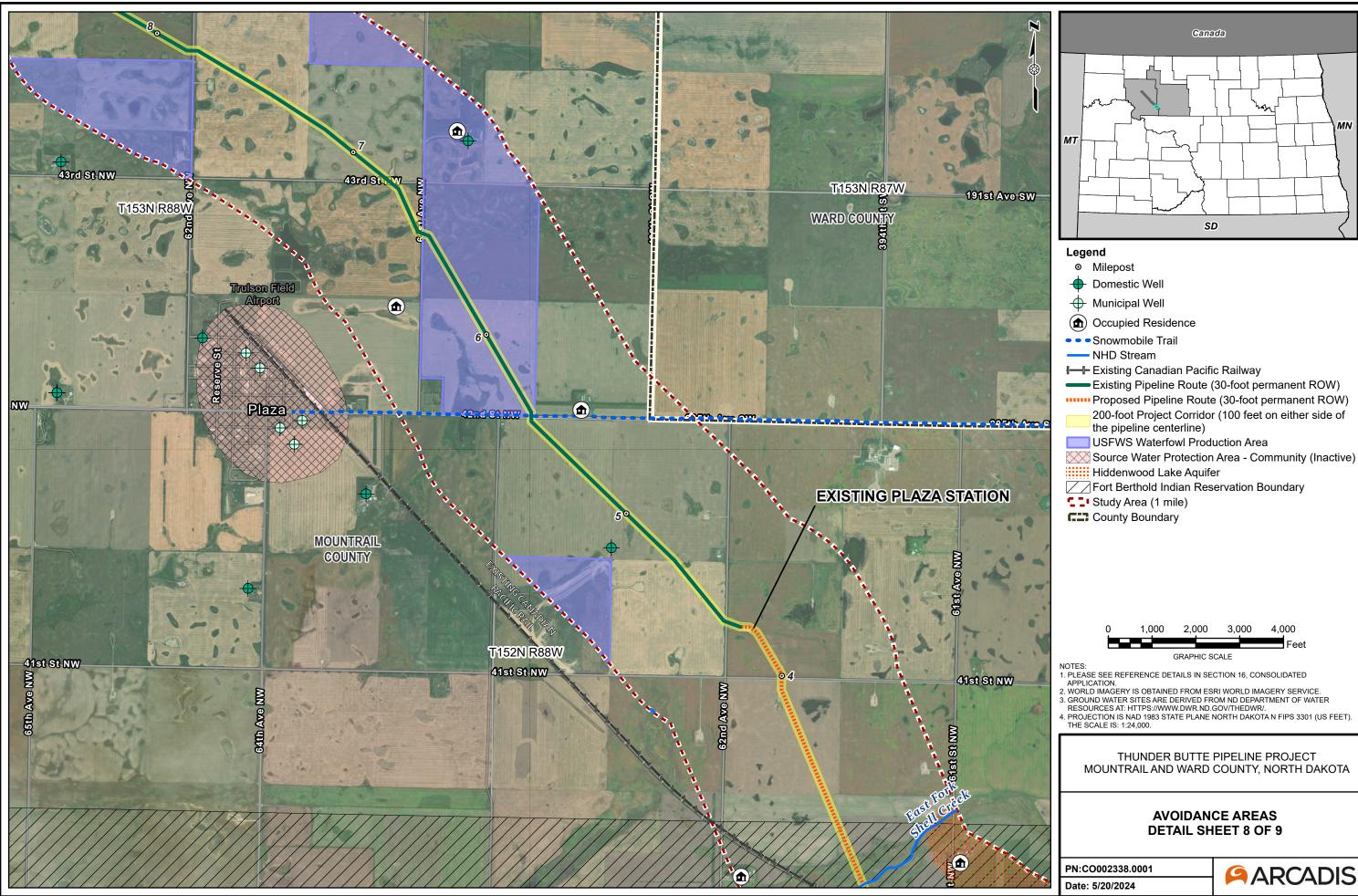
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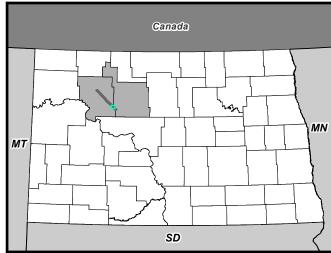
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL COUNTY, NORTH DAKOTA

**AVOIDANCE AREAS DETAIL SHEET 7 OF 9** 

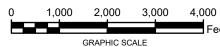
PN:CO002338.0001







- Domestic Well
- Municipal Well
- Occupied Residence
- - Snowmobile Trail
- NHD Stream
- **├** Existing Canadian Pacific Railway
- Existing Pipeline Route (30-foot permanent ROW)
- Proposed Pipeline Route (30-foot permanent ROW)
  - 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- USFWS Waterfowl Production Area
- Source Water Protection Area Community (Inactive)
- Hiddenwood Lake Aquifer
- Fort Berthold Indian Reservation Boundary
- Study Area (1 mile)
- County Boundary

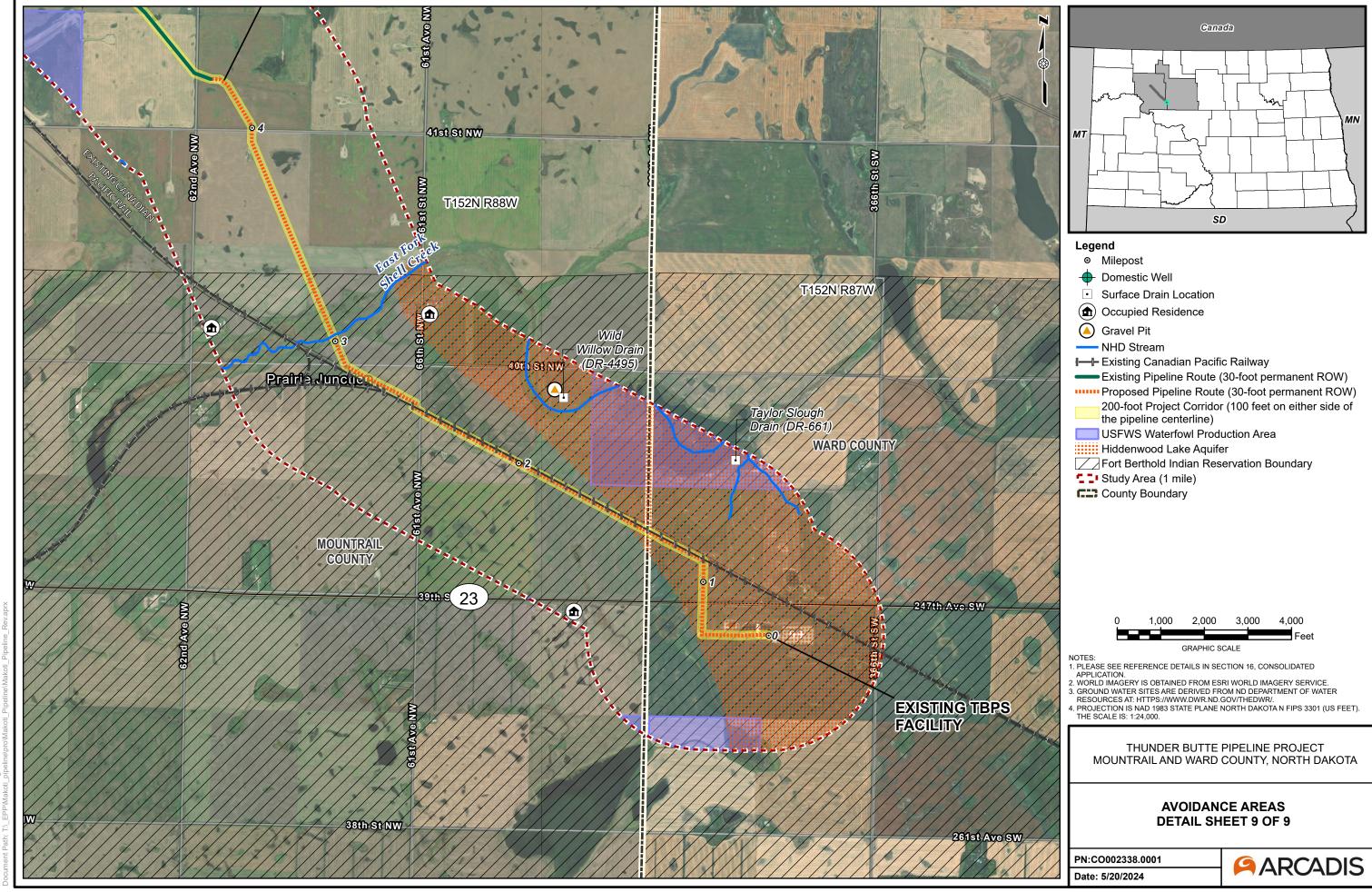


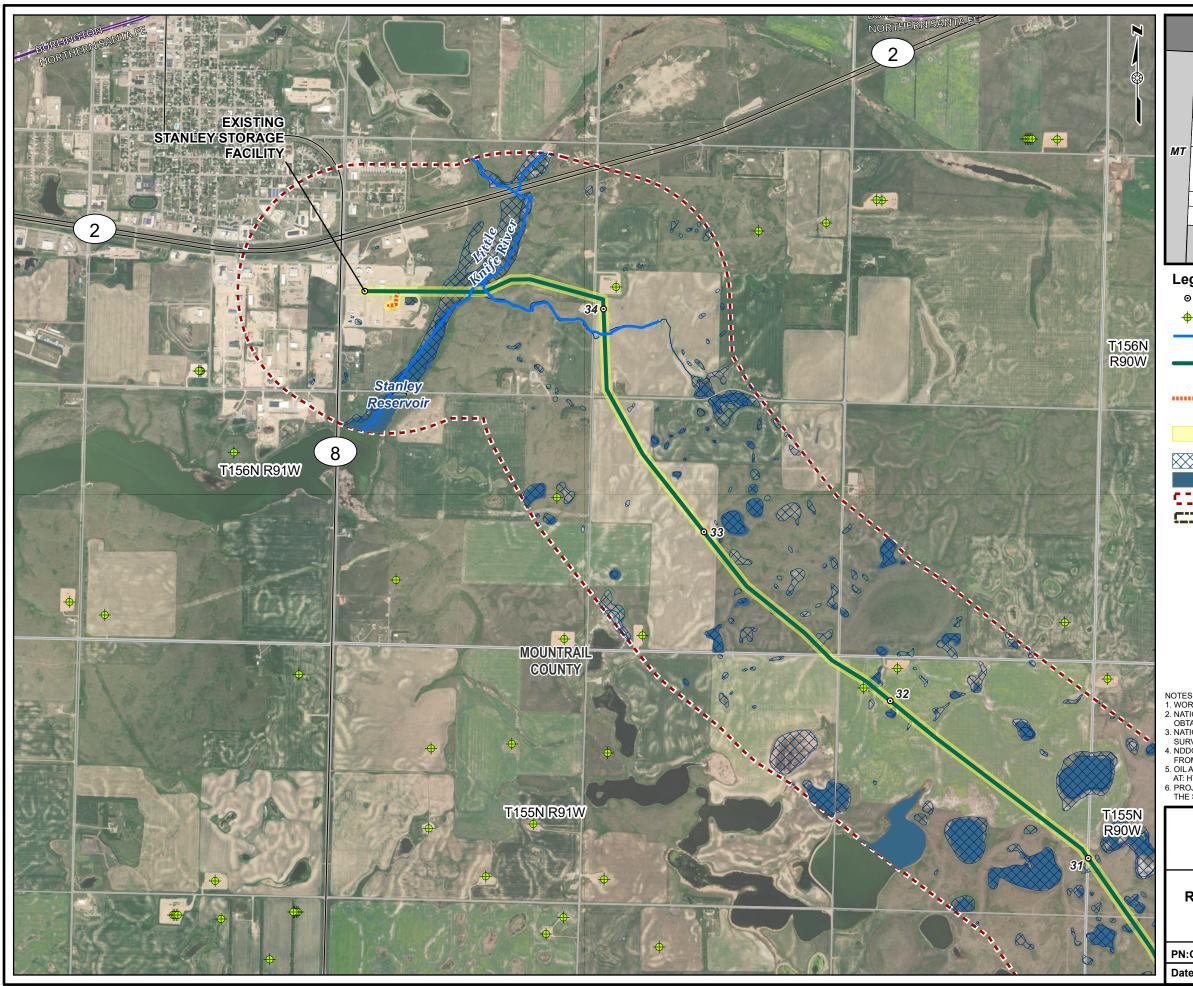
THUNDER BUTTE PIPELINE PROJECT MOUNTRAIL AND WARD COUNTY, NORTH DAKOTA

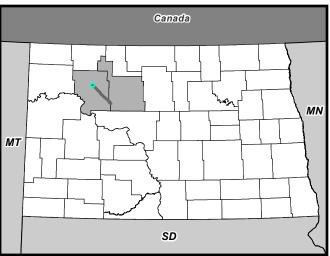
**AVOIDANCE AREAS DETAIL SHEET 8 OF 9** 

PN:CO002338.0001

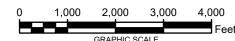








- Milepost
- Oil and Gas Well
- NHD Stream
- Existing Pipeline Route (30-foot permanent
- Proposed Pipeline Route (30-foot permanent
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- NWI Wetland
- NHD Waterbody
- Study Area (1 mile)
- County Boundary



- NOTES:

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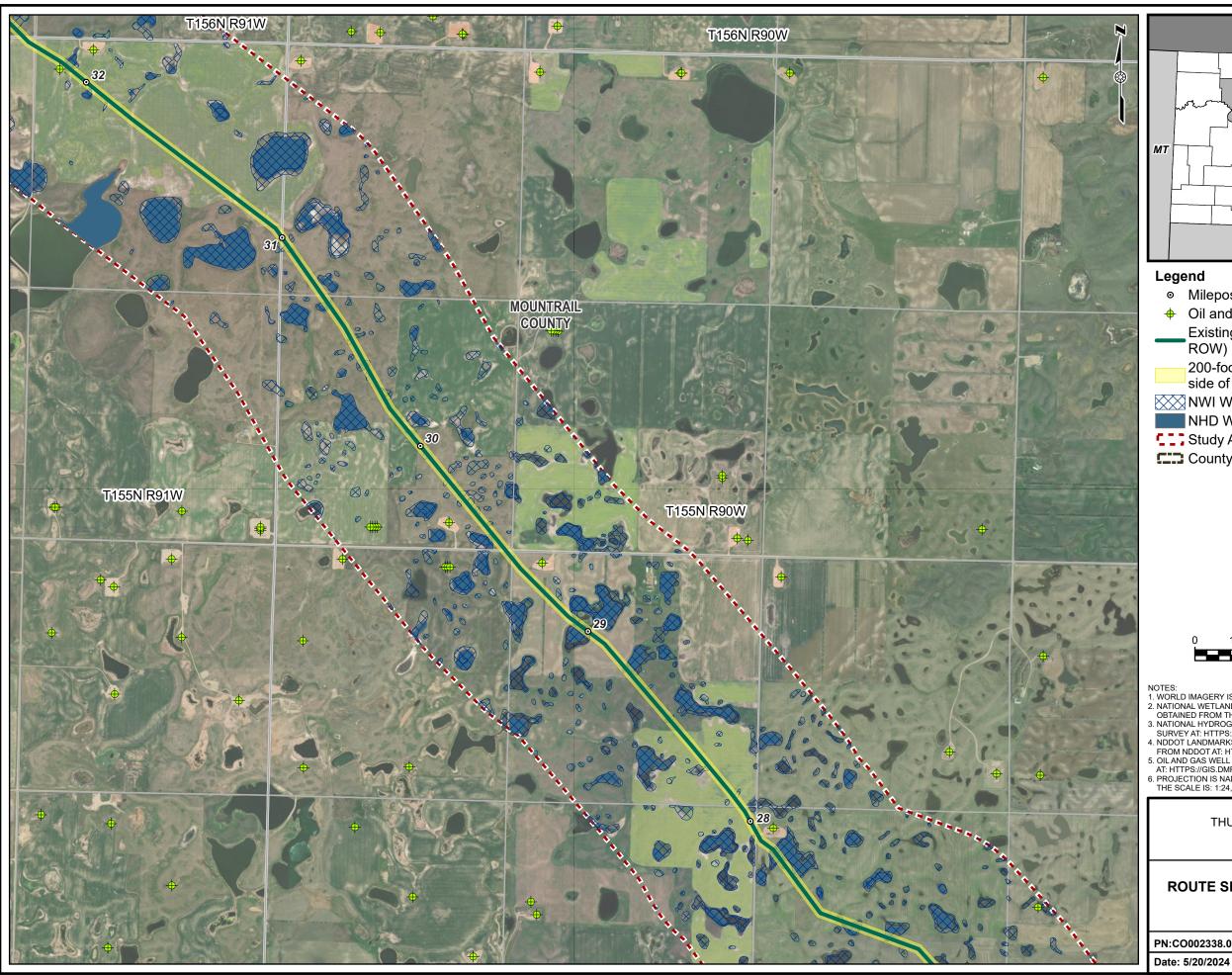
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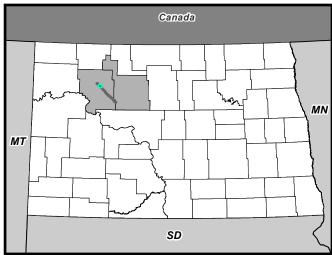
THUNDER BUTTE PIPELINE PROJECT COUNTY, NORTH DAKOTA

**ROUTE SELECTION CRITERIA CONSIDERED DETAIL SHEET 1 OF 9** 

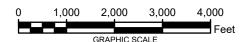
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- Milepost
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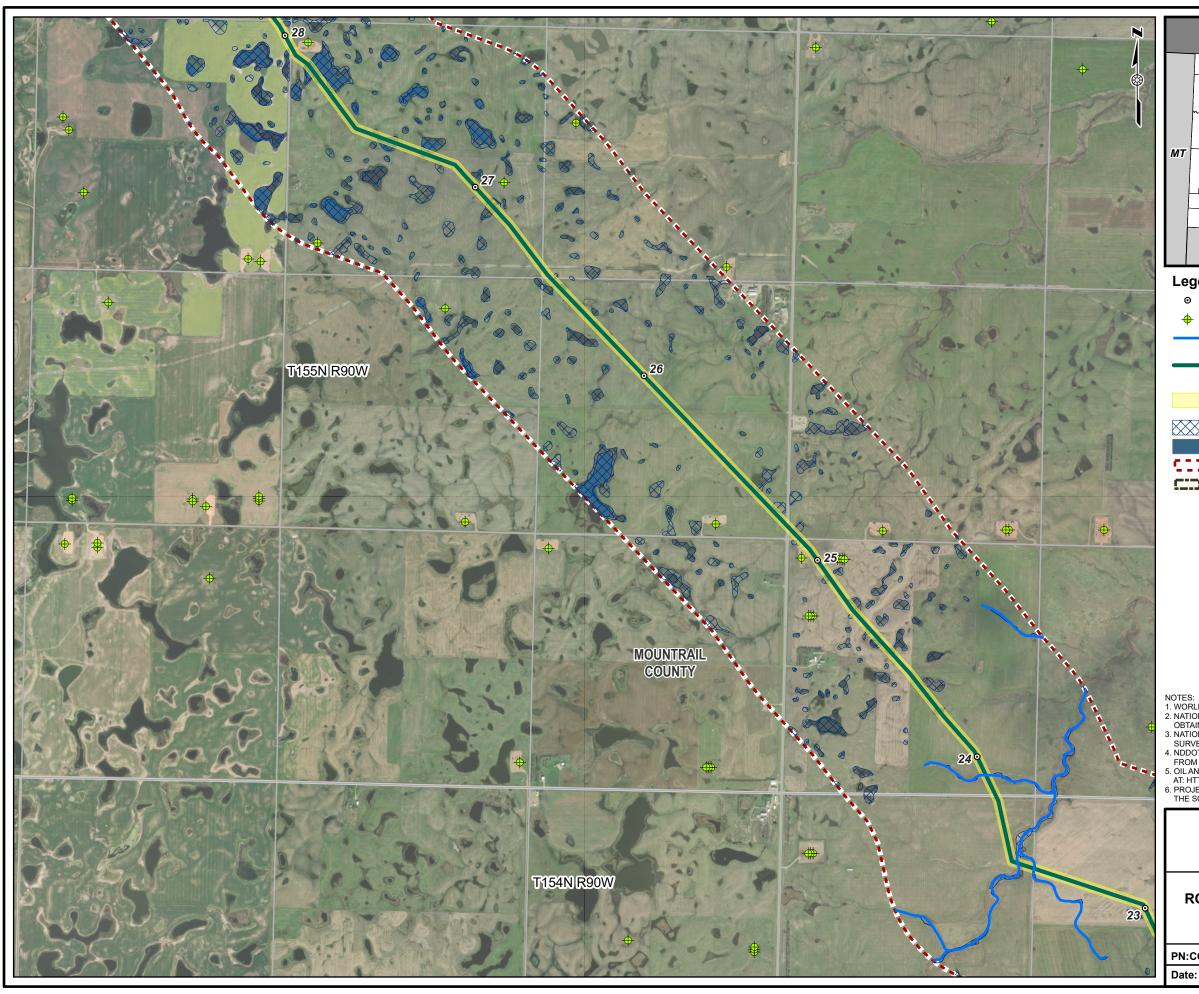
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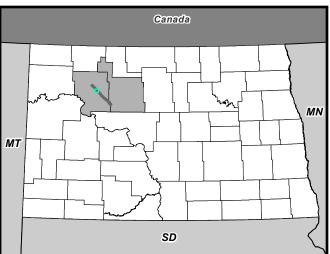
THUNDER BUTTE PIPELINE PROJECT COUNTY, NORTH DAKOTA

ROUTE SELECTION CRITERIA CONSIDERED **DETAIL SHEET 2 OF 9** 

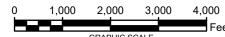
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**ARCADIS** 





- Milepost
- Oil and Gas Well
- NHD Stream
- Existing Pipeline Route (30-foot permanent
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- NWI Wetland
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- Study Area (1 mile)
- County Boundary



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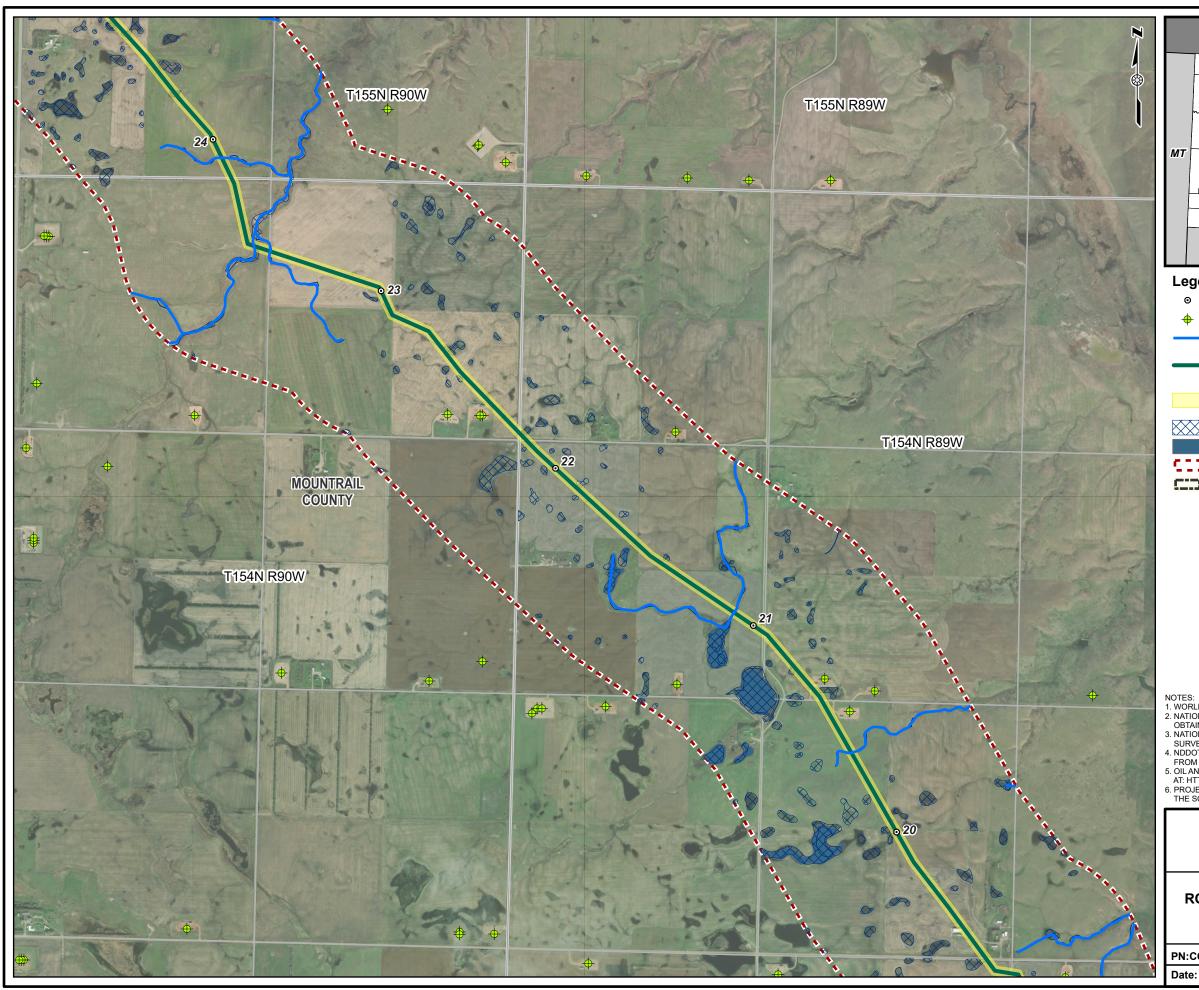
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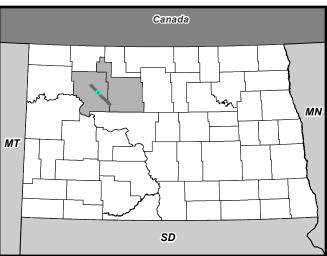
THUNDER BUTTE PIPELINE PROJECT COUNTY, NORTH DAKOTA

ROUTE SELECTION CRITERIA CONSIDERED **DETAIL SHEET 3 OF 9** 

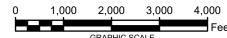
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- Milepost
- Oil and Gas Well
- NHD Stream
- Existing Pipeline Route (30-foot permanent
  - 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- NWI Wetland
- NHD Waterbody
- Study Area (1 mile)
- County Boundary



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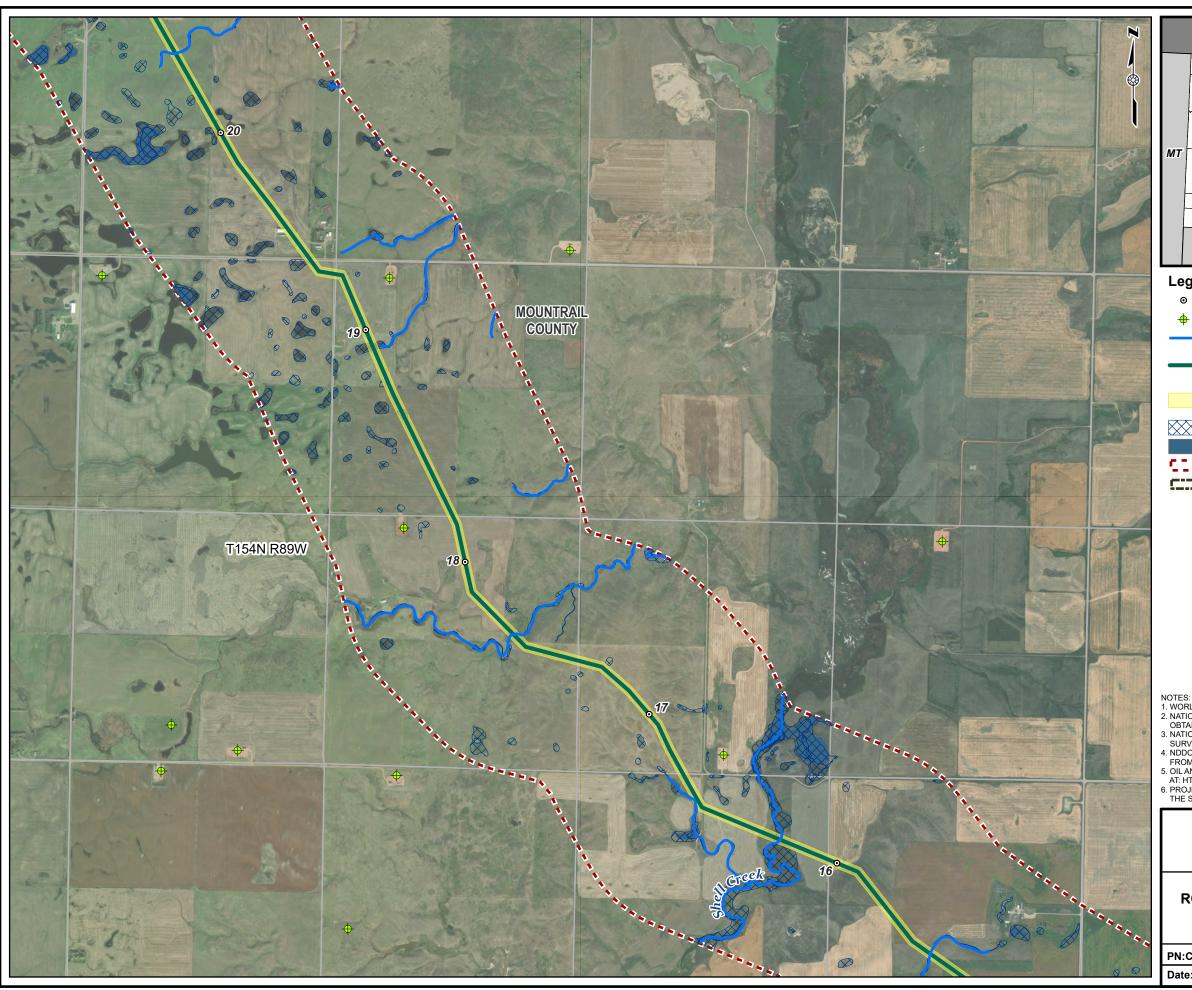
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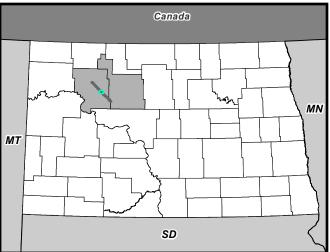
THUNDER BUTTE PIPELINE PROJECT COUNTY, NORTH DAKOTA

ROUTE SELECTION CRITERIA CONSIDERED **DETAIL SHEET 4 OF 9** 

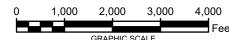
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- Milepost
- Oil and Gas Well
- NHD Stream
- Existing Pipeline Route (30-foot permanent
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- NWI Wetland
- NHD Waterbody
- Study Area (1 mile)
- County Boundary



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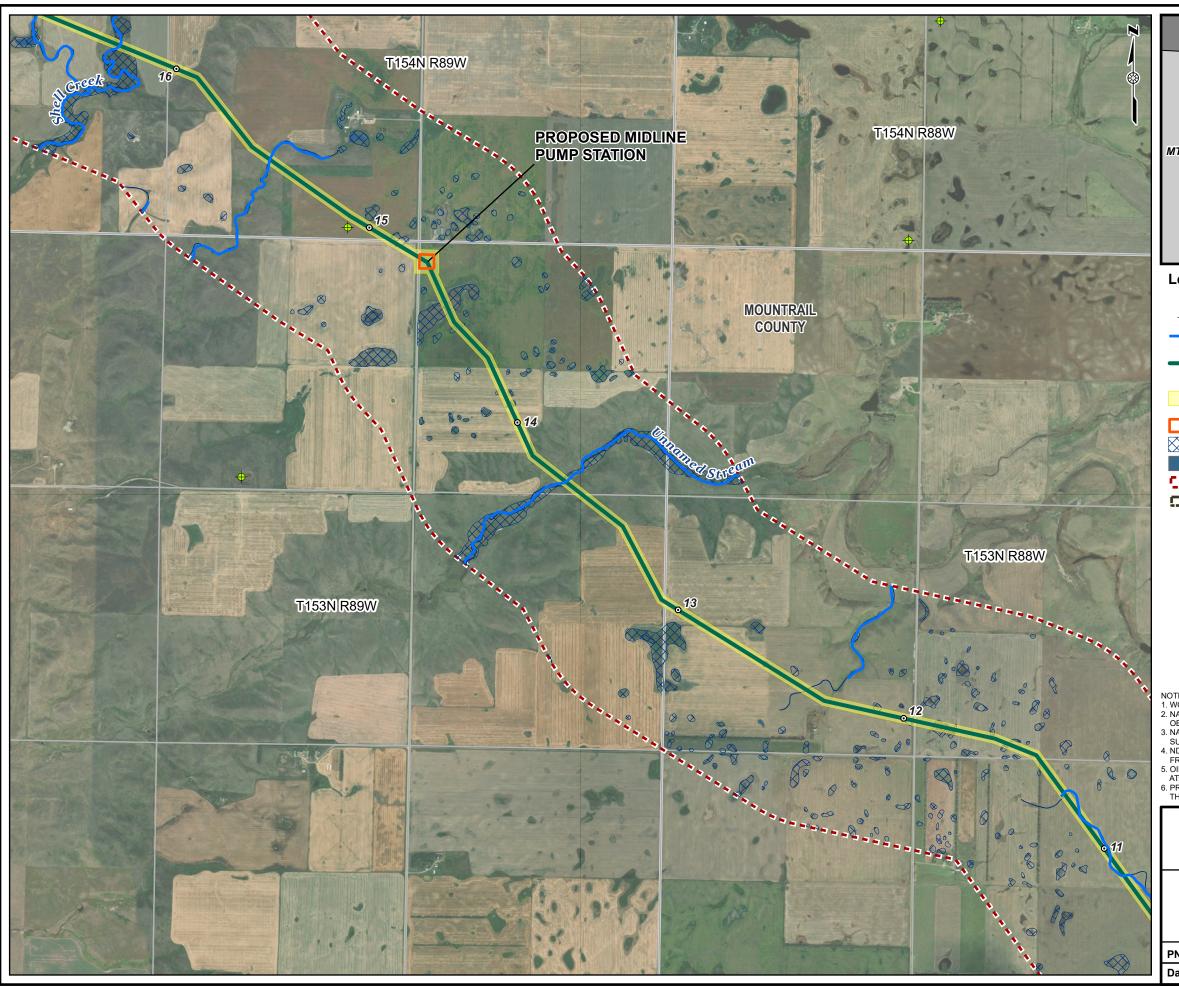
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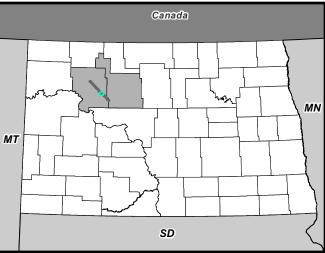
THUNDER BUTTE PIPELINE PROJECT COUNTY, NORTH DAKOTA

ROUTE SELECTION CRITERIA CONSIDERED **DETAIL SHEET 5 OF 9** 

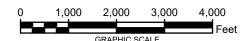
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- Milepost
- Oil and Gas Well
- NHD Stream
- Existing Pipeline Route (30-foot permanent
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- Proposed Midline Pump Station 2.0 acres
- NWI Wetland
- NHD Waterbody
- Study Area (1 mile)
- County Boundary



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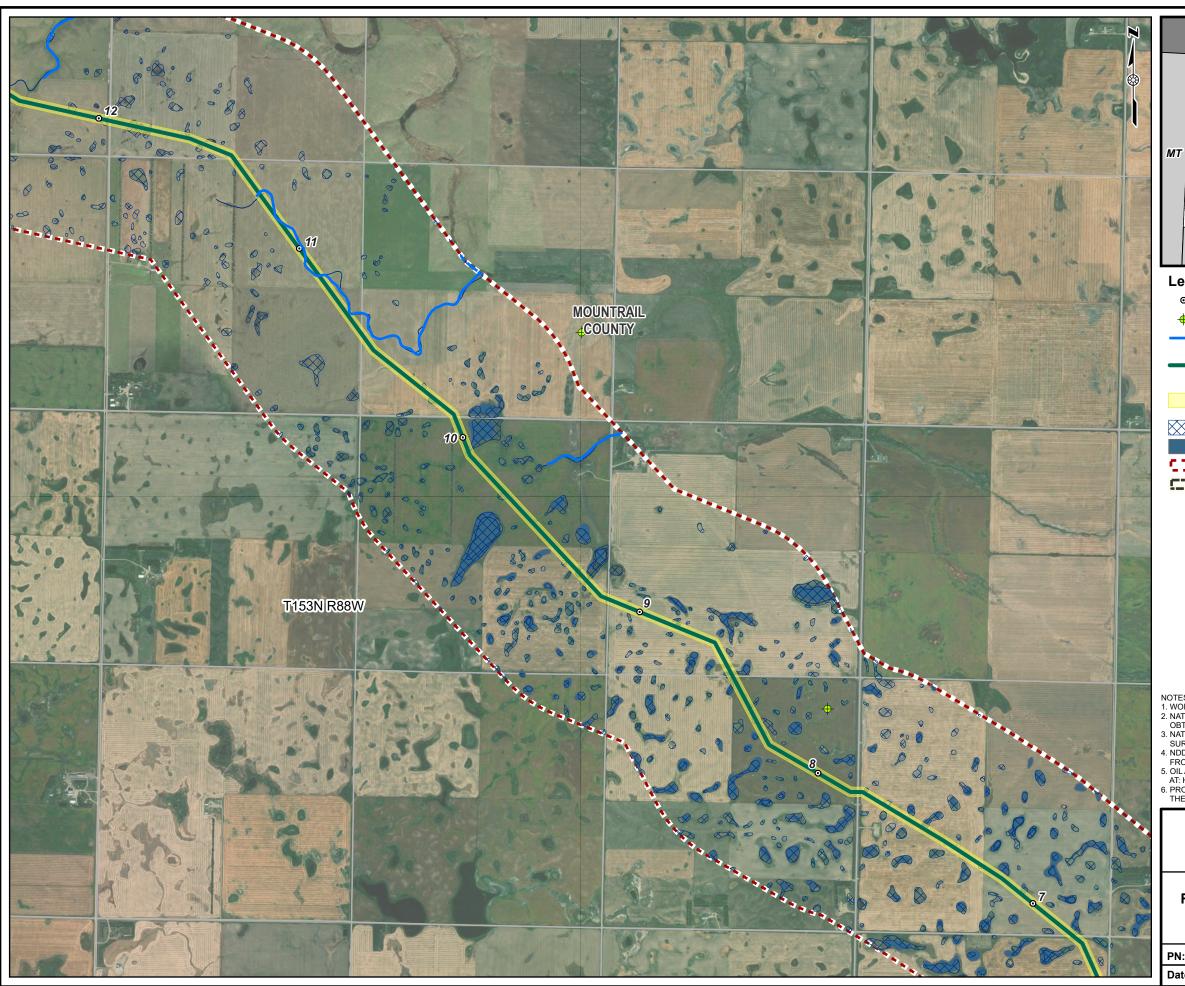
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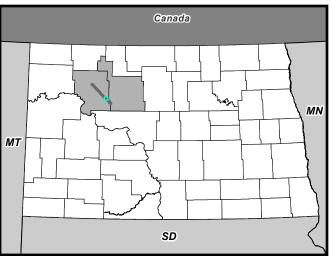
THUNDER BUTTE PIPELINE PROJECT COUNTY, NORTH DAKOTA

**ROUTE SELECTION CRITERIA CONSIDERED DETAIL SHEET 6 OF 9** 

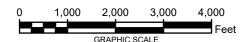
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- Milepost
- Oil and Gas Well
- NHD Stream
- Existing Pipeline Route (30-foot permanent
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- NWI Wetland
- NHD Waterbody
- Study Area (1 mile)
- County Boundary



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  2. NATIONAL WETLANDS INVENTORY (NWI) WETLAND DATA
  OBTAINED FROM THE US FISH & WILDLIFE SERVICE AT: WWW.FWS.GOV.

  3. NATIONAL HYDROGRAPHY DATASET (NHD) OBTAINED FROM THE US GEOLOGICAL
  SURVEY AT: HTTPS://NHD.USGS.GOV.

  4. NDDOT LANDMARKS (E.G., OCCUPIED RESIDENCE, BARN, ETC.) IS OBTAINED
  FROM NDDOT AT: HTTPS://WWW.GIS.ND.GOV/DATA.

  5. OIL AND GAS WELL INFORMATION IS OBTAINED FROM DMR OIL AND GAS DIVISION
  AT: HTTPS://GIS.DMR.ND.GOV/GISDOWNLOAD.ASP

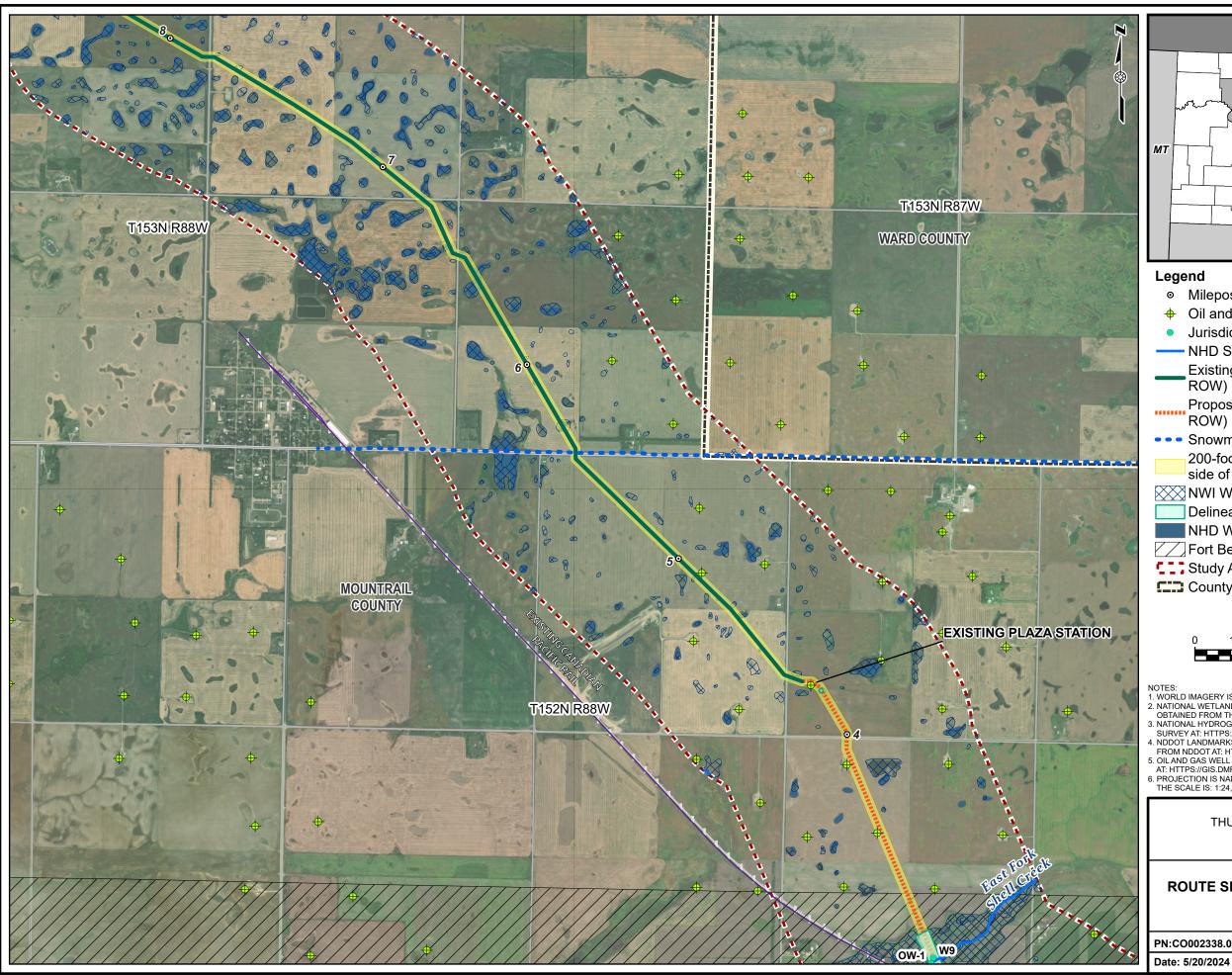
  6. PROJECTION IS NAD 1983 STATE PLANE NORTH DAKOTA N FIPS 3301 (US FEET).
  THE SCALE IS: 1:24,000.

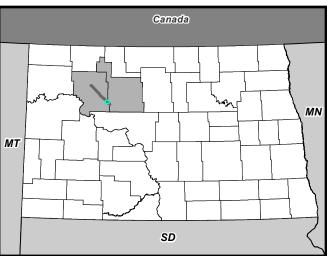
THUNDER BUTTE PIPELINE PROJECT COUNTY, NORTH DAKOTA

ROUTE SELECTION CRITERIA CONSIDERED **DETAIL SHEET 7 OF 9** 

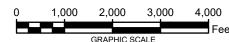
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- Milepost
- Oil and Gas Well
- Jurisdictional Wetland/Stream
- NHD Stream
- Existing Pipeline Route (30-foot permanent
- Proposed Pipeline Route (30-foot permanent ROW)
- • Snowmobile Trail
- 200-foot Project Corridor (100 feet on either side of the pipeline centerline)
- NWI Wetland
  - Delineated Wetland
- NHD Waterbody
- Fort Berthold Indian Reservation Boundary
- Study Area (1 mile)
- County Boundary



- NOTES:

  1. WORLD IMAGERY IS OBTAINED FROM ESRI WORLD IMAGERY SERVICE.

  2. NATIONAL WETLANDS INVENTORY (NWI) WETLAND DATA
  OBTAINED FROM THE US FISH & WILDLIFE SERVICE AT: WWW.FWS.GOV.

  3. NATIONAL HYDROGRAPHY DATASET (NHD) OBTAINED FROM THE US GEOLOGICAL
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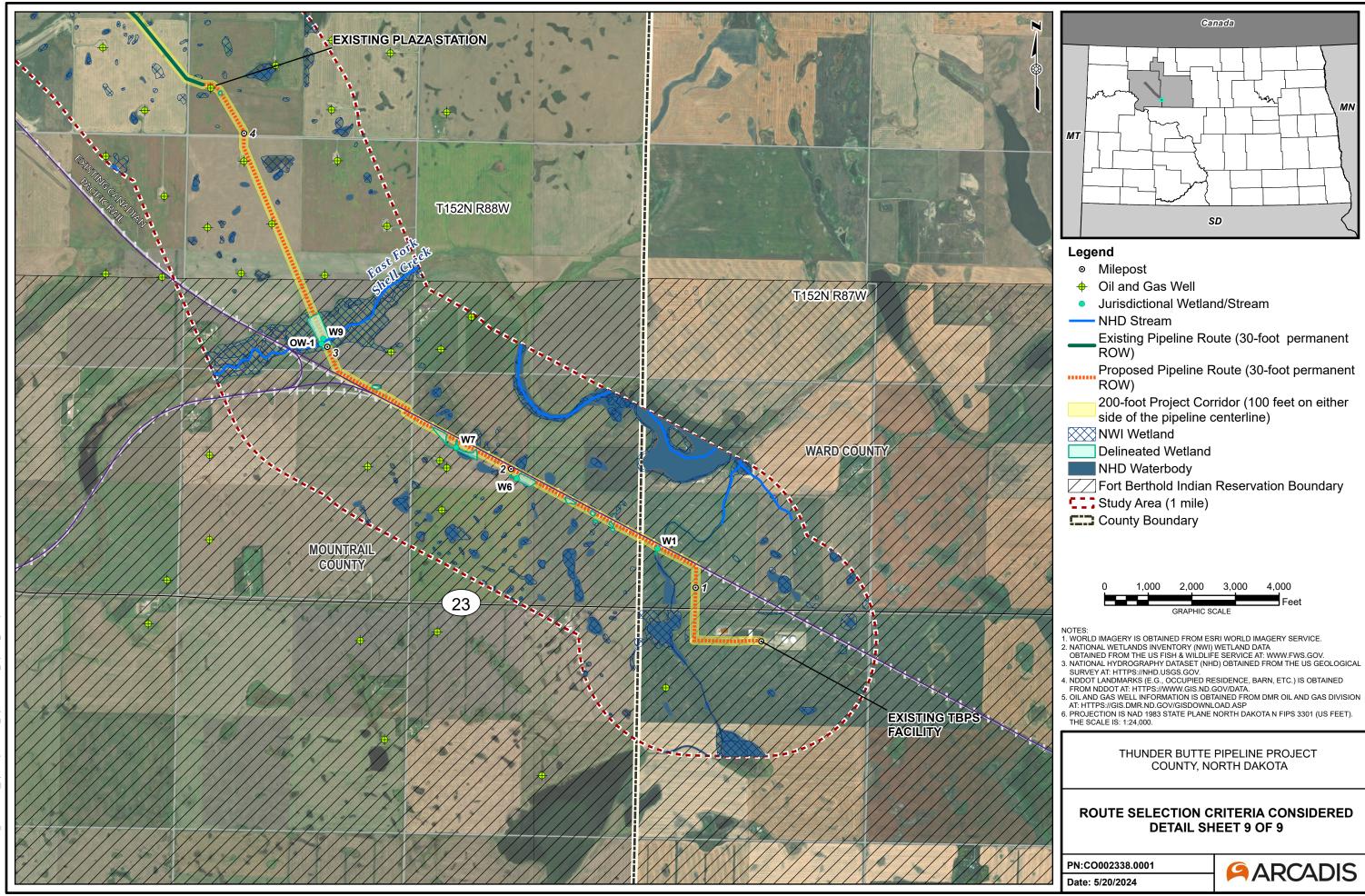
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THUNDER BUTTE PIPELINE PROJECT COUNTY, NORTH DAKOTA

**ROUTE SELECTION CRITERIA CONSIDERED DETAIL SHEET 8 OF 9** 

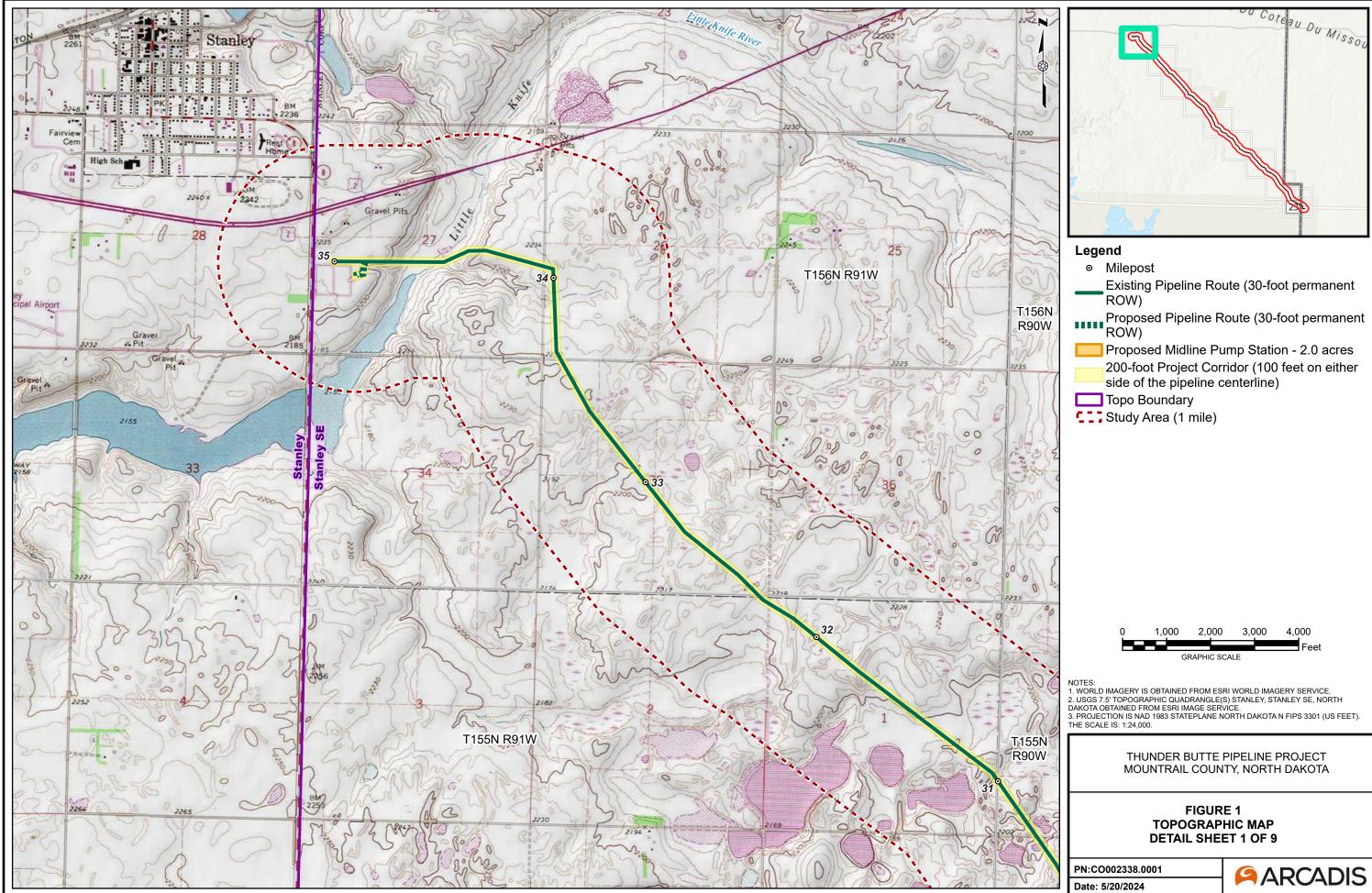
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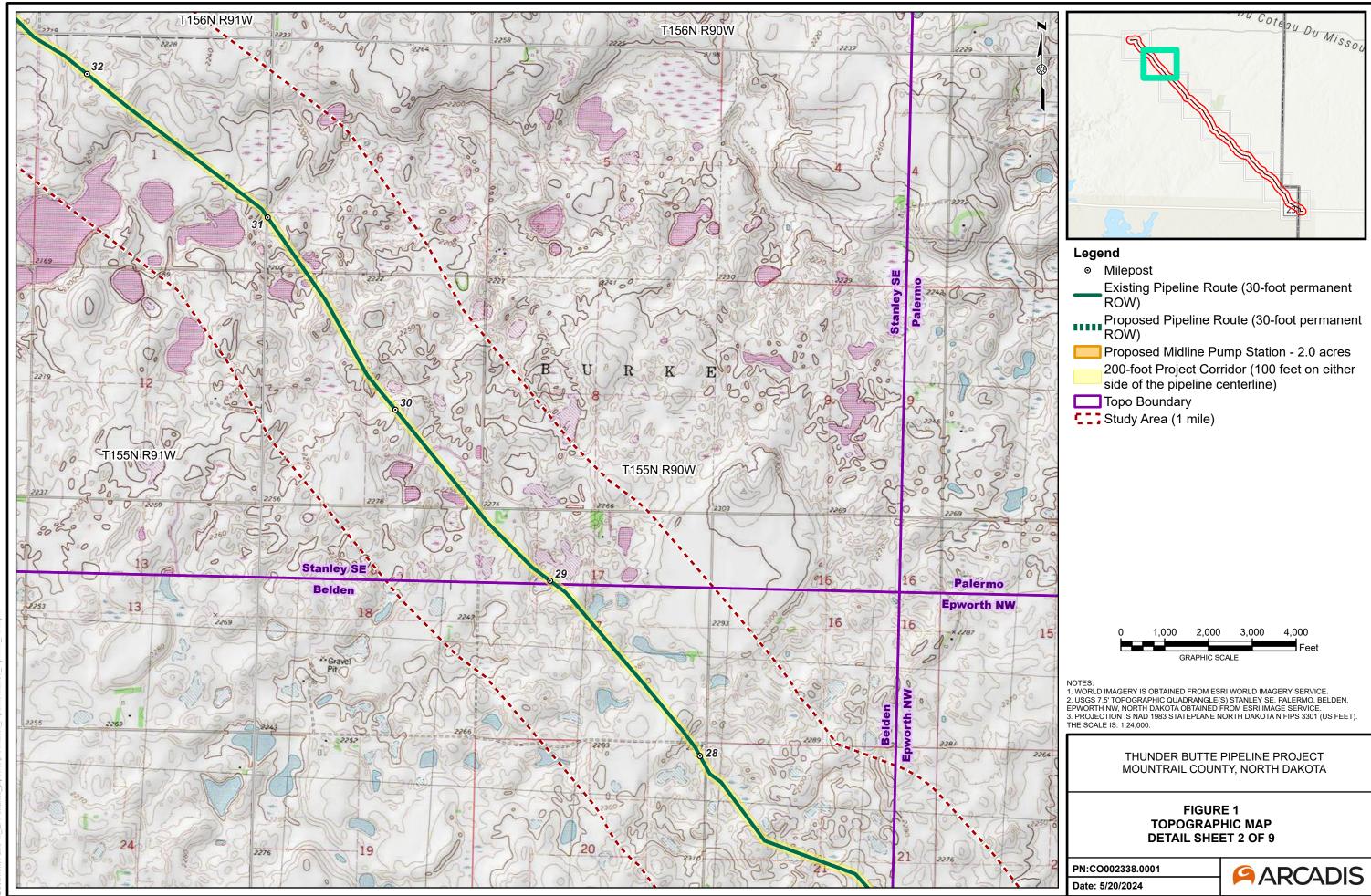
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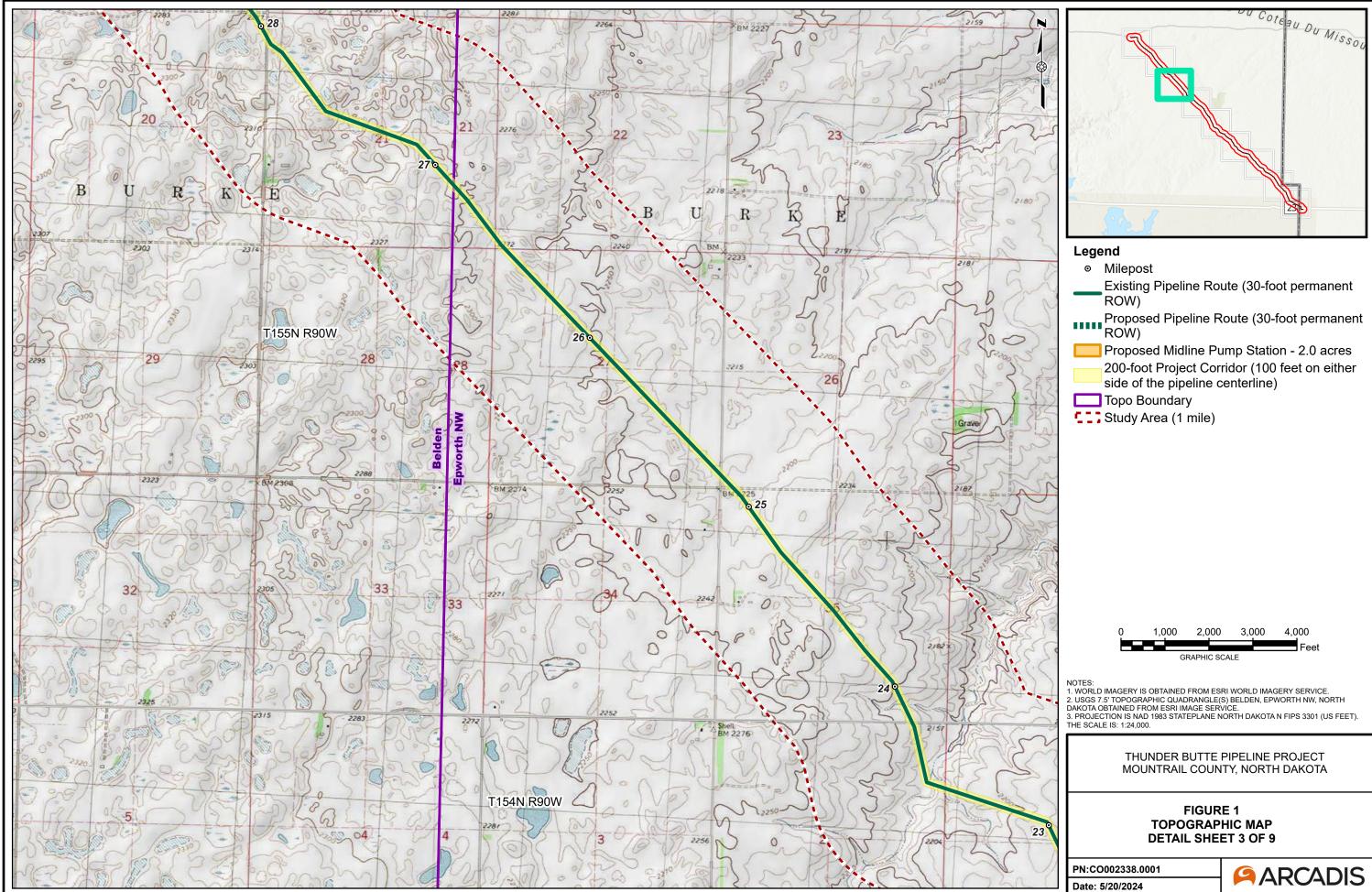


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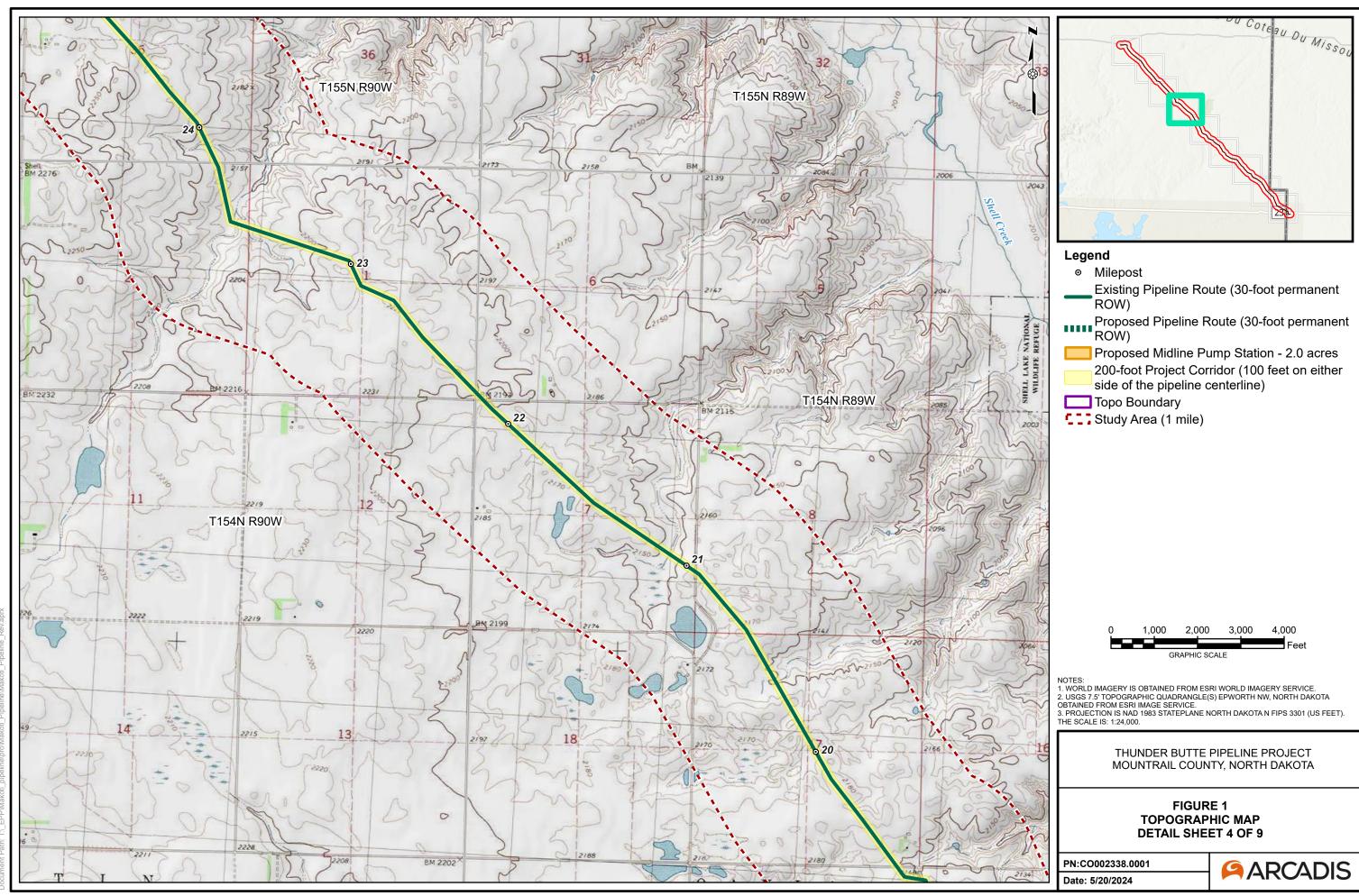
Cote au Du Missou



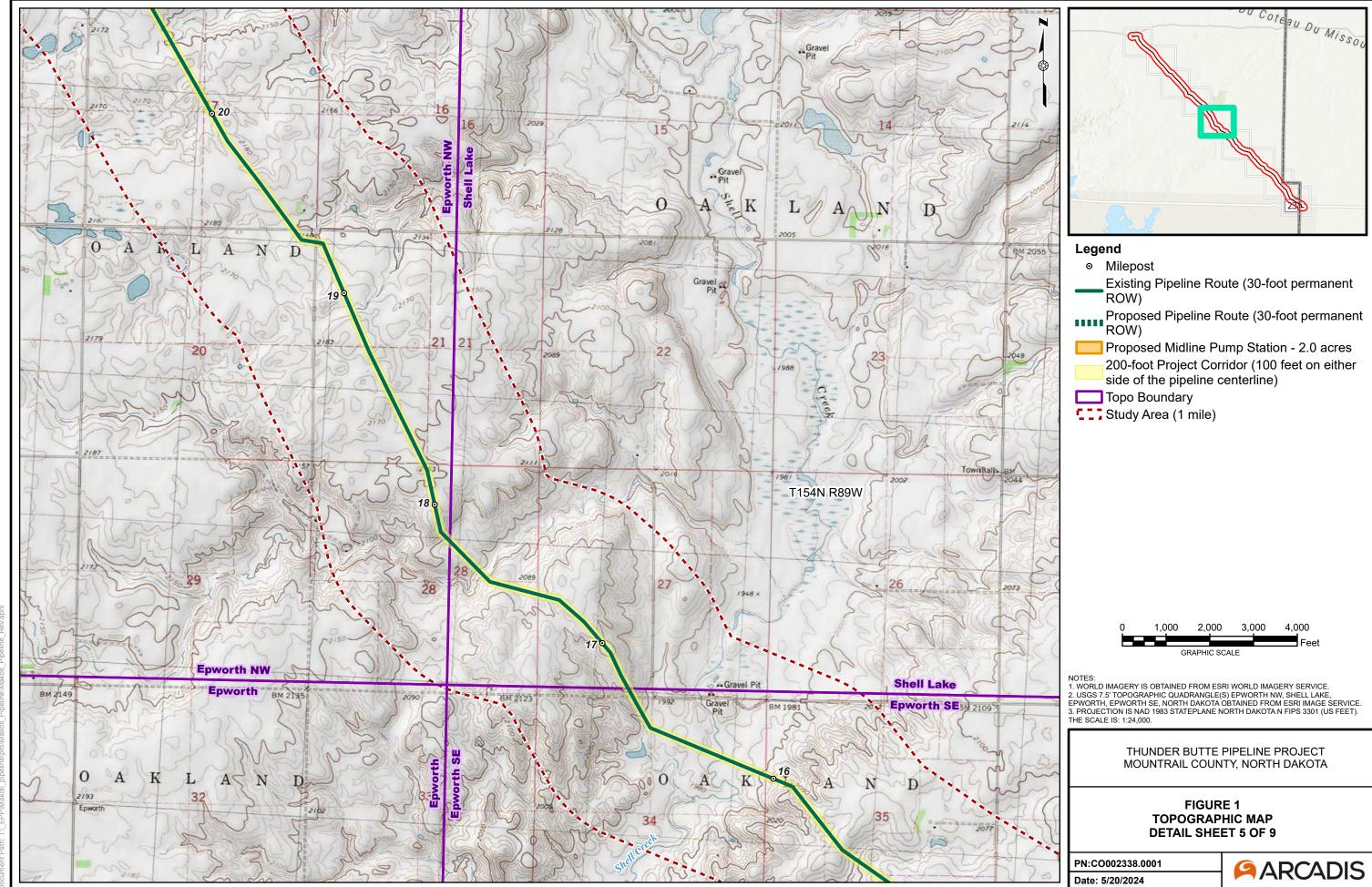
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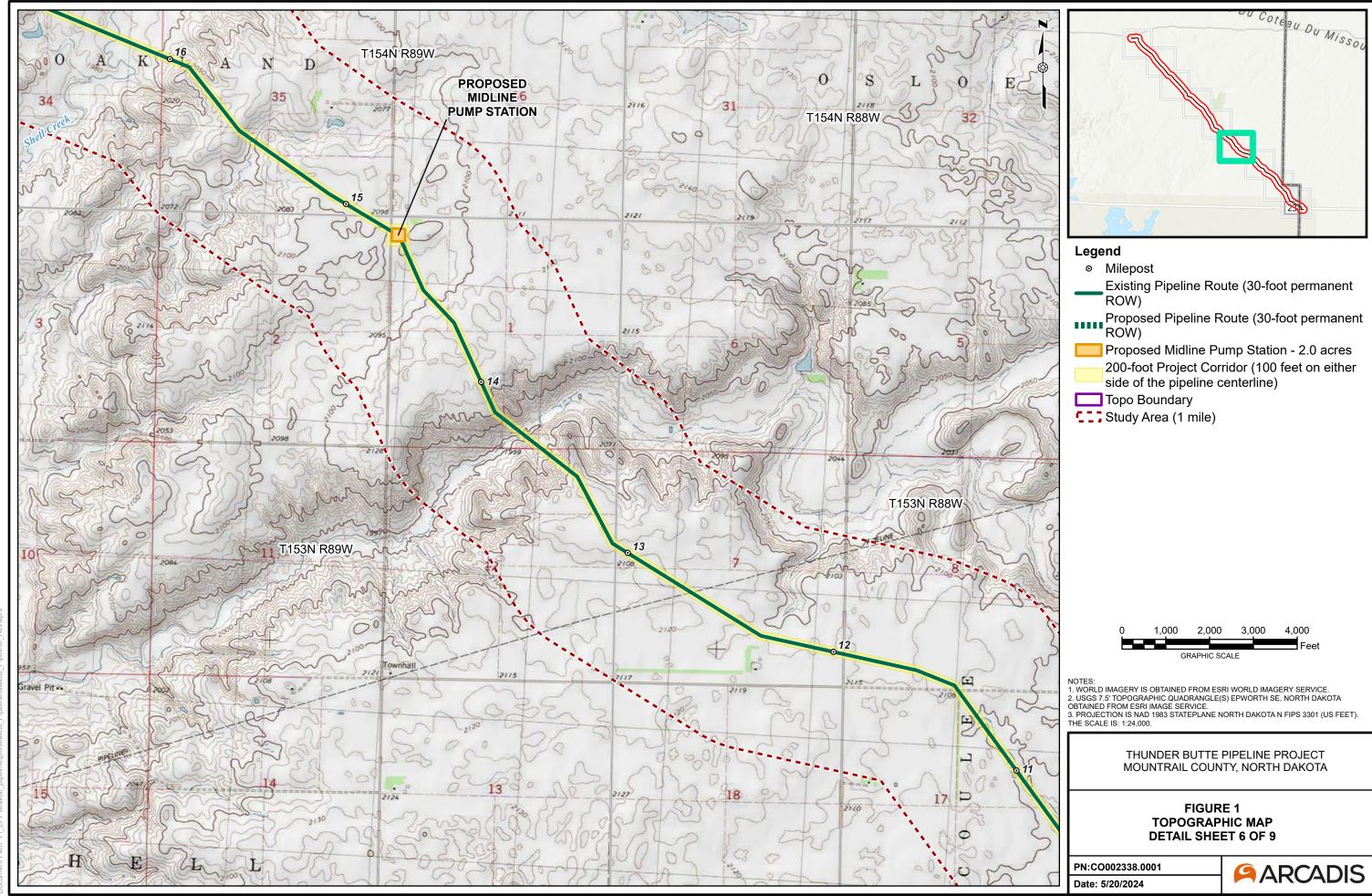
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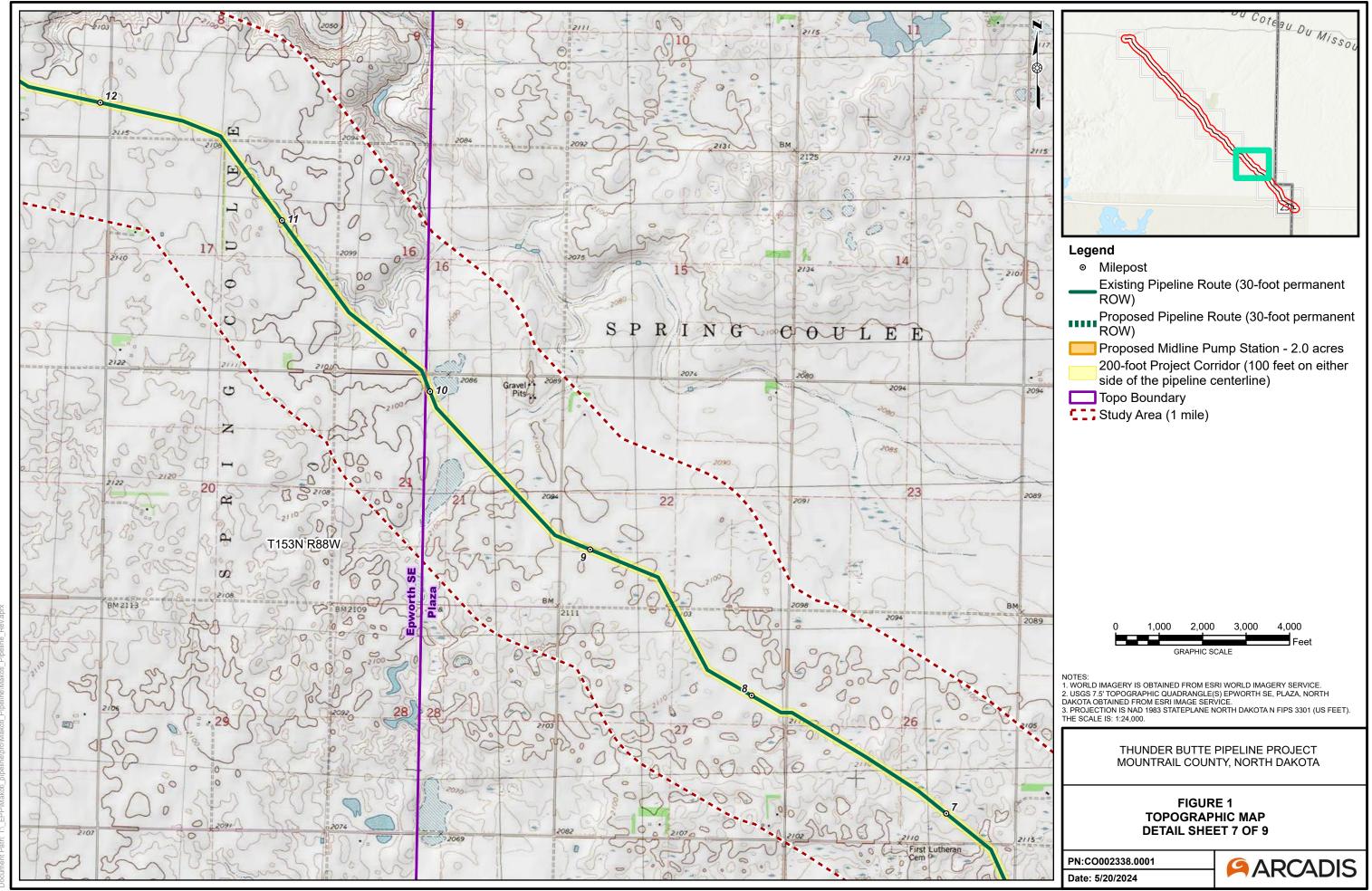
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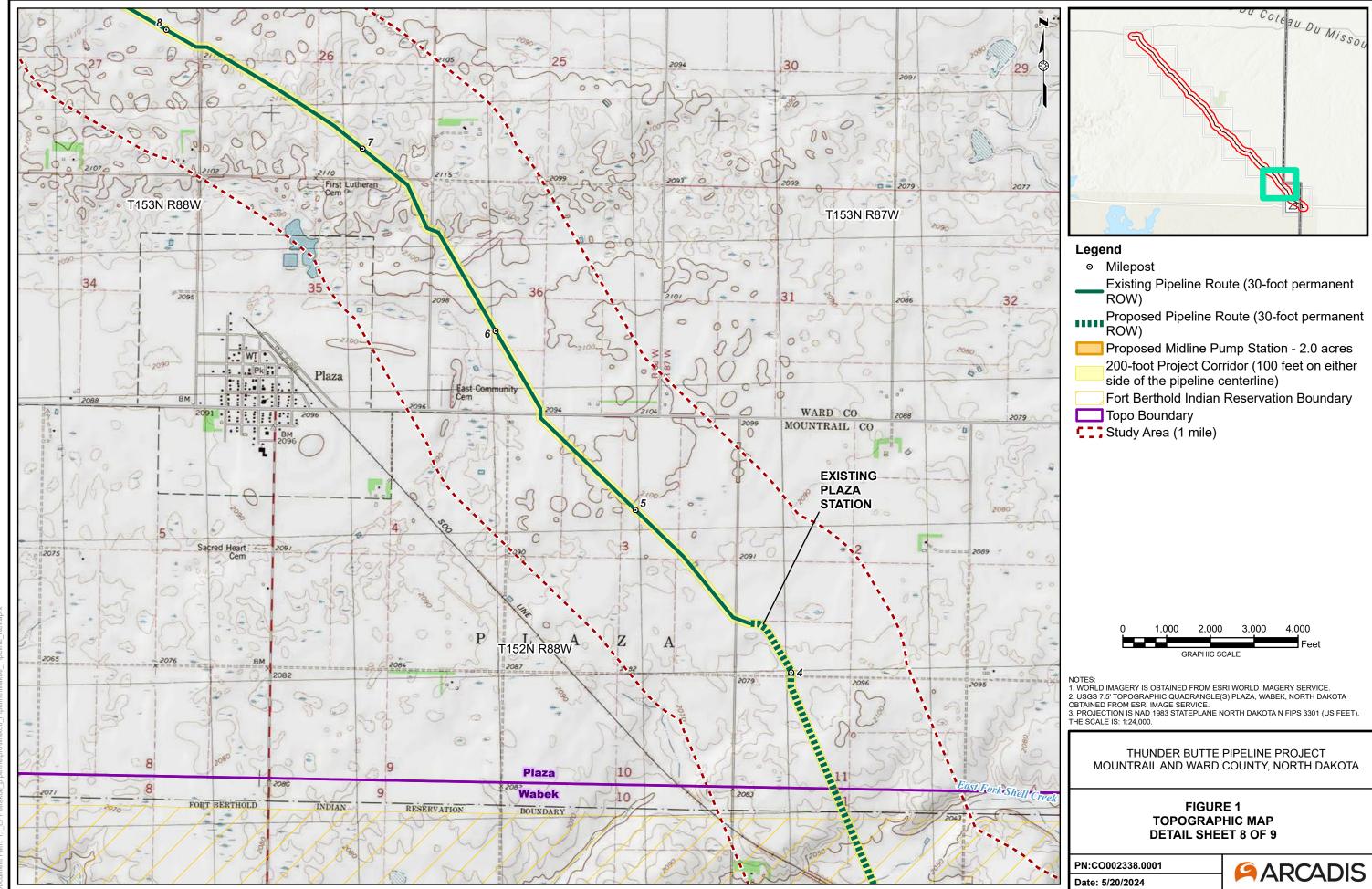
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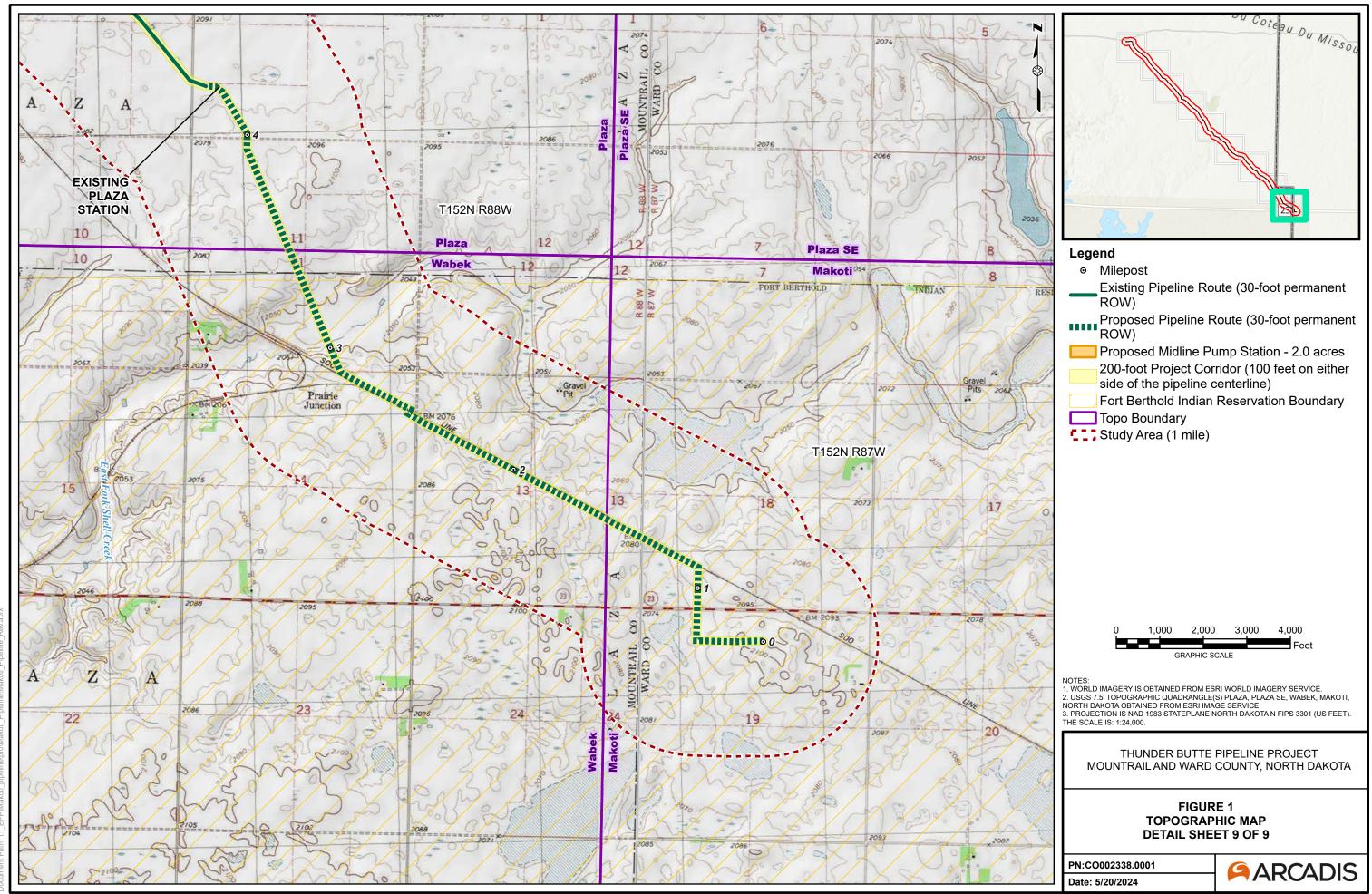
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Date: 5/20/2024 User Name: MNugent



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Date: 5/20/2024 User Name: MNugent