



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

**RESPONSE REQUIRED BY
September 11, 2026**

August 17, 2026

Marty McKinney
Stealth Energy Group LLC
10315 Camp Dr
Williston ND 58801

Allison Ammerman
Registered Agent for
Stealth Energy Group LLC
4921 Ridge Dr
Williston ND 58801

Re: North Dakota Century Code Chapter 49-23: One-Call Excavation Notice System

Enclosed is a copy of the North Dakota One-Call Complaint against Stealth Energy Group, LLC received by the North Dakota Public Service Commission (Commission) on August 26, 2025, from Kinder Morgan, Williston, North Dakota, Case Number DM-25-245. The location is identified in the complaint.

I am sending you this information so that you are aware of the complaint and may respond with information concerning the complaint. **Please respond to Executive Secretary, North Dakota Public Service Commission, 600 East Boulevard Avenue, Dept 408, Bismarck, ND 58505-0480 by September 11, 2026**, with your written account of the event, including the applicable One-Call locate ticket number(s) for work performed at the location identified in the complaint and in connection with the enclosed complaint.

Your response and the North Dakota One-Call Complaint will be reviewed to determine whether there may be a violation of the One-Call Excavation Notice System law.

If I do not receive a response by the date noted, I will determine whether there was a violation without your side of the story, based on the facts contained in this complaint. If I conclude a violation did occur, I will file with the Commission a formal complaint against Stealth Energy Group, LLC which may result in a civil penalty up to \$25,000 per violation in accordance with North Dakota Century Code Section 49-07-01.1.

Please contact me at 701-328-4097 or kcrockford@nd.gov with any questions regarding this correspondence.

Sincerely,

Konrad Crockford
Director, Compliance Division

Enclosure: North Dakota One-Call Complaint



ONE-CALL COMPLAINT
PUBLIC SERVICE COMMISSION
SFN 59067 (08/2022)

INSTRUCTIONS: To allege a violation of the One-Call Excavation Notice System (N.D.C.C. Chapter 49-23), complete this form in its entirety.

SECTION I – COMPLAINANT (Individual/entity completing form)

Company/Entity Name (if applicable) Kinder Morgan			
Contact Person Ryan Farmer	Email Address ryan_farmer@kindermorgan.com	Telephone Number 701-339-6090	
Mailing Address 611 37th Ave SE bldg. 29	City Williston	State ND	Zip Code 58801
Complainant is willing and able to testify on the complaint if matter proceeds to a formal hearing.		☒ YES	☐ NO

SECTION II – RESPONDENT (Individual/entity who allegedly violated the One-Call law)

Company/Entity Name (if applicable) Stealth Energy Group			
Contact Person Marty McKinney	Email Address locates@stealthnd.com	Telephone Number 701-421-1477	
Mailing Address 218 37th Ave	City Williston	State ND	Zip Code 58801

SECTION III – ALLEGED VIOLATION

OPERATOR – A person or entity who owns or operates an underground facility (i.e.: natural gas, electric, sewer, etc.).	
☐ Operator failed to mark or clear underground facility within locate period.	☐ Operator failed to mark underground facility within 24 inches horizontally.
EXCAVATOR – A person or entity who conducts excavation (i.e.: homeowner, property owner, company, etc.).	
☐ Excavation started prior to underground facility locate.	☒ Excavator failed to provide locate notice prior to beginning excavation.
☐ Excavator failed to conduct the excavation in a careful and prudent manner.	☐ Excavator failed to renew locate request prior to expiration of the 21-day period.
OTHER – May be issue/concern with One-Call Center or other alleged violation that is not listed under operator or excavator.	
☐ Write Issue/Concern: _____	

SECTION IV – DESCRIPTION/DAMAGE

Date and Time of Event 8/23/25 3:30pm	Location (Address, City, State / Nearest Intersecting Streets / Lat & Long) Gibb 2-5 lease location at 60th St NW and 101st Ave NW near White Earth ND	One-Call Ticket Number N/A
Underground Facility Affected ☐ Electric ☒ Gas ☐ Cable ☐ Communications ☐ Water ☐ Sewer/Storm Water ☐ Petroleum ☐ Other _____		
Material & Size of Underground Facility (Poly, Steel, Coated Pipe / Fiberoptic / 2 KW / 1.5 in, 2 in / etc.) 8" Steel		Operator(s) Affected Kinder Morgan
Estimated Value of Damage \$0	Injuries (List Number, If Any) 0 Fatalities 0 Injuries 0 Hospitalizations	Number of Customers Affected 0
Description of the alleged violation/concern. If more space is required, attach additional page(s). Contractor failed to call in a One Call locate request prior to excavation to create a very large retention pond and access road.		

SECTION V – SIGNATURE OF COMPLAINANT

Signature 	Printed Name Ryan Farmer	Date 8/25/25
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Please email the completed form to ndpsc@nd.gov, fax to 701-328-2410, or mail to: Public Service Commission

Bauske, Shelly A.

From: -Info-Public Service Commission
Sent: Tuesday, August 26, 2025 8:28 AM
To: Crockford, Konrad S.
Cc: Bauske, Shelly A.
Subject: FW: Formal Complaint
Attachments: TicketText - 2025-08-25T111307.367.txt; selectpond-1.jpg; selectpond-2.jpg; selectpond-3.jpg; selectpond-4.jpg; selectpond-5.jpg; selectpond-6.jpg; selectpond-7.jpg; selectpond-8.jpg; selectpond-9.jpg; selectpond-10.jpg; selectpond-11.jpg; selectpond-12.jpg; selectpond-13.jpg; selectpond-14.jpg; selectpond-15.jpg; selectpond-16.jpg; NDPSC Complaint Form Stealth Energy Group 8-25-25.pdf

From: Farmer, Ryan <Ryan_Farmer@kindermorgan.com>
Sent: Monday, August 25, 2025 6:42 PM
To: -Info-Public Service Commission <ndpsc@nd.gov>
Cc: Bingham, Travis <Travis_Bingham@kindermorgan.com>
Subject: Formal Complaint

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Good afternoon,

This past weekend one of our Line Patrollers was patrolling a KM ROW when he discovered Stealth Energy Group wrapping up excavation on an extremely large retention pond and access road. He stopped and discussed the work with the contractor knowing he hadn't seen a One Call ticket for this work and they stated that they had a One Call and that all was above board, but could not produce a ticket number. In looking through our records and using iSite I determined pretty quickly that no locates had been called in for this work. I noticed this morning that Stealth did place a One Call ticket for this work now that we stopped and asked the question.

Normally I don't add photos to these emails as I feel it's not necessary, but on this one I felt compelled to. If you take a look at photos 9 and 10 you can truly see the scale of the work that was done and hopefully the potential for something to have gone seriously wrong here. Our line was only impacted by the lease road to the pond and we are confident there is no damage due to the work, but once again the potential is what drove me to add the photos to highlight the severity of what could have happened.

I also added the ticket that Stealth just recently called in for this work so you've got it at your disposal. All we can do at this point is just fill out and send the complaint form as I normally do, but I would like to ask if there is anything myself or my company could do to help educate these contractor/excavators and landowners across our great state and hopefully stop someone from getting hurt or worse.

Thank you for your time and I appreciate any info you could give on how we can help.

Thanks!

Ryan Farmer
Damage Prevention Supervisor Div. 15/13

Cell: (701) 339-6090

Office: (701) 774-6110 ext. 40139

611 37th Avenue SE, Building 29 | Williston, ND 58801

Think Zero. Act Zero. Be Zero

A Mindset, A Discipline, A Standard

Not a Goal, but a Way of Life

KINDER  MORGAN

Delivering Energy to Improve Lives

NW

N

NE

E

330

0

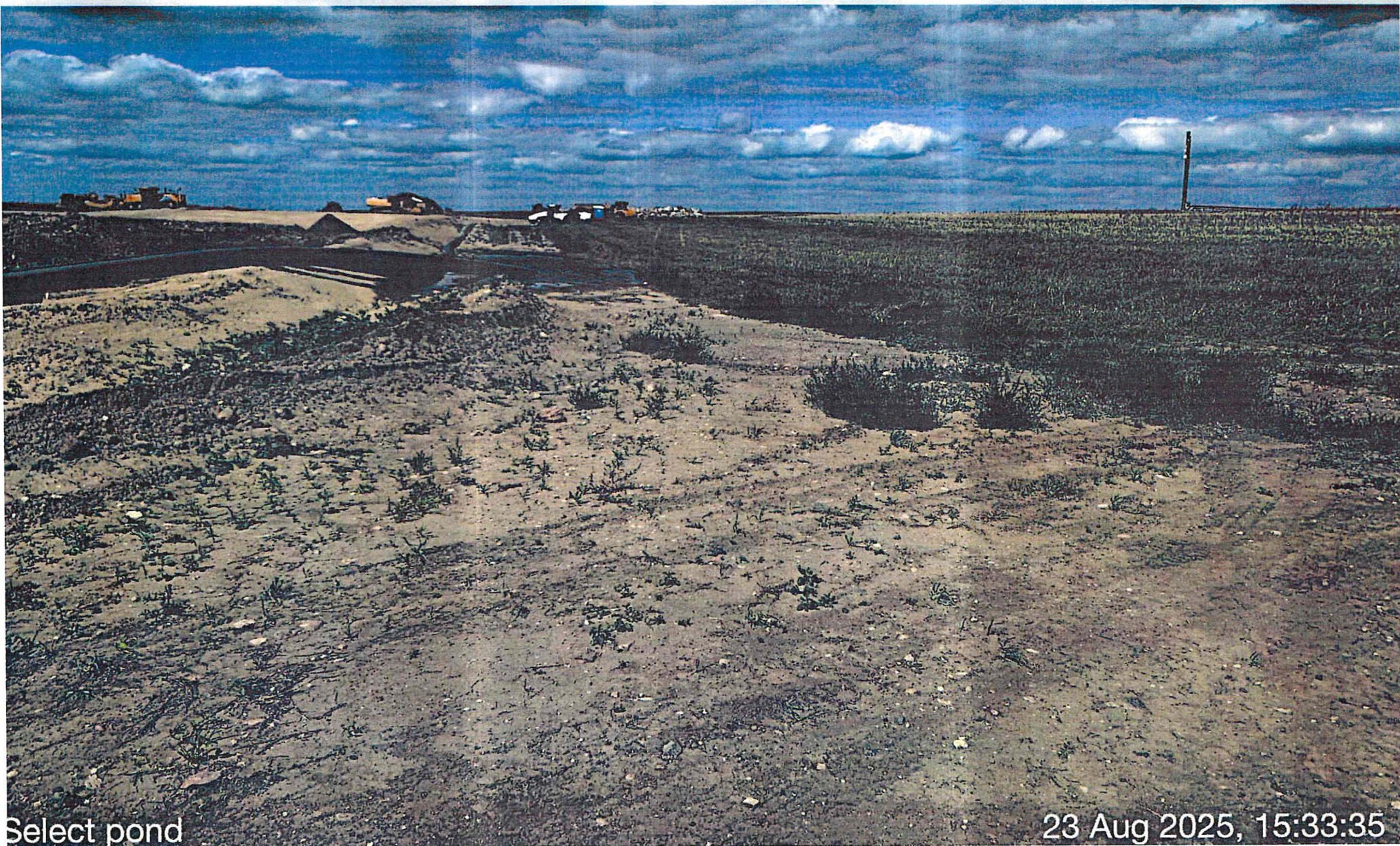
30

60

90

120

☉ 33°NE (T) ☉ 48°19'22"N, 102°49'58"W ±7503ft



Select pond

23 Aug 2025, 15:33:35

NW

N

NE

E

300

330

0

30

60

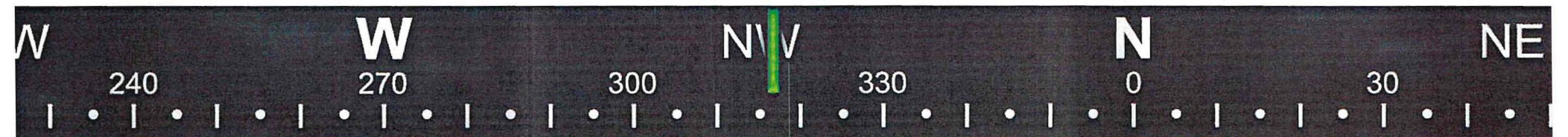
90

☀ 20°N (T) ☉ 48°19'22"N, 102°49'51"W ±9097ft



Select pond

23 Aug 2025, 15:36:04



☀ 317°NW (T) ☉ 48°19'26"N, 102°52'6"W ±58891ft



Select pond

23 Aug 2025, 16:04:38

W 270 N 330 0 N

☉ 317°NW (T) ☉ 48°19'27"N, 102°49'47"W ±39ft

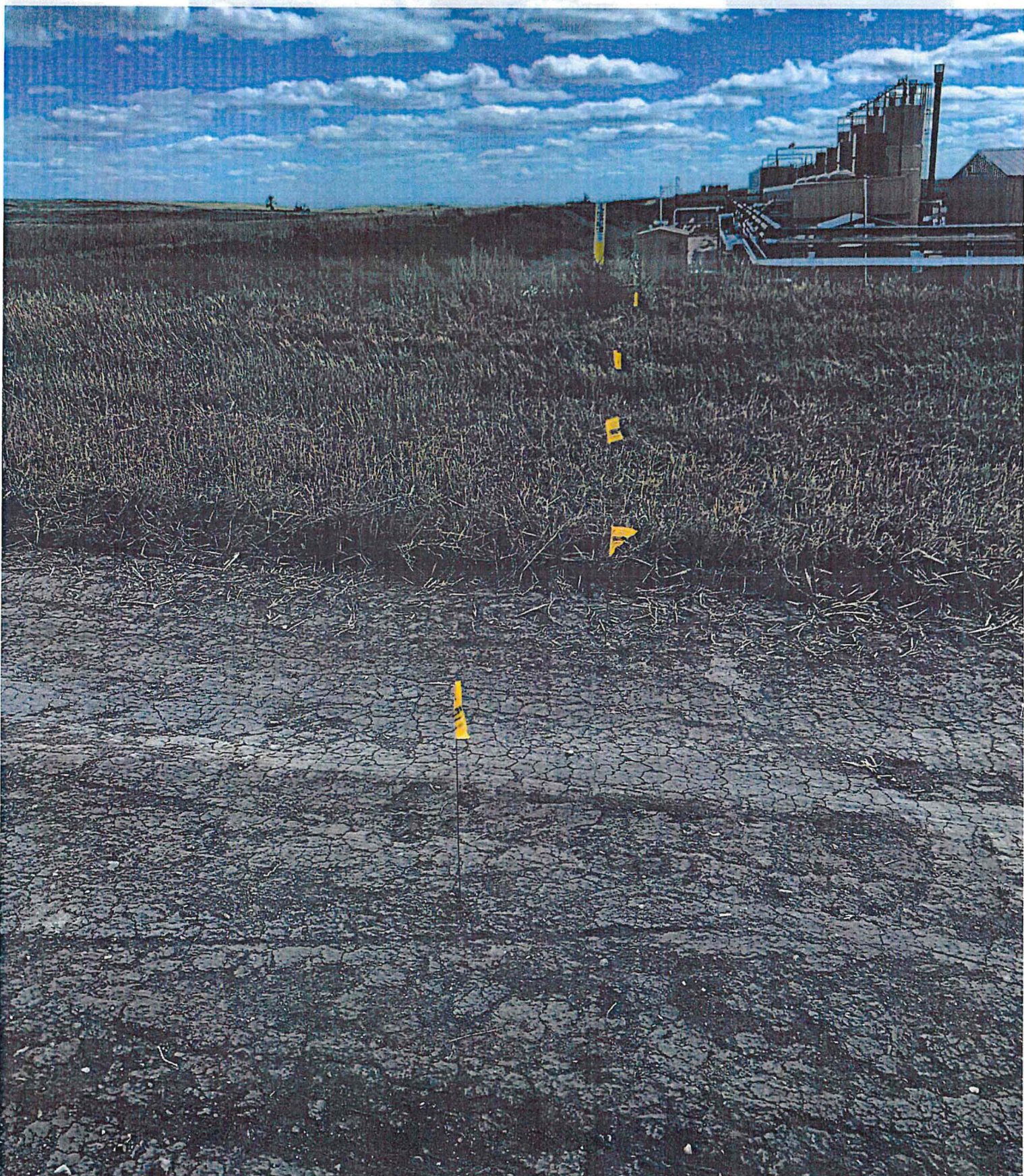


Select pond

23 Aug 2025, 16:04:44



☀ 39°NE (T) ● 48°19'27"N, 102°49'44"W ±1069ft



Select pond

23 Aug 2025, 16:06:12

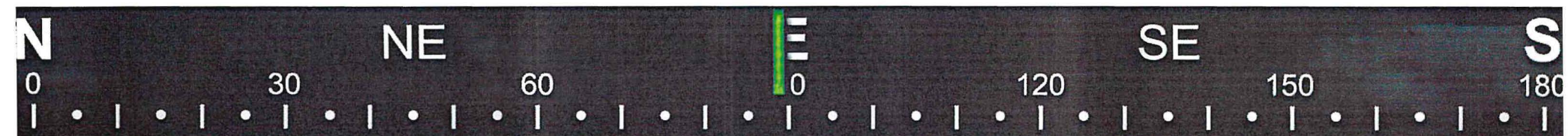


☀ 137°SE (T) ☉ 48°19'27"N, 102°49'43"W ±82ft



Select pond

23 Aug 2025, 16:06:26



☀ 89°E (T) ☉ 48°19'27"N, 102°49'50"W ±298ft



Select pond

23 Aug 2025, 16:09:39

E

90

SE

120

150

S

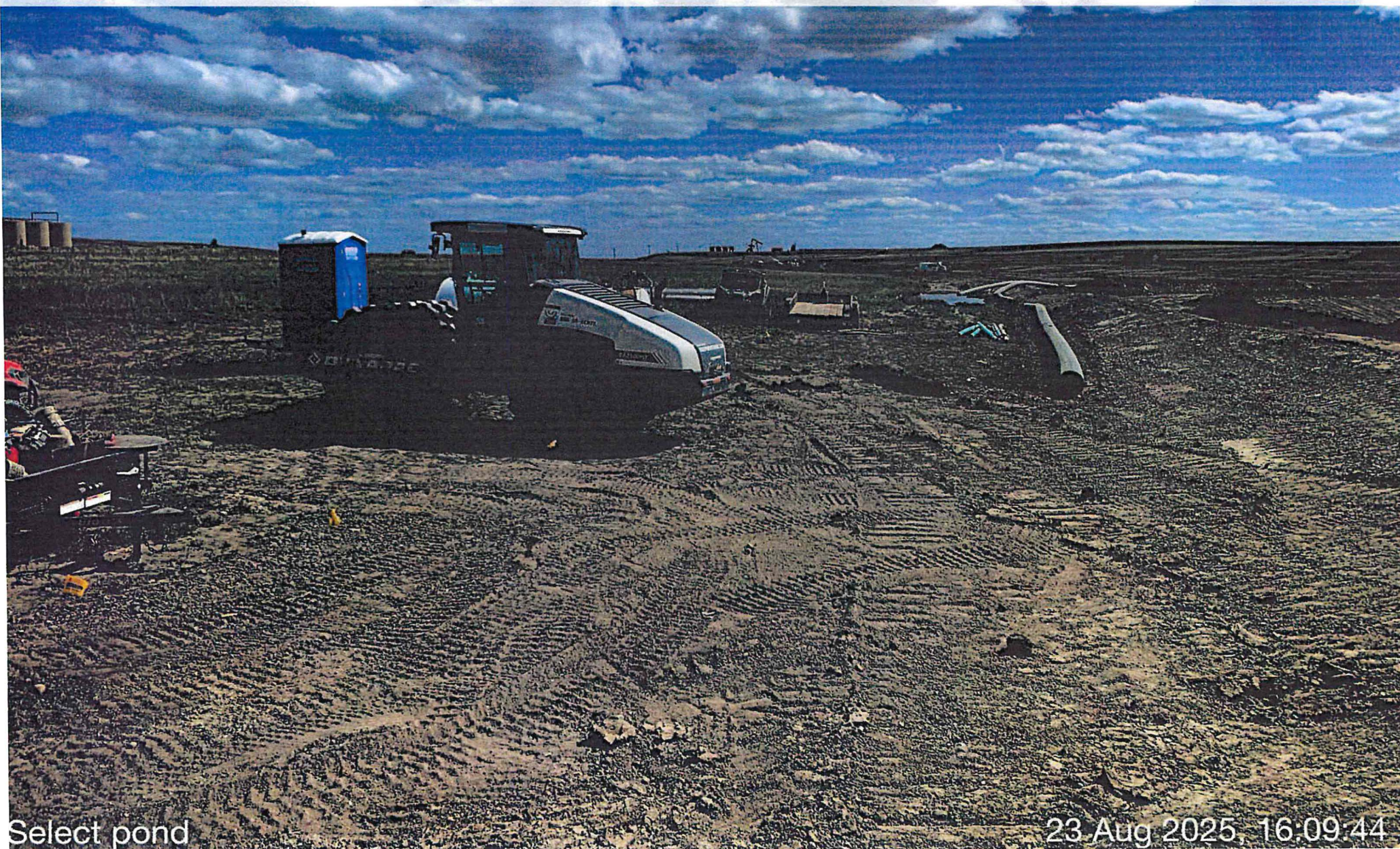
180

SW

210

240

☀ 161°S (T) ☉ 48°19'27"N, 102°49'51"W ±42ft



Select pond

23 Aug 2025, 16:09:44





NE

E

SE

S

30

60

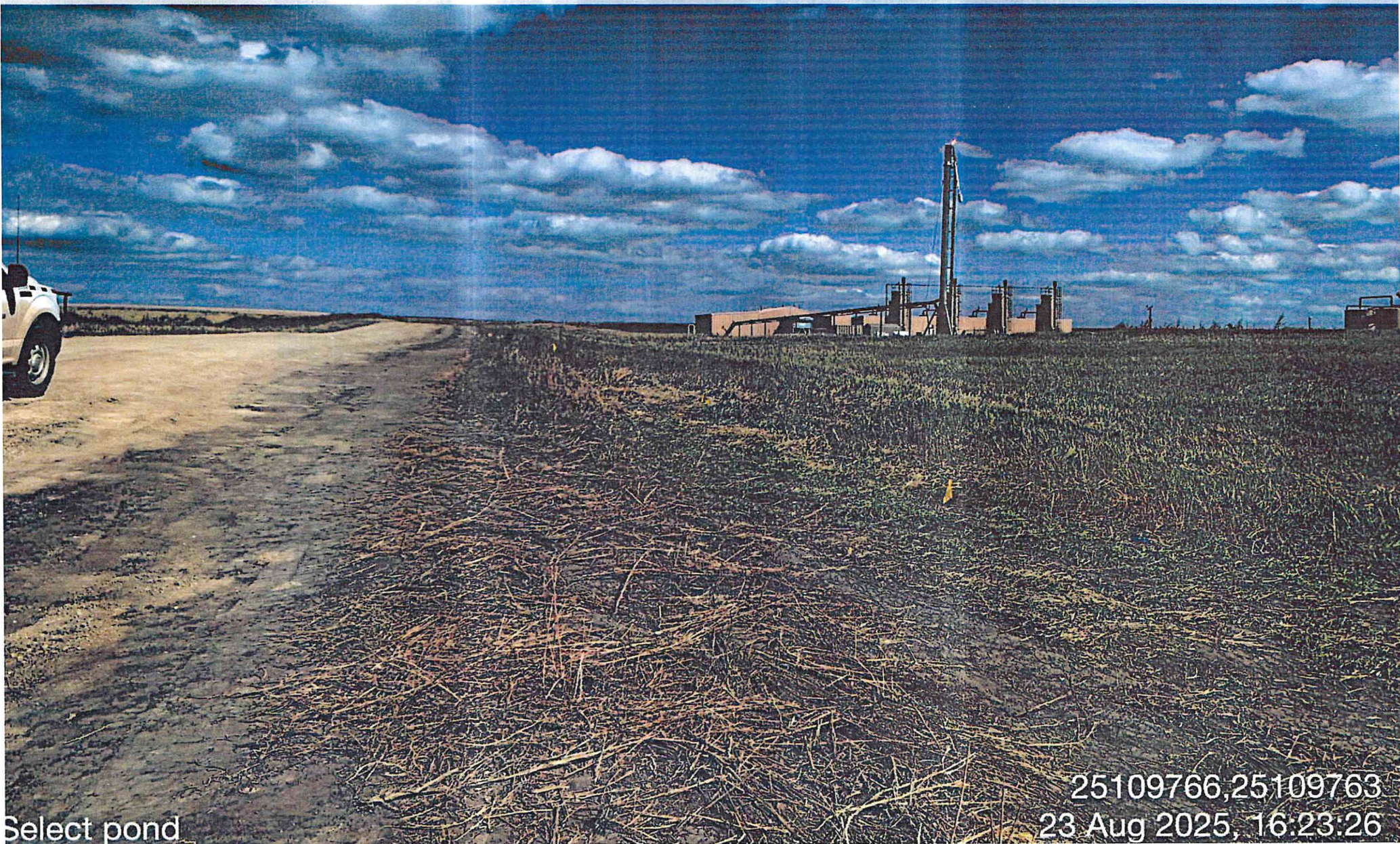
90

120

150

180

☉ 105°E (T) ☉ 48°19'27"N, 102°49'50"W ±13ft



25109766,25109763

23 Aug 2025, 16:23:26

Select pond

SE

S

SW

W

150

180

210

240

270

300

☉ 216°SW (T) ☉ 48°19'27"N, 102°49'50"W ±13ft



Select pond

E

90

SE

120

150

S

180

SW

210

240

☀ 170°S (T) ☉ 48°19'26"N, 102°49'51"W ±13ft



25109766,25109763
23 Aug 2025, 16:24:29

Select pond

S

180

SW

210

240

W

270

NW

300

330

☉ 254°W (T) ☉ 48°19'28"N, 102°49'42"W ±331ft



Select pond

25109766,25109763
23 Aug 2025, 16:32:48

SE

S

SW

W

120

150

180

210

240

270

☉ 190°S (T) ☉ 48°19'27"N, 102°49'43"W ±19ft



25109766,25109763

23 Aug 2025, 16:32:58

Select pond

NW

N

NE

E

300

330

0

30

60

90

☀ 15°N (T) ☉ 48°19'23"N, 102°49'51"W ±82ft



Select pond

[THIS EMAIL MESSAGE WAS RECEIVED FROM THE INTERNET AND CAME FROM OUTSIDE OF KINDER MORGAN]

NORTH DAKOTA ONE CALL

NOTICE OF INTENT TO EXCAVATE LORQ ROUTINE
SEND TO: KMHLND6 SEQ NO: 2 MAP REF:

REQUEST #: 25111429
LINK TO TKT: <https://nd.itic.occinc.com/QDUS-K26-F4X-2BU>

ORIGINAL CALL DATE: 08/25/25 TIME: 9:07 AM CT TYPE: WEB
TRANSMISSION DATE : 08/25/25 TIME: 9:07 AM CT
WORK TO BEGIN DATE: 08/28/25 TIME: 12:01 AM CT

----- WORK INFORMATION -----
LOCATION: COUNTY: WILLIAMS
CITY / PLACE : PLEASANT VALLEY TWP CITY LIMITS: N
ADDRESS / STREET : 0 63RD ST NW
NEAR INTERSECTION: 100TH ROAD NW

CALLERTWP: 156N RNG: 95W SECT-QTR: 24-NE
MAP TWP: 156N RNG: 94W SECT-QTR: 19-NW
MAP TWP: 156N RNG: 95W SECT-QTR: 24-NE

EXCAVATIONTYPE: DEPTH: OVER 10FT EXPLOSIVES: N TNLING/BORING: N
WHITE LINING/SITE IDENTIFICATION: DIGITAL WHITE LINING
TYPE OF WORK : POND CONSTRUCTION
EXTENT OF WORK: POND 3 - SELECT WATER. FROM THE INTERSECTION ABOVE, TRAVEL
EAST ON 63RD ST NW FOR 2660 FEET. TRAVEL SOUTH INTO THE FIELD 350
FEET TO FIND THE NW CORNER OF POLYGON. LOCATE ALL UTILITIES 1670
FEET SOUTH, 1986 FEET EAST, SOUTH 500 FEET, KICK OUT EAST 500 FEET
TO THE ROAD, THEN SOUTH 350 FEET AND BACK WEST 500 FEET AROUND THE
PAD SOUTH 800 FEET AND BACK TO THE WEST 1986 FEET. DO NOT LOCATE THE
CONTINENTAL PAD. CONTACT MARTY MCKINNEY 7014211477.
REMARKS: ADDITIONAL TRSQ: T-156N R-94W S-19NW

----- CALLER INFORMATION -----
COMPANY : STEALTH ENERGY GROUP CALL BACK:
ADDRESS : 218 37TH AVE; WILLISTON, ND 58801
EMAIL : LOCATES@STEALTHND.COM
WORK FOR : SELECT WATER
CONTACT NAME: MARTY MCKINNEY PHONE : 701-421-1477
TYPE : CONTRACTOR
ALT. NAME : MARTY MCKINNEY ALT PHONE: 701-421-1477

----- MEMBERS NOTIFIED -----
BEPC01 = BASIN ELECTRIC POWER COOP CNT05 = CONTINENTAL RESOURCES
KMHLND6 = KINDER MORGAN/HILAND MOUNT01 = MOUNTRAIL/WILLIAMS ELECTR
NWCOMM02= NORTHWEST COMMUNICATIONS SES01 = SELECT WATER SOLUTIONS

----- LOCATION INFORMATION -----

NUMBER OF EXCAVATION LOCATIONS: 1

COORDINATES FOR EACH LOCATION:

LATITUDE	LONGITUDE	LATITUDE	LONGITUDE	LATITUDE	LONGITUDE
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POLYGON 1

(48.3266419, -102.8389030) (48.3267133, -102.8308349) (48.3253864, -102.8307705)

(48.3253722, -102.8284102) (48.3243306, -102.8284102) (48.3242593, -102.8308349)

(48.3231464, -102.8308564) (48.3221191, -102.8308349) (48.3221048, -102.8389889)