

## COMMERCIAL PIPELINE LICENSE ALONG OR ACROSS COUNTY ROAD

For and in consideration of Crook County, WY granting this License and the mutual promises set forth below Crook County, Wyoming, (hereinafter called the “County”), hereby grants a non-exclusive license to ONEOK Elk Creek Pipeline, L.L.C. whose mailing address is set forth below (hereinafter called the “Licensee”), for the limited purpose of installing a pipeline and related facilities known as the Project, a twenty inch (20”) nominal diameter pipeline (hereinafter called “pipeline”), along or across County Road No. 49 known as Banks Road located near County Road milepost 3.19 as set forth on attached “**Exhibit A**” on the following described property, to wit:

(Re)Survey Township 50 North, Range 62 West, of the 6<sup>th</sup> P.M. Section  
4, Northeast Quarter of Southeast Quarter

The parties hereby acknowledge and agree as follows:

1. Construction: Construction shall commence on approximately October 1, 2018 and shall be completed on or before April 1, 2020.
2. Construction Standards: The pipeline and other related facilities shall be placed in a manner conforming to recognized standards, applicable federal, state or local laws, codes, ordinances, and regulations, and as specified in the Wyoming Department of Transportation Utility Accommodation Regulation, latest addition, **in the location as shown on the attached “Exhibit A”**. Licensee shall be responsible for maintaining and immediately repairing or replacing to original condition, at Licensee’s sole cost and expense, any fence, road gravel, pavement, cattle guards or culverts damaged by Licensee, its employees, agents, contractors, subcontractors or representatives which results directly or indirectly from its operations on Crook County’s Road. Licensee shall regrade and reseed all areas disturbed by construction and place barriers to prevent erosion of the topsoil in the construction area as defined in the Storm Water Pollution Prevention Plan through the Wyoming Department of Environmental Quality. Reseeding shall be accomplished during the first appropriate seeding season following regrading, and seed mix shall be consistent with the native plants in the immediate area. The Licensee shall be responsible for any and all noxious weed control for a period of two (2) years from time of disturbance.
3. Locate: The Licensee shall indicate on the ground in some manner where the pipeline exists; and identify and locate the facility as specified by Wyoming Statutes 37-12-301 et seq. when requested by the County, at Licensee’s expense.
4. Alterations: Any future alterations, modifications, or removals of the pipeline within the right-of-way, requested by the County, shall be completed by Licensee without delay and without expense to the County.
5. License: This license is issued pursuant to W.S. 1-26-813 and grants permission for the Licensee to occupy a portion of the right-of-way controlled by the County. This permission

is limited by the type of controlling interest held by the County. Responsibility to satisfy any other fee (interest) rests with the Licensee. The Licensee claims no property rights in and to the public road being used for its pipeline. This license does not allow for installation of additional pipelines, nor does this license set aside a strip of land of specific width for the exclusive use by the Licensee. The Licensee shall not use this license for any other purpose nor erect anything over or around the county road itself.

6. Modification and Repair: Minor repairs, minor additions to the existing pipeline, equipment, and routine maintenance are permissible without additional licensing. The Licensee shall receive prior approval from the County Road and Bridge Superintendent, if a road is to be trenched, bored, or closed, except in emergencies where notification is not feasible. Licensee shall be responsible for maintaining and immediately repairing or replacing to original condition, at Licensee's sole cost and expense any fence, road, gravel, pavement, or culverts damaged by Licensee, its employees, contractors, agents or representatives that results directly or indirectly from its operations within the County Road right of way. Licensee shall regrade and reseed all areas disturbed by construction and place barriers to prevent erosion of the topsoil in the construction area. Reseeding shall be accomplished during the first appropriate seeding season following regrading. Licensee shall re-compact all areas disturbed by construction so that no settling occurs and shall be responsible for curing any future settling.
7. Description: Attached to this License is a plan sheet(s) labeled **“Exhibit “A,”** which clearly shows the Township, Range, Section, Quarter Quarter section, Road Crossing locations, Correct Official County Road Name and Number, Pipeline Easement centerline and Boundaries, Pipeline Easement Width Dimensions and any other pertinent notations, pipeline, facility type, alignment, grade, vertical and horizontal clearances, roadway location as well as the dimensions from the proposed pipeline and facilities to the centerline of the roadway, fenceline, and other features if applicable.
8. Traffic Control: The Licensee shall use the standards of traffic control as defined in the “Manual on Uniform Traffic Control Devices,” including supplements. These standards shall apply to the installation, maintenance, repair, replacement, and/or monitoring of the Licensee’s pipeline and facilities.
9. Liability: The Licensee agrees to forever indemnify the County and hold the County harmless from all liability for damages to property or injury to or death of persons, including all costs and expenses related thereto (including attorney fees) arising wholly or in part or in connection with the existence, construction, alteration, repair, renewal, use, or removal of the pipeline by the Licensee or his employees, contractors, subcontractors, and agents, for those facilities which may arise from this License. The County shall not be liable for any damage its employees, agents, sub-contractors, or contractors may cause to the Licensee, its agents, employees, assigns, contractors, sub-contractors, pipeline and facilities except to the extent caused by the gross negligence, willful misconduct or illegal acts of the County, its employees, agents, or contractors.
10. Term of License: This License shall remain in full force and effect until the County revokes the License due to the Licensee’s breach or failure to comply which remains uncured after the following: (a) County provides written notice to the Licensee; (b) Within 60 days of notice, Licensee fails to provide a reasonable schedule for the cure; and (c) Licensee fails to provide a

reasonable cure within the Licensee's stated schedule. The Licensee agrees that it shall not materially interfere with the County's utilization of the County Road.

11. Assignment of License: This License may be assigned in whole or in part with the written consent of the County, which may be reasonably withheld. Notwithstanding the forgoing, Licensee may assign this License in whole or in part to a parent, subsidiary or affiliated company without the County's consent. The terms, conditions and provisions of this License and the covenants contained within this License shall bind and inure to the benefit of the respective successors-in-interest of the parties hereto.
12. Recording of Document: Prior to the construction of the pipeline pursuant to this License, the Licensee shall record this License in the real property records of the Crook County Clerk's Office at the Licensee's expense.
13. Government Immunity: The County and Licensee reserves any and all governmental immunity either may have pursuant to state and federal laws and regulations.
14. Depth and Sleeve: Any pipeline line shall be at least ten (10) feet deep from the bottom of the road ditch (unless state highway regulations require a deeper depth then that shall be used) that shall run perpendicular to the roadway when crossing the roadway, and as far away from the traveled portion of the roadway as possible at all other times. ~~If the pipeline crosses the County Road it shall be sleeved with steel pipe so, the line can be replaced or repaired without digging up the road (unless the County strikes this provision).~~ The County Road and any approach shall be bored unless the Crook County Road & Bridge Superintendent gives prior written permission to trench the County Road, or to bore and use a thicker walled pipe as required by Wyoming Department of Transportation Utility Accommodation Regulations.
15. Impact to County Roads: It is foreseen that a large volume of vehicles and heavy equipment will impact the County Roads, in such ways as increased maintenance, fugitive dust, and physical damage to the road. The approval of this License is contingent on the execution of a separate more detailed Road Use and Maintenance Agreement between Crook County and the Licensee that will cover any special considerations not outlined in this License, including bonding against potential damages to County Roads during construction.
16. Other Requirements: The Licensee shall be required to notify the Crook County Homeland Security via the Crook County Dispatcher at 307-283-1225 in the same manner and time frames as any other state or federal regulatory agency about incidents concerning this pipeline.

**LICENSEE**

By (Signature): \_\_\_\_\_

Wesley J. Christensen, Vice President - Operations

Mailing address:

ONEOK Elk Creek Pipeline, L.L.C.

100 West Fifth Street

Tulsa, Oklahoma 74103

Phone: (918) 558-7704

Fax: (918) 588-7273

STATE OF \_\_\_\_\_ )  
: ss.

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me on \_\_\_\_\_

By \_\_\_\_\_  
on behalf of \_\_\_\_\_

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

**INSTRUCTIONS TO LICENSEE: Prepare this License and attach your Exhibit A detailing the pipeline and facility. Submit it to the Road & Bridge Supervisor for review. Do not start construction until approved and signed by the Board of County Commissioners.**

Reviewed by Crook County Road & Bridge Superintendent

\_\_\_\_\_  
BY: \_\_\_\_\_ Date

Contact Information:  
Crook County Road & Bridge Department  
P.O. Box 995  
Sundance, Wyoming 82729  
(307) 283-1441  
(307) 283-2323 FAX

CROOK COUNTY

By \_\_\_\_\_,  
Chairman

STATE OF WYOMING )  
: ss.

COUNTY OF CROOK )

The foregoing instrument was acknowledged before me by \_\_\_\_\_  
\_\_\_\_\_, as Chairman of and on behalf of the Board of County Commissioners in and for Crook  
County, Wyoming as authorized at Book \_\_\_\_\_ of Commissioners Proceedings at Page \_\_\_\_\_ this \_\_\_\_  
\_\_\_\_\_ day of \_\_\_\_\_.

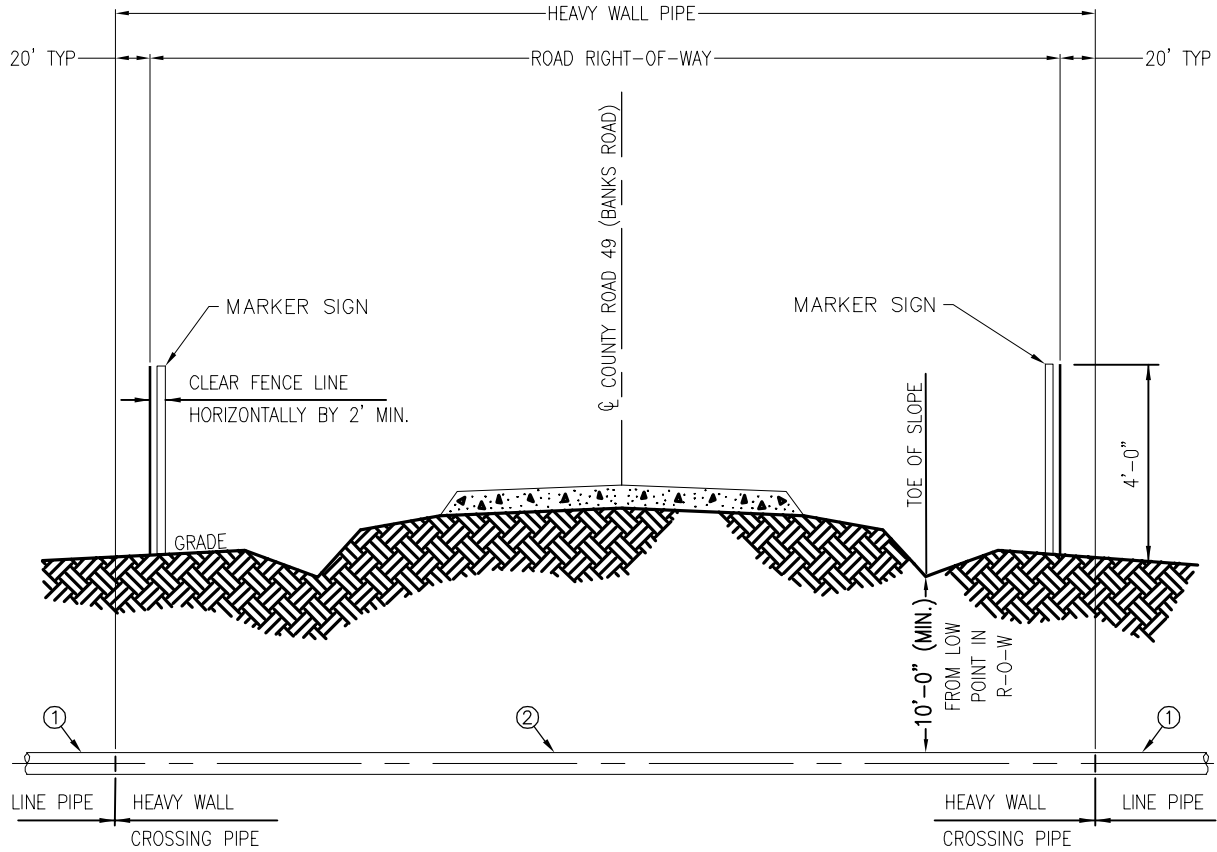
WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires:

**Instructions: Once all parties have signed before a notary and the Board has approved the License record the document and send a copy to the Road and Bridge Department and Licensee.**

# CROOK COUNTY, WYOMING LARGE COMMERCIAL PIPELINE LICENSE – EXHIBIT A



TYPICAL BORED ROAD CROSSING  
UNCASED

LEGEND	
①	MAINLINE PIPE, 20.00" O.D. x 0.344" W.T., API-5L-X65 W/ 14 - 16 mils FBE
②	BORE PIPE, 20.00" O.D. x 0.375" W.T., API-5L-X65 W/ 14 - 16 mils FBE, 30 mils ARO

DESCRIPTION	CARRIER PIPE
CONTENTS TO BE HANDLED	NATURAL GAS LIQUIDS (NGL's)
PIPE MATERIAL	STEEL
SPECIFICATION AND GRADE	API-5L-X65

**ISSUED FOR PERMIT**  
 NOT FOR CONSTRUCTION,  
 RECORDING PURPOSES, OR  
 IMPLEMENTATION.

REV NO	REVISION	BY	CHK	PM	DATE
A	ISSUE FOR PERMIT	RAW	AW	TB	03/13/18



PROPOSED 20" PIPELINE  
 CROSSING  
 COUNTY ROAD 49 (BANKS ROAD), SHEET 1 OF 2



321 S. BOSTON AVE., SUITE 300  
TULSA, OK 74103

DWN BY	DATE	SCALE	PROJ NUMBER	DRAWING NUMBER	REV
RAW	03/13/18	N.T.S.	15101	WYCK.RV2B.CR.0360.00.01-PD	A

CROOK COUNTY, WYOMING  
LARGE COMMERCIAL PIPELINE LICENSE – EXHIBIT A  
 SURVEY TOWNSHIP 50 N, RANGE 62 W, OF THE 6TH P.M.  
 SECTION 20, SESW



ISSUED FOR PERMIT  
 NOT FOR CONSTRUCTION,  
 RECORDING PURPOSES, OR  
 IMPLEMENTATION.

PLAN VIEW  
 N.T.S.

LOCATION OF ROAD BORE AT POINT (X) APPROXIMATELY 3,080 FT WEST OF THE INTERSECTION OF COUNTY ROAD 49 AND HIGHWAY 585, AT THIS POINT ONEOK WILL BORE UNDER COUNTY ROAD 49.

REV NO	REVISION	BY	CHK	PM	DATE
A	ISSUE FOR PERMIT	RAW	AW	TB	06/08/18



ELK CREEK PIPELINE  
 PROPOSED 20" PIPELINE  
 CROSSING  
 COUNTY ROAD 49 (BANKS ROAD), SHEET 2 OF 2

**RESOLUTE**<sup>™</sup>  
 ENGINEERING

321 S. BOSTON AVE., SUITE 300  
 TULSA, OK 74103

DWN BY	DATE	SCALE	PROJ NUMBER	DRAWING NUMBER	REV
RAW	03/13/18	N.T.S.	15101	WYCK.RV2B.CR.0360.00.01-PD	A

## Crook County

### Exhibit B

#### Road Crossing Location Change Procedure

Pipeline route changes that affect the location of a pipeline crossing after development of the pipeline route and submittal of an application(s) for a *Commercial Pipeline License Along or Across County Roads* (License) and the *Policy on the Installation of Commercial Pipelines Along or Across County Roads* (Policy) are subject to this Procedure. The reasons for these changes can include, but are not limited to, discovery of previously unidentified underground utilities and agreements with landowners to alter the location. In order to address these needs for route changes following the submittal of its License application, ONEOK proposes the following procedures to accommodate potential route changes that may occur. The procedures vary depending on the type or circumstance of the change requested.

#### Definition of Terms

**BMPs:** Best Management Practices

**Board:** Crook County Board of County Commissioners

**County:** Crook County

**Department:** Crook County Road and Bridge Department

**Landowner:** Surface owner adjoining the county road crossing location

**Superintendent:** Crook County Road and Bridge Superintendent

#### Procedure

1. Before or during construction, ONEOK, without any action by the Board, but with the approval of the Superintendent may adjust the location of a county road crossing by the pipeline, as recorded in the attached Exhibit A document, if, before conducting any construction activities associated with the adjustment, ONEOK:
  - a. Files with the Board certification and supporting documentation providing that:
    - i. The revised pipeline location will not introduce new adjoining landowners; and
    - ii. The Superintendent has been provided an Exhibit A at least 10 business days prior to installation of the pipeline across the County road and the Exhibit A incorporates the same Board-approved Superintendent's recommendations regarding crossing location and pipeline depth as the previously reviewed Exhibit A.
    - iii. ONEOK will comply with the License, including previously agreed to BMPs (e.g., County Fire Management Plan, County Weed and Pest Plan).
  - b. The filing will be made in this manner:
    - i. ONEOK will submit a completed License form, if necessary due to the change in location of the road crossing, and Exhibit A with a letter including this certification statement signed by representative of the company: *I hereby certify that this revision to the License and Exhibit A*



*is a revision in location only; that the revised pipeline crossing location of the county road does not introduce new adjoining landowners; the Superintendent has been provided an Exhibit A that incorporates the same Board-approved Superintendent's recommendations regarding crossing location and pipeline depth as the previously reviewed Exhibit A; and ONEOK will comply with the License, including previously agreed to BMPs (e.g., County Fire Management Plan, County Weed and Pest Plan).*

2. Before or during construction, ONEOK, without any action by the Board, but with the approval of the Superintendent may adjust the location of a county road crossing by the pipeline, as recorded in the attached Exhibit A document, to a new location along the same road and adjoining a new landowner(s) if, before conducting any construction activities associated with the adjustment, ONEOK:
  - a. Files with the Board certification and supporting documentation that:
    - i. Includes a revised Exhibit A for the crossing;
    - ii. The Superintendent has been provided an Exhibit A at least 10 business days prior to installation of the pipeline across the County road and the Exhibit A incorporates the same Board-approved Superintendent's recommendations regarding crossing location and pipeline depth as the previously reviewed Exhibit A.
    - iii. ONEOK will comply with the License, including previously agreed to BMPs (e.g., County Fire Management Plan, County Weed and Pest Plan); and
    - iv. The following governmental entities were provided 10 business days to review the adjustment relative to the requirements of the Policy:
      1. County Growth and Development Office (part J of the Policy)
      2. Road and Bridge Department (part I of the Policy)
      3. Homeland Security (part K of the Policy)
      4. Fire Warden (part L of the Policy)
    - v. Completes the requirements of part M of the Policy.
  - b. The filing will be made in this manner:
    - i. ONEOK will submit a completed License form, if necessary due to the change in location of the road crossing, and Exhibit A with a letter including this certification statement signed by representative of the company: *I hereby certify that this revision to the License and Exhibit A is a revision in location only; that the Superintendent has been provided an Exhibit A that incorporates the same Board-approved Superintendent's recommendations regarding crossing location and pipeline depth as the previously reviewed Exhibit A; ONEOK will comply with the License, including previously agreed to BMPs (e.g., County Fire Management Plan, County Weed and Pest Plan); and that the County Growth and Development Office, Road and Bridge Department, Homeland Security, and Fire Warden have been provided 10 business days to review the adjustment.*
3. The Board is not required to hold a public hearing for the locations of Commercial Pipeline License or Access Permits for any adjustments to the location of a county road crossing by the pipeline that satisfy this Procedure.