



Southwest Pipeline Project Crossing Permit Application

In accordance with section 61-24.3-20 of the North Dakota Century Code, crossing of the Southwest Pipeline Project (SWPP) easement requires prior approval to the extent the Project has authority to do so. Southwest Water Authority (SWA) in accordance with section 61-24.5-01 and through the transfer agreement with the North Dakota State Water Commission, manages, operates and maintains the SWPP. Approval will therefore be granted by SWA based upon signed acknowledgement of and intent to comply with the following conditions:

1. Applicant will assume full responsibility for any and all damages caused by the construction, operation and maintenance of the applicant's facilities.
2. Applicant's facilities will cross beneath the SWPP pipeline if at all possible. (Does not apply to natural gas lines, power lines and communication systems buried less than 48 inches).
3. At the point of crossing, a minimum separation of 18 inches must be maintained between the applicant's facilities and the SWPP pipeline. Exceptions must receive prior approval.
4. Excavation in the vicinity of the SWPP pipeline shall be performed by hand digging only. The SWPP main transmission pipelines must be exposed whether boring or open cut methods are utilized.
5. Crossing angle shall be as near 90 degrees as possible.
6. Applicant shall envelop the SWPP metallic pipelines with a granular material similar to the material removed. This requirement does not apply to PVC pipelines.
7. Applicant must mitigate any interference with the SWPP cathodic protection system. Any installation of cathodic protection shall be subject to inspection by SWA personnel.
8. Crossing shall be inspected by SWA personnel prior to and during backfill. No charge will be made during normal working hours. Outside of normal working hours applicant will be billed for the onsite representative(s) at billable rates plus mileage and any other related expenses.
9. Pipelines carrying products other than potable water must be encased a distance of 20 feet on either side of the crossing. (Natural gas is exempt from this requirement).
10. Applicant must provide a minimum of 48 hours notice prior to construction activity.
11. Applicant will indemnify and hold harmless SWA, and its officers, directors, employees, and contractors, from and against all claims, costs, losses, and damages, including those claims arising out of or relating to the performance of SWA's water distribution system at the crossing location(s), as long as any such claim, costs, losses, and damages were caused by the applicant's project or the existence of applicant's facilities.
12. Applicant will procure and maintain insurance appropriate to cover claims that may arise resulting from the applicant's project or facilities. The applicant's insurance policy shall insure all operations by or on behalf of the Company, on an occurrence basis, against:

Claims for damages because of bodily injury, sickness or disease, or death of any person.

Claims for damages insured by reasonably available personal injury liability coverage.

Claims for damages because of injury to or destruction of tangible property wherever located, including loss of use resulting therefrom.

The limits of liability for the insurance required by the preceding paragraph shall provide coverage for not less than the following amounts or greater where required by law:

General Aggregate:	\$2,000,000
Products – Completed Operations Aggregate:	\$2,000,000
Personal and Advertising Injury	\$1,000,000
Each Occurrence (Bodily Injury and Property Damage)	\$1,000,000
Excess or Umbrella Liability Per Occurrence	\$1,000,000
Excess or Umbrella Liability General Aggregate	\$2,000,000
Contractor Pollution Liability Each Occurrence	\$1,000,000
Contractor Pollution Liability General Aggregate	\$1,000,000

The applicant's commercial general liability, umbrella or excess, and pollution liability policies shall include and list as additional insureds SWA and its officers, directors, employees, and contractors; and the insurance afforded to these additional insureds shall provide primary coverage for all claims covered thereby (including as applicable those arising from both ongoing and completed operations) on a non-contributory basis. The applicant shall obtain all necessary endorsements to support these requirements. Upon issuance of the Crossing Permit requested by this application, the applicant shall deliver to SWA certificates and other evidence of insurance required to be provided by applicant.

If these conditions are agreeable, please note proposed crossing location details on the back side of this form and/or attach maps or drawings. Each crossing will require a separate permit unless authorized to provide a blanket permit for large projects with multiple crossings. Blanket permits shall require location identification and/or maps or drawings of each crossing. The application must be signed by the owner or an authorized representative of the facilities. Contractor signatures are not acceptable. Upon approval, the applicant will receive copies of the Permit and this form for the applicant's records.

Location of proposed crossing:

Quarter _____ Section _____ Township _____ Range _____ County _____

Address _____ (or)

Nearest Intersecting Street _____

Direction from and distance to nearest intersecting street: _____

Type of crossing:

Pipeline, Power Line, or Communication System: _____

Pipeline Information:

Pipeline Diameter: _____

Metallic or Non-metallic: _____

If metallic, will the pipeline be cathodically protected? _____

Product to be carried by the pipeline: _____

Power Line Information:

Power Line Voltage: _____

Communications Systems Information:

Fiber Optic or Cable type system: _____

Terms Accepted by: _____

Printed Name: _____

Signature: _____

Date: _____

Company: _____

Title: _____

Phone: _____

Email: _____

Proposed Project Owner (if different from Applicant)

Printed Name: _____

Signature: _____

Date: _____

Company: _____

Title: _____

Phone: _____

Email: _____

(For SWA office use)

Application reviewed by: _____ Date: _____

Application accepted? Yes No Permit Number Assigned: _____

If not accepted, provide explanation. If accepted, provide special terms or provisions.

