

**SALT CONTAMINATED LANDS AND
WATER COUNCIL**

**The Trust
Project**

**Tour 1
Photos**

Oil and Gas Division records show this as a zero (0) barrel spill.

It's cost of cleanup, now in millions, continues in Dec 2013.

SUMMER 2013: 30 DAYS OF SALT AND OIL



Artz Well Salt Water Disposal Line under this barley ground was unattended for 30 days.

SUMMER 2013: 60 YEARS OF SALT AND OIL



Our Bottineau County Salted Lands Tour visited this site with the gray black dead zone. Salt is so concentrated that not even salt tolerant foxtail barley will grow.

Banks are aware.

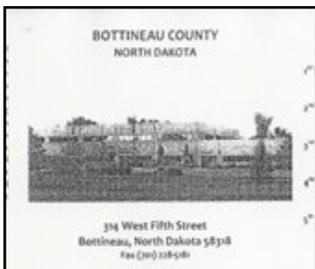
So are well-informed buyers.

Will lands like this be unsalable?

**1988
Leachate Study
of a 10 year old
Hastings
Township
Evaporation Pit**

**How, 35 years
later, can we
prevent future
damage from
abandoned
pits, saltwater
lines and daily
salt
water spills?**

**How many acres
of agricultural land
are now aban-
doned and dis-
persed brown-
fields?**



Why Tour Bottineau County?

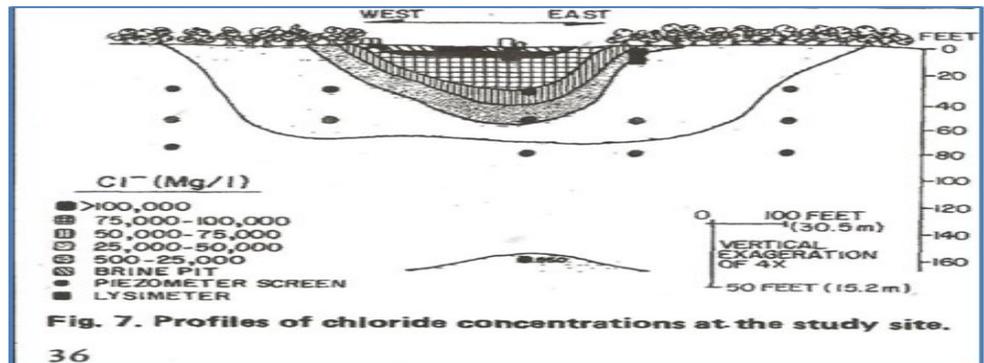


Fig. 7. Profiles of chloride concentrations at the study site.

Bottineau County has thousands of acres of salt damaged farmlands. ND Geologist Ed Murphy studied the *off-site* movement of salt. To confine the **250 tons of salt buried in each of ND's 8,000 evaporation pits**, he proposed to mound soil above the ponds or construct infiltration galleys. State regulators did not require such measures. Nothing of the like has been done.

In Bottineau County 30 year high water have inundated and spread the contamination. Clay caps, drain tiles, and pumps will be required to capture leaching brines and chemicals. Lateral Movement is 8 times greater than vertical.

Salt Movement

Murphy's colleague, Jon Reiten of the Montana Bureau of Mines, author of *MBMG 260 Appraisal of oil field brine contamination in ...ground and surface water, eastern ... Montana estimated,*

"...each well site in northwest Montana and northwest North Dakota has, on average, 250 tons of salt in the old evaporation pit, many unlined. ...liners were purposefully broken to dry the salt. That caused spreading of the salt by spider webbing. I found brines spreading underground, reappearing and killing crops one mile away. Even a very small spill cleanup runs into hundreds of thousands, most into millions."

Nov 7, 2013 Bottineau Commissioners Request to NDIC

"The Commissioners believe...positive actions must be taken to reclaim current sites and prevent future damage from oil field saltwater spills. These spills are happening at an alarming rate and are causing devastating damage...."

We are asking the Industrial Commission...to reclaim and protect our land, tax base, and the future...."

We request that the North Dakota Industrial Commission:

- 2) Use available resources to do an accounting of acres affected by oil field spills and inadequate reclamation of well sites.
- 3) Develop a plan to reclaim land to pre-exploration conditions so land regains full productivity."

Who is Obligated to Prevent Off-Site Contamination ?



Murphy warned of salt spreading from the 8,000 *1950-1970's* style unlined evaporation pits. Are landowners who have settled liable? Is the state? Can producers escape by lapse of time?

Counting the Acres Devoted to Oil Industry

Current On-Site Acres Devoted to Oil Industry:

“The NDIC does not maintain a running total of land area used for each well and facility site. As of September 1, 2013 the well and facility high estimate is 56,750 acres.”

Current Off-Site Acres Devoted to Oil Industry

No one has counted acres committed to roads, gas plants, disposal sites, or contaminated by off-site spills. In two townships of Bottineau County we have begun via an aerial survey and boots on the ground. We will count all contaminated acres i.e. all acres not returned to full productivity. The loss throughout the state must be counted.

Join us on our next Salted Lands Tours

Salt spills are *greater threats to freshwater and productive land than are oil spills.*

We have a personal invitation from Louisiana lawyer, J. Michael Veron, author of *Shell Game*. He is an experienced remediation case litigator. We will visit damage lands, meet his experts, and inspect the BP damaged areas of the Gulf of Mexico. Louisiana’s ranch and farmlands are similar to Bottineau County’s; wet, productive, and dotted with evaporation pits and spills.

We requested the Farmer’s Union bus to take 50 of us to the rice beds of Lake Charles Louisiana. Our plan is go before 2014 springs work and calving.

In June 2014 we will tour Bottineau County again. Later in the summer we will tour Renville County on our way west to Sheridan, Roosevelt, and Richland Counties in Montana.

SCLWC Needs \$100,000:

- **To finish Counting the Contaminated Acres, Township by Township**
- **To Develop a Business Model for Landowner, Township, and County Partnered Remediation**
- **For Salary and Expenses of Coordinator**
- **To Create Our Own 501 (c) (3)**
- **To Develop a Website to collect Authenticated Photos And Videos Of Salt Contaminated Land and Water**
- **To Promote Tax Relief for Contaminated Negative Valued Lands**

Invitation to Join The Salted Contaminated Land & Water Council

Why do we begin in North Dakota? Our statutes, case law, attorney generals' opinions embrace the Public Trust Doctrine. North Dakota's Constitution protects provides more protection to private property than the US Constitution. Under our water law, government servants are trustees. When officials, elected or appointed, breach their duties we shall remind them their conduct is measured by the Public Trust Doctrine. In United Plainsmen v. N.D. State Water Conservation Comm'n, 247 N.W.2d 457 (N.D. 1976), the North Dakota Industrial Commissioners were told their conduct is measured by the Public Trust Doctrine.

"...[A]t minimum the (Public Trust) doctrine requires evidence of planning in the allocation of public water resources." Pg. 463.

Be a council member. The salted lands cancer afflicts farm lands from North Dakota to Louisiana. Frac water pumped down hole is contaminated but gone. Our Council has begun by identifying leaching sites in two townships in Bottineau County. Aerial mapping will cost \$40,000. The next task, according to Geologist Murphy, is quarantining salt plumes that are on the move. Statewide full remediation will cost hundreds of millions, perhaps billions of dollars.

We will link arms across state borders with corporations, individuals, and universities committed to sustainability.

STEWARDS OF OUR LAND OUGHT TO PRODUCE BEEF, BREAD, AND BARLEY.
THE HUNGRY WORLD AGREES.
OUR EDUCATION AND REMEDIATION EFFORTS
WILL ATTRACT INDIVIDUAL AND FOUNDATION SUPPORT.

Contribute to the Salt Contaminated Lands and Water Council via:

- A. **Mailing** your checks before December 31st to ***The rust Project***:
Dakota Resource Council
1200 Missouri Avenue
Bismarck, ND 58501

- B. **Online** at the DRC contribution page at drcinfo.org/
After completing the contribution page, click on "Review Donation and Continue" at the bottom.
On the next page on the upper left side, click on "Add special instructions to the seller." That is where you can add the information that this is for the ***Trust Project***.

- C. **Email** designating your contribution to the ***Trust Project***.

All contributions are tax deductible.

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