



United States Department of the Interior

OFFICE OF THE REGIONAL SOLICITOR

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September 22, 2016

Colin Harris
Counsel
Faegre Baker Daniels LLP
1470 Walnut Street, Suite. 300
Boulder, CO 80302-5335

Re: Partial Claim for Past Costs for Natural Resource Damage Preassessment for the 2015
Yellowstone River Oil Spill

Dear Mr. Harris:

This Presentment Letter (Letter) is written on behalf of the Department of Interior Trustee charged with public trust responsibilities for natural resources injured and/or threatened by the Bridger 2015 Yellowstone River Oil Spill and its associated response efforts (the Incident). The Department of Interior has authority under the Oil Pollution Act (OPA) (33 U.S.C. §§ 2701 et seq.) and its Natural Resource Damage Assessment Regulations (15 C.F.R. Part 990) promulgated pursuant to OPA, to conduct a Natural Resource Damages Assessment (NRDA) of injuries to their trust resources caused by the Incident. The OPA NRDA Regulations, at 15 C.F.R. 990, Subpart D, set out the requirements for the Preassessment Phase.

By this Letter, and pursuant to 33 U.S.C. § 2713, the Department of Interior Trustee presents to your client, Bridger Pipeline, a partial claim for Preassessment Phase activities in the sum of \$160,281.61. This partial claim covers Trustee staff time, contractor work, and analytical costs through June 30, 2016, which is the end of the third quarter of the fiscal year.

The State of Montana presented a cost package to you earlier this week.

Should Bridger decline to pay the above claim, it is the intent of the Trustees, in accordance with 33 U.S.C. § 2713 (c) and (d), to make a claim to the National Pollution Fund Center (NPFC) upon the expiration of thirty (30) days from the date of the presentment of this partial preassessment claim to Bridger. The NPFC will then seek to recover these costs directly from Bridger.

Payment instructions are enclosed along with our cost documentation. We also expect receipt of a letter agreement for funding along with payment of this cost package.

Please let us know if you have any questions and thank you for your consideration in this matter.

Sincerely,



Dana Jacobsen
Attorney Advisor
Office of the Solicitor
U.S. Department of the Interior

cc: Harley Harris, Montana Department of Justice Natural Resource Damage Program
Karen Nelson, U.S. Fish and Wildlife Service

Enclosures