

# Exhibit 9



February 28, 2017

Bureau of Land Management  
Vernal Field Office  
Attn: Gary Torres  
170 South 500 East  
Vernal, UT 84078

**RE: Enefit American Oil Utility Corridor Project Environmental Impact Statement**

Dear Mr. Torres:

On November 18, 2016, Enefit American Oil (“EAO”) responded to an October 28, 2016 request from the Bureau of Land Management (“BLM”) Vernal Field Office (“VFO”) for additional information regarding EAO’s application for certain BLM rights-of-way (“ROW”) to develop access and utility lines across public land to EAO’s privately held oil shale resources. Hereinafter, EAO’s proposal to develop the access and utility lines across public land will collectively be referred to as the “Utility Corridor Project,” while EAO’s private land development will be referred to as the “South Project,” while specific components of each will be referred to accordingly. Following on our November 18, 2016 submittal, EAO would like to provide further detail on a particular aspect of that response – the alternate utility connections and access for the South Project, which could be utilized should the BLM select the No Action alternative and deny the request for ROW. The requested ROWs under the Proposed Action include natural gas, electricity and water supply connections, a product oil delivery connection, and improvements to an existing county road for access. Although EAO believes the proposed utility connections and access improvements represent the most environmentally responsible and safe alternative, none of these requested ROWs are wholly necessary for development of the South Project.

- Natural Gas – An existing six-inch-diameter natural gas pipeline – part of Summit Midstream Partners’ (Summit) Red Rock Gathering system – courses through EAO’s Enefit South private property, approximately 0.5 mile west of the South Project plant site. EAO has communicated with Summit’s regional headquarters in Denver, CO, and Summit has indicated their interest in providing a flow of at least 100 million British Thermal Units per hour (MMBtu/hr) at a pressure of 200 psig of natural gas to supply the South Project; actual MMBtu/hr rate may be higher depending upon availability at the time of subscription, with commercial terms dependent upon the final delivery rate. This supply would be via a new lateral pipeline and appurtenant facilities. The interconnection with Summit would consist of an approximately 0.5-acre tap and meter station. The station would include a meter and filter skid, a data acquisition and control building, and a deep well anode bed and rectifier for a cathodic protection system. The new station would be located immediately adjacent to the existing pipeline near the northern edge of the Enefit South private property, in the northwest quarter of Section 4, Township 11 South, Range 25 East. EAO would construct a new lateral pipeline from this meter station approximately 0.5 mile eastward across the

**NOTE: THIS RESPONSE CONTAINS CONFIDENTIAL BUSINESS INFORMATION. IN ACCORDANCE WITH SECTION III.A.11 OF THE MEMORANDUM OF UNDERSTANDING BETWEEN ENEFIT AMERICAN OIL AND THE U.S. DEPARTMENT OF INTERIOR BUREAU OF LAND MANAGEMENT FOR PREPARATION OF THE ENVIRONMENTAL IMPACT STATEMENT REGARDING RIGHTS OF WAY IN UINTAH COUNTY, UTAH, AS WELL AS EXHIBIT C, SECTION 8 OF PURCHASE ORDER 2013-005 BETWEEN ENEFIT AMERICAN OIL AND ENVIRONMENTAL PLANNING GROUP, LLC, ALL INFORMATION CONTAINED IN THIS RESPONSE SHALL BE TREATED AS SUCH BY THE BLM AND EPG.**

South Project under the No Action alternative), in order to determine the details of the commercial service arrangement – it is unlikely that this detailed study, considering the time and cost required to prepare it, would better inform the BLM’s decision between alternatives. The No Action alternative with regards to electricity supply is technically viable, as demonstrated herein, and the commercial terms and details between MLEA and EAO should not be of consequence in the agency decision-making process. MLEA also indicated that an upgrade of that existing 69 kV line to 138 kV would require converting several substations, as well as changing tower configuration from the current single pole design to a two-pole/H-frame configuration (similar to the Proposed Action), thus requiring an expansion of the existing ROW. Although 138 kV lines can be built on single-pole structures, the structures are larger and more numerous (and thus would still require replacement), and this configuration is often reserved for urban settings where ROW constraints force the line into a smaller footprint. While an upgrade is technically feasible, it is more likely that EAO would proceed with using the available power on the existing 69 kV line and augmenting, as necessary, with onsite generators for construction and start-up power. As previously indicated, once up and running, the South Project would produce its own power supply through combustion of retort gas, as the Enefit280 unit in Estonia does today.

- Water –EAO owns water right No. 49-1639, a groundwater right with an approved point of diversion located within the Enefit South private property boundary and an existing six-inch-diameter, 750-foot-deep well completed in the Douglas Creek formation. That water right could be used immediately for water supply in its approved amount with deployment a new wellhead pump mechanism and piping extend northward across the Enefit South property to the South Project plant site. At the same location as this existing well, the Wasatch Formation is approximately 1,400 feet deep, and completion records from a historic gas well as the same location indicate significant water was encountered at a depth between 1,536 and 1,570 feet, further improving reliability of this water source. EAO currently maintains a network of 16 different groundwater monitoring wells across the Enefit South private property, including three already completed in the Douglas Creek aquifer. As previously mentioned in our November 18, 2016 letter, EAO would pursue conversion from a surface water point of diversion to a groundwater point of diversion for all or a portion of water right No. 49-258 – currently proposed to be withdrawn from the Green River, and which also has approved points of diversion for withdrawal from the White River – and we would complete one or more of those wells with wellhead pumps as a groundwater supply wellfield. Based on groundwater monitoring completed by EAO (the data was submitted to the BLM in 2013 and 2014), there are multiple saturated zones underlying the Enefit South property that EAO could draw from. The wellfield would be wholly located within the Enefit South private property, and gathering pipelines would be routed to the South Project plant site. The wellhead pump design and configuration would