



# **EAST RIVER**

**ELECTRIC POWER COOPERATIVE**

121 Southeast First St.  
Madison, SD 57042

P.O. Box 227  
Telephone (605) 256-4536

**RECEIVED**

**DEC 19 2008**

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

December 17, 2008

Ms. Karen Cremer, Staff Attorney  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501-5070

Subject: EL08-016 Stipulation

Dear Ms. Cremer:

The stipulation for East River Electric Power Cooperative's permit to construct a 115 kV overhead electric transmission line, EL08-016, directs East River Electric to provide the PUC staff with a copy of any permits obtained by the East River Electric, the Applicant. (EL08-016 Terms and Conditions #1)

We enclose here copies of two permits from the Lincoln County Board of Commissioners for East River Electric's Project to cross over County Highway No# 116. We also enclose copies of two License Agreements between East River Electric and the Western Area Power Administration for the Project to cross under Western's Utica Junction-Sioux Falls 230 kV transmission line.

If additional information or clarification is needed, please let me know.

Sincerely,

Dan Wall, Manager  
Transmission/Engineering Services

cc: Bob Sahr  
Jim Edwards





**Department of Energy**  
Western Area Power Administration  
200 4th Street SW  
Huron, SD 57350-2474

EAST RIVER
FILE
RECEIVED MADISON, SD

November 18, 2008

6468.

East River Electric Cooperative, Inc.  
Mr. Kenneth Booze, Planning/Design Engineer  
121 SE First Street  
Madison, SD 57042

**Subject:** East River Cooperative's 115-kV Crossing on Western Area Power Administration's Utica Junction-Virgil Fodness Section of the Utica Junction-Sioux Falls 230-kV Transmission Line License Agreement UGP-LI-2008-16HU

Dear Mr. Booze:

Enclosed please find Western's License Agreement UGP-LI-2008-16HU, fully executed in favor of East River Electric Cooperative, Inc.

Please feel free to call me with any questions at 1-800-365-9272, ext. 2612.

Sincerely,

A handwritten signature in cursive script that reads "Mary Klozenbucher".

Mary Klozenbucher  
Realty Specialist

Enclosures

**UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
WESTERN AREA POWER ADMINISTRATION  
Pick Sloan Missouri Basin Program**

Utica Junction-Virgil Fodness Section of the Utica Junction-Sioux Falls  
230-kV Transmission Line

Crossing #1: NENE1/4, Section 16, Township 99N, Range 51W, 5<sup>th</sup> P.M., Lincoln  
County, South Dakota  
Between Structures 43/4 and 43/5

Crossing #2: SWSW1/4, Section 19, Township 99N, Range 51W, 5<sup>th</sup> P.M. Lincoln  
County, South Dakota  
Between Structures 40/2 and 40/3

Crossing #3: SESE1/4, Section 24, Township 99N, Range 52W, 5<sup>th</sup> P.M., Turner  
County, South Dakota  
Between Structures 40/1 and 40/2

**LICENSE AGREEMENT**

**THIS LICENSE AGREEMENT**, made this 18<sup>th</sup> day of November, 2008,  
between **East River Electric Power Cooperative, Inc.**, (LICENSEE),  
whether one or more, and the UNITED STATES OF AMERICA, Department of  
Energy, Western Area Power Administration, (Western), represented by  
the officer executing this agreement, pursuant to the Reclamation Act,  
Act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof and  
supplementary thereto, and the Department of Energy Organization Act,  
Act of August 4, 1977, 91 Stat. 565.

WITNESSETH:

Western concurs that the 115-kV overhead electric transmission line  
crossing (FACILITY) proposed by the LICENSEE will not interfere with  
the operation and maintenance of Western's Utica Junction-Virgil  
Fodness Section of the Utica Junction-Sioux Falls 230-kV Transmission  
Line., if constructed in the manner and at the location shown on  
Exhibit A, attached hereto and made a part hereof.

In consideration of Western's concurrence, the LICENSEE agrees to the  
following:

(a) This license does not grant any right, privilege, or interest  
in the land. The LICENSEE is responsible for obtaining any  
necessary land rights from the underlying landowner.

(b) This license is only valid provided the FACILITY is  
constructed, operated and maintained in conformance with the  
attached Exhibit A. Any relocations, changes, or upgrades require  
additional concurrence by Western. LICENSEE agrees to alter or  
relocate its FACILITY, at no cost to Western, to accommodate  
future modifications of Western's facilities, including but not  
limited to, upgrades of the transmission line.

(c) That before operating construction equipment capable of  
contacting or approaching within 13 feet or less of the 230-kV  
transmission line, the LICENSEE or his authorized representative  
agrees to obtain from Western a "Special Work Permit" and to work  
under the limits and conditions of the safe working area defined  
therein.

(d) No construction activity or installation shall be located  
within 100 feet of any transmission line structure.

(e) Licensee shall notify Western at least 20 days prior to commencing installation of the FACILITY to permit inspection by WESTERN; Contact Mr. Tim Ruge, Line Foreman, at the Sioux City, IA, Field Station Office 712-947-2307, or Mr. David Hinders, Line Supervisor, Huron Maintenance Office, at 605-353-2555.

(f) To abide by and comply with all applicable Federal, State, and local laws and building and safety codes.

(g) LICENSEE agrees to indemnify and hold harmless Western, its employees, or agents, from any loss or damage and from any liability on account of personal injury, death, or property damage arising out of Licensee's, its agents, contractors, or subcontractors use of the land covered by this License Agreement.

(h) This agreement shall be binding on the successors or assigns of LICENSEE and Western; however, it shall not be assigned by LICENSEE without prior written consent of Western.

**LICENSEE**

**East River Electric Power Cooperative, Inc.**

By: Kenneth Booze

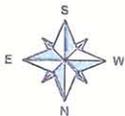
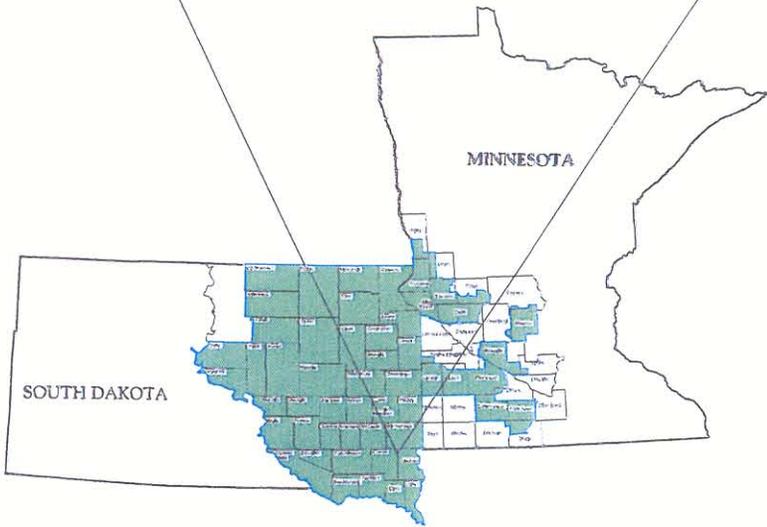
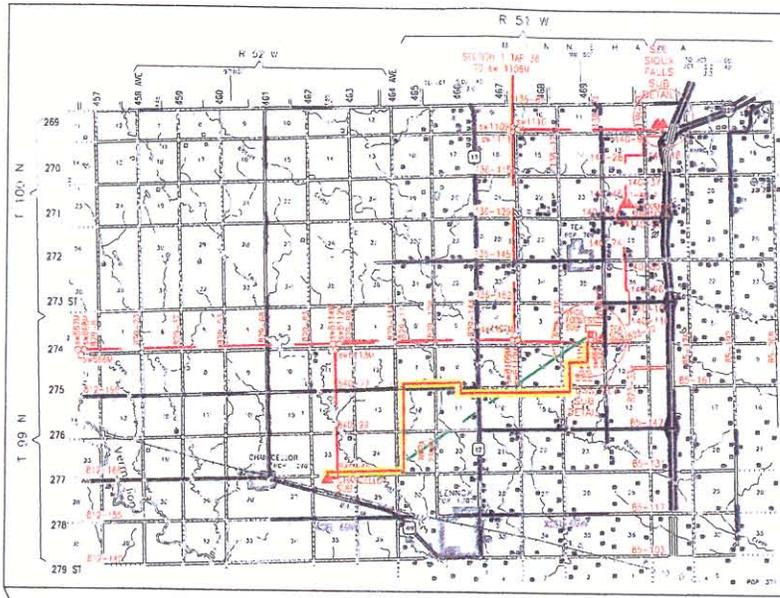
**Kenneth Booze,**  
Planning/Design Engineer

**THE UNITED STATES OF AMERICA**

**Western Area Power Administration**

By: Bruce A. Harrington

**Bruce A. Harrington,**  
South Dakota  
Maintenance Manager



**GROUND CLEARANCE CHARTS**

- LEGEND**
- PROPOSED LINE
  - -40°F SAG
  - 60°F SAG
  - 212°F SAG

TEMP	GROUND CLEARANCE TO EAST RIVER'S TOP @ @ WAPA'S LOWEST @
-40°F	59' 50"
60°F	59' 50"
212°F	59' 50"

A Touchstone Energy<sup>®</sup> Cooperative

<p><b>WAPA CROSSING</b> 275th STREET</p>		
DATE: 9/23/08	SHEET NO.: PR0841X1A	SCALE: AS SHOWN
BY: [Signature]	APP'D: [Signature]	SHEET: 01
600 P.L.E. ERT/PLT      PLOT SCALE 1" = 1'		

8-41-49  
STA=129-43  
TYPICAL  
DF-70H1

8-41-50  
STA=129-43  
TYPICAL  
DF-70H1

8-41-51  
STA=132-95  
TYPICAL  
DF-70H1

8-41-52  
STA=135-26  
TYPICAL  
DF-70H1

8-41-53  
STA=139-90  
TYPICAL  
DF-70H1  
SET 1 DEEPER  
(8-1-53)

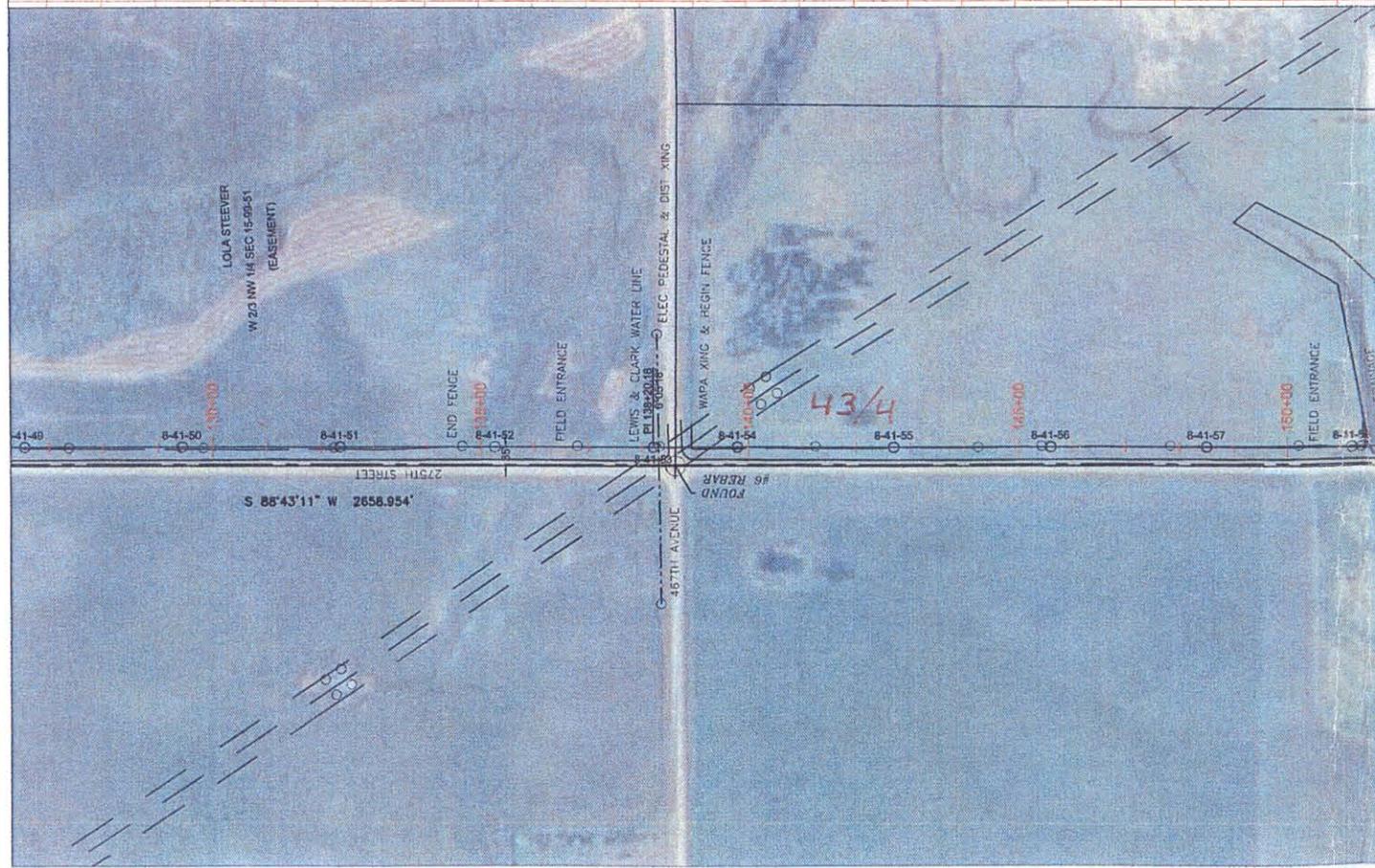
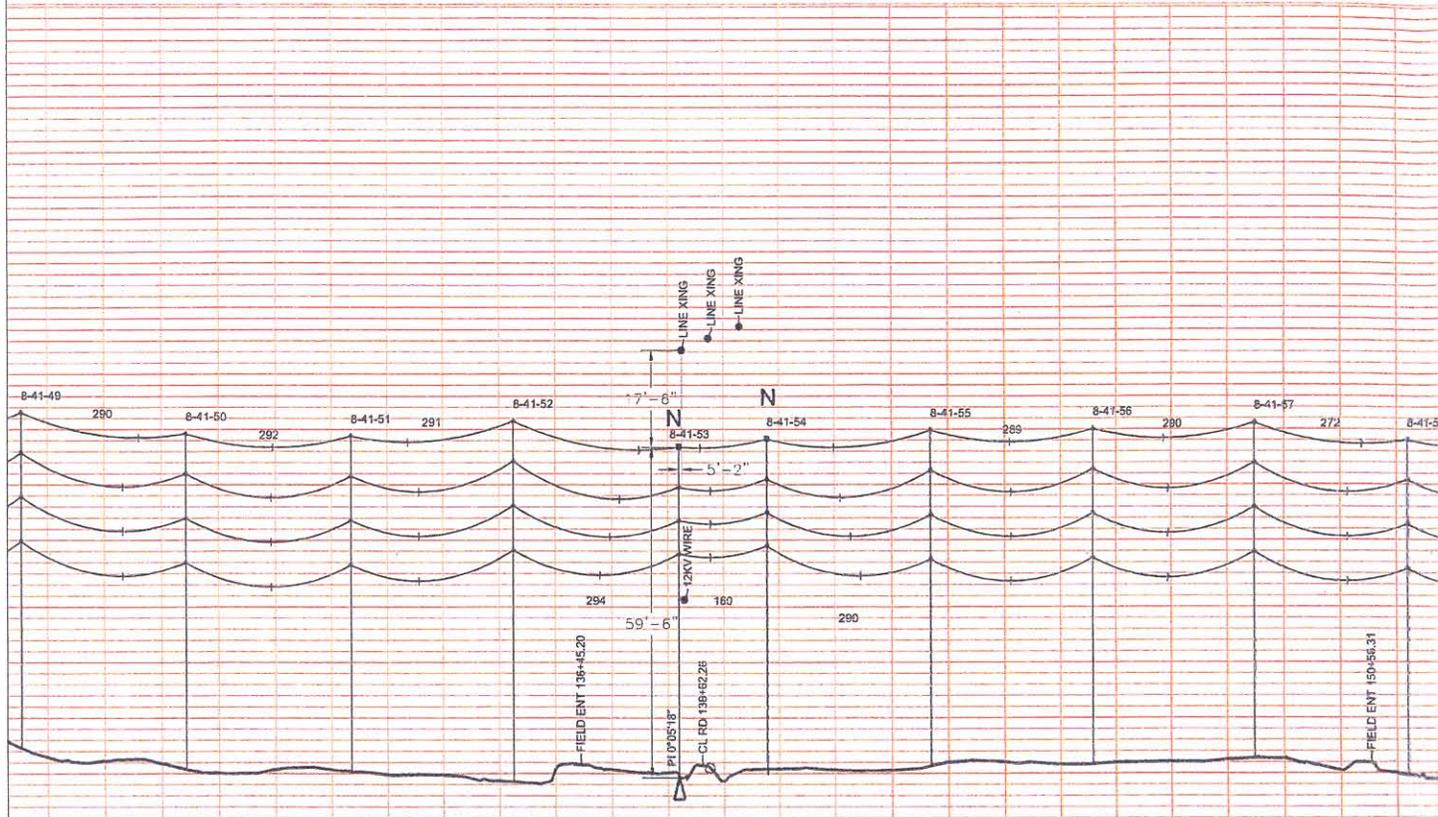
8-41-54  
STA=139-90  
TYPICAL  
SPACING 0.66  
SET 1 DEEPER  
(8-1-54)

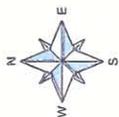
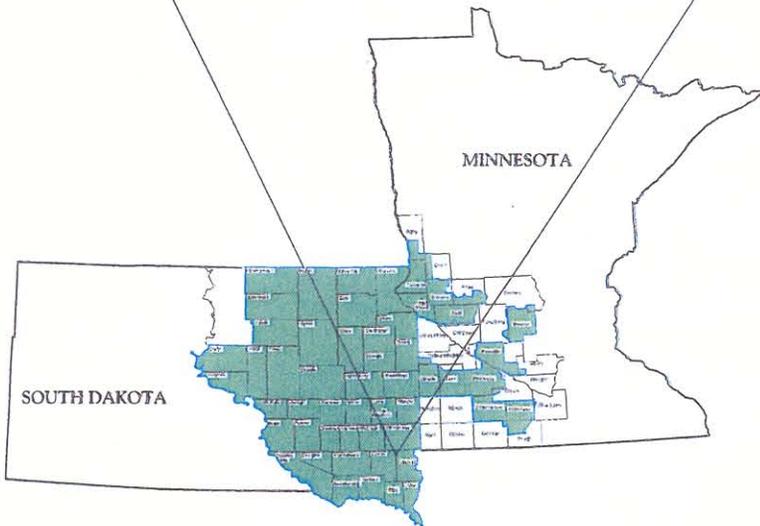
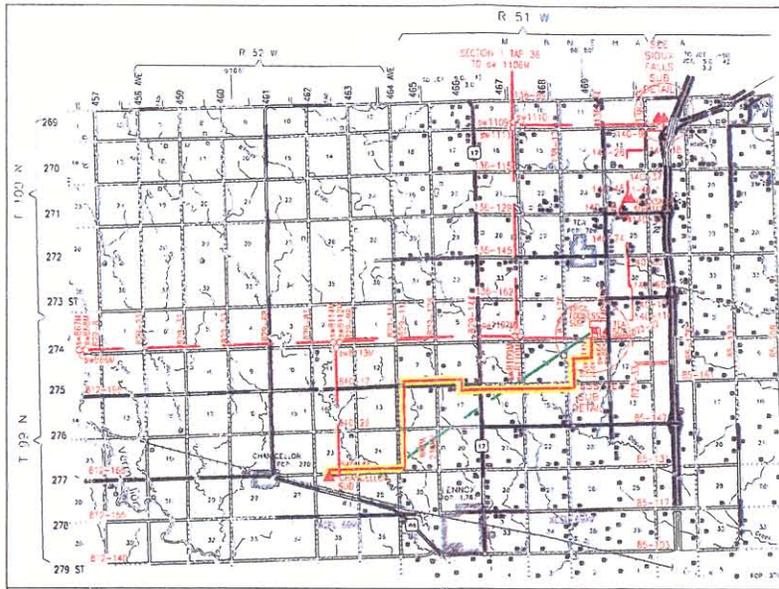
8-41-55  
STA=142-71  
TYPICAL  
DF-70H1

8-41-56  
STA=146-90  
TYPICAL  
DF-70H1

8-41-57  
STA=149-90  
TYPICAL  
DF-70H1

8-41-58  
STA=151-22  
TYPICAL  
DF-70H1





**GROUND CLEARANCE CHARTS**

**LEGEND**

- PROPOSED LINE
- -40°F SAG
- 60°F S/G
- 212°F SAG

TEMP	GROUND CLEARANCE TO EAST RIVER'S TOP @ @ WAPA'S LOWEST @
-40°F	21.75'
60°F	21.75'
212°F	21.75'

A Touchstone Energy® Cooperative

<p><b>WAPA CROSSING</b> 464th AVENUE</p>		
DATE: 9/23/08	E.N. CAD. DRG. NO.:	SCALE: AS SHOWN
D.W. NO.:	PROJ. NO.:	SHEET OF
DRAWN BY: TC	663 FILE: ERTYFLT	PLOT SCALE: 1"=1'

8-41-138  
STA=39+33  
TY=V.L.F-115  
DF=70H1

8-41-139  
STA=39+20  
TY=V.L.F-115  
DF=70H1

8-41-140  
STA=39+23  
TY=V.L.F-115  
DF=70H1

8-41-141  
STA=39+19  
TY=V.L.F-115  
DF=65H1  
SET 8.5' DEEP  
1 (116-2) (116-2) (116-2)

8-41-142  
STA=39+44  
TY=V.L.F-115  
DF=70H1  
SET 8.5' DEEP  
FRAME 15 LOWER

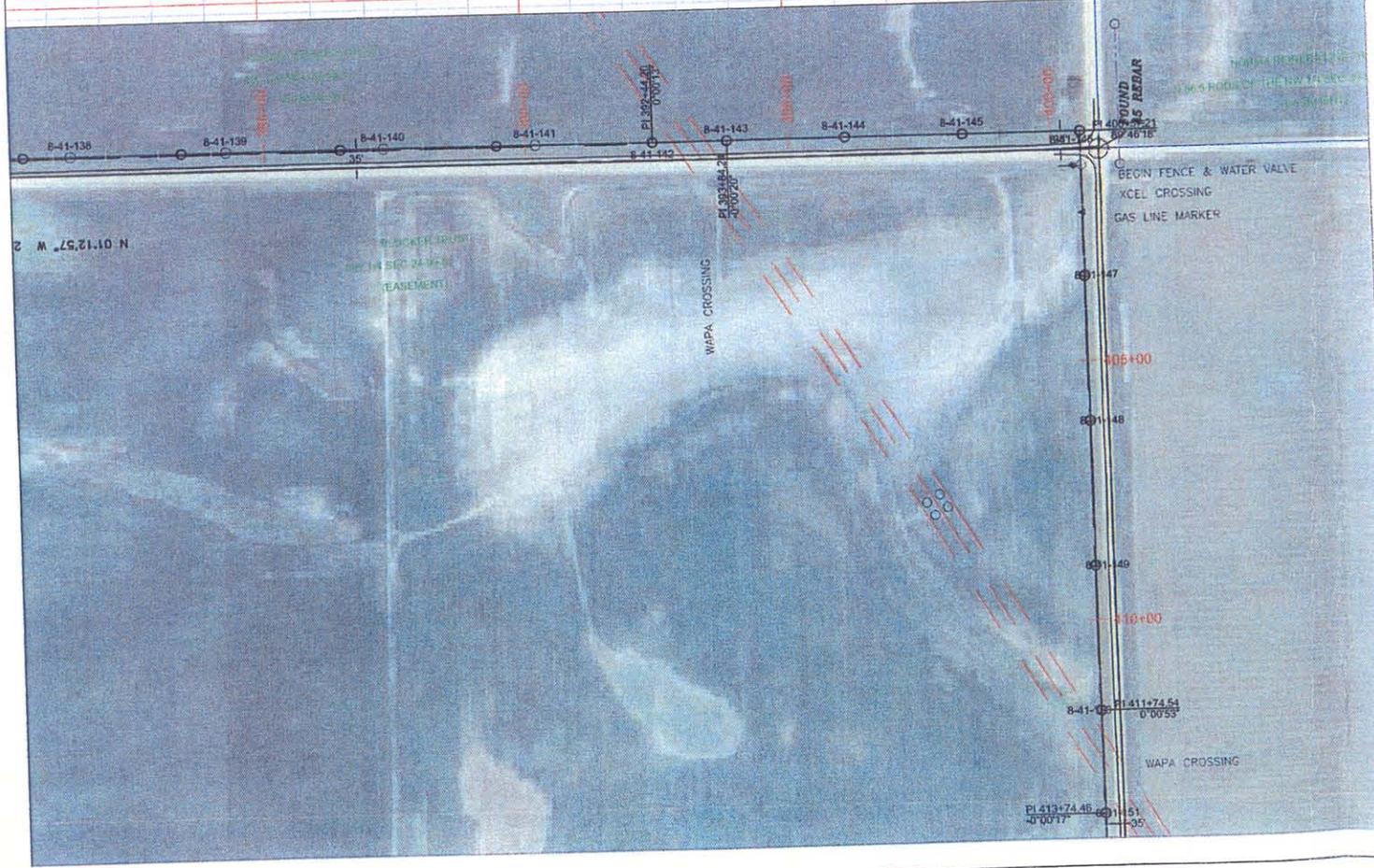
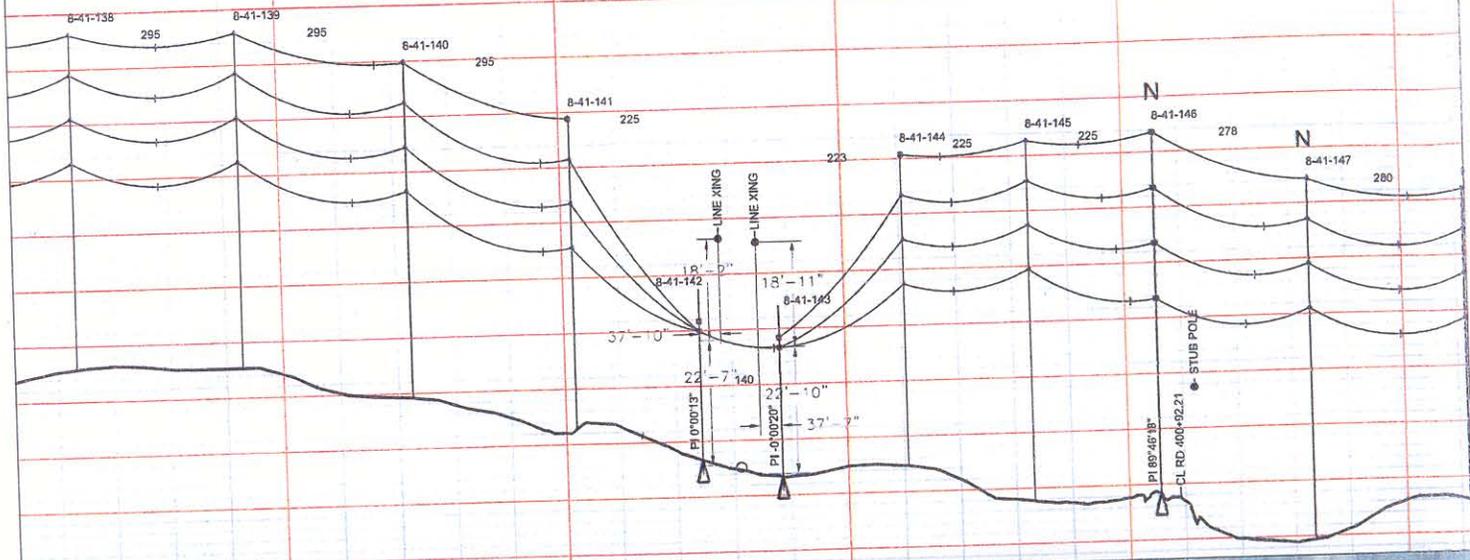
8-41-143  
STA=39+84  
TY=V.L.F-115  
DF=70H1  
SET 8.5' DEEP  
FRAME 15 LOWER

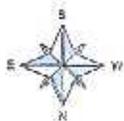
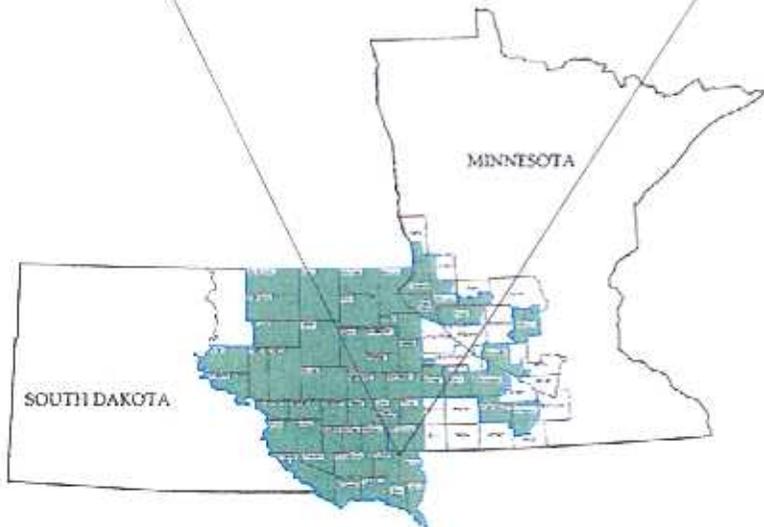
8-41-144  
STA=39+01  
TY=V.L.F-115  
DF=65H1  
SET 8.5' DEEP  
1 (116-2) (116-2) (116-2)

8-41-145  
STA=39+12  
TY=V.L.F-115  
DF=70H1

8-41-146  
STA=40+00  
TY=V.L.F-115  
DF=70H1  
SET 8.5' DEEP  
FRAME 15 LOWER  
1 (116-2) (116-2) (116-2)

8-41-147  
STA=40+35  
TY=V.L.F-115  
DF=70H1  
SET 8.5' DEEP  
FRAME 15 LOWER  
1 (116-2) (116-2) (116-2)





**GROUND CLEARANCE CHARTS**

**LEGEND**

- PROPOSED LINE
- 40' SAG
- 60' SAG
- 212' SAG

TEMP	GROUND CLEARANCE TO EAST RIVER'S TOP @	
	40' SAG	60' SAG
-40°F	35.21'	35.21'
60°F	35.21'	35.21'
212°F	35.21'	35.21'

A Touchstone Energy<sup>®</sup> Cooperative 

		
<b>WAPA CROSSING</b> <b>277th STREET</b>		
DATE: 01/15/10	BY: J. G. SMITH	REV: AT: 01/15/10
PROJECT: WAPA	PROJECT: WAPA	REV: W
DATE: 01/15/10	DATE: 01/15/10	DATE: 01/15/10

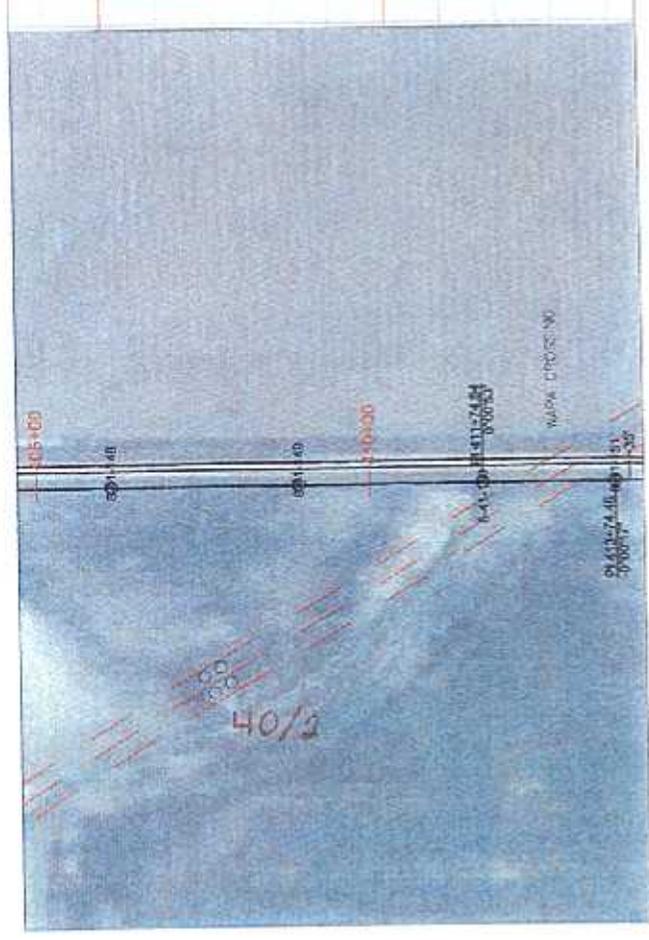
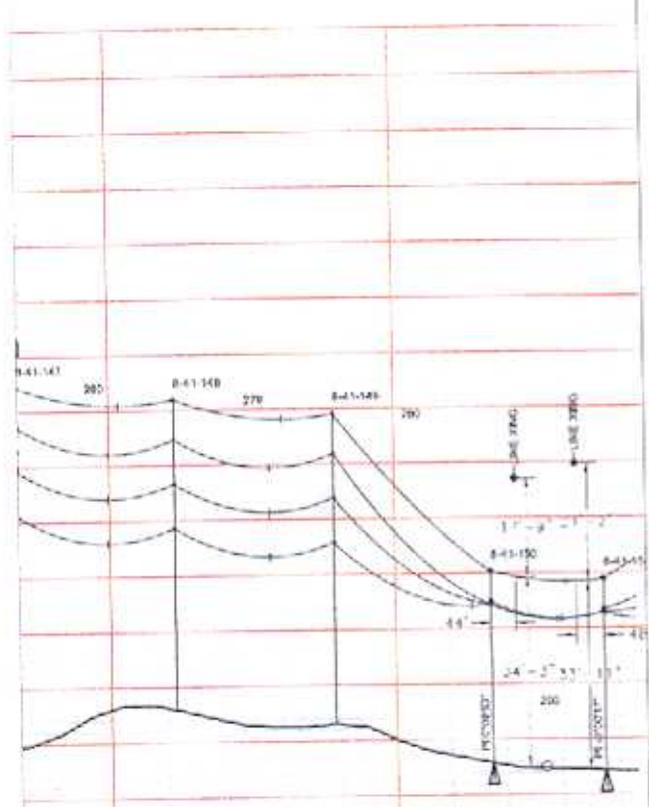
841-142  
 STA 40+32  
 10'-0" DEEP  
 SET TO DEEP

841-143  
 STA 40+45  
 10'-0" DEEP  
 SET TO DEEP

841-144  
 STA 40+58  
 10'-0" DEEP  
 SET TO DEEP

841-145  
 STA 41+11  
 10'-0" DEEP  
 SET TO DEEP

841-146  
 STA 41+24  
 10'-0" DEEP  
 SET TO DEEP



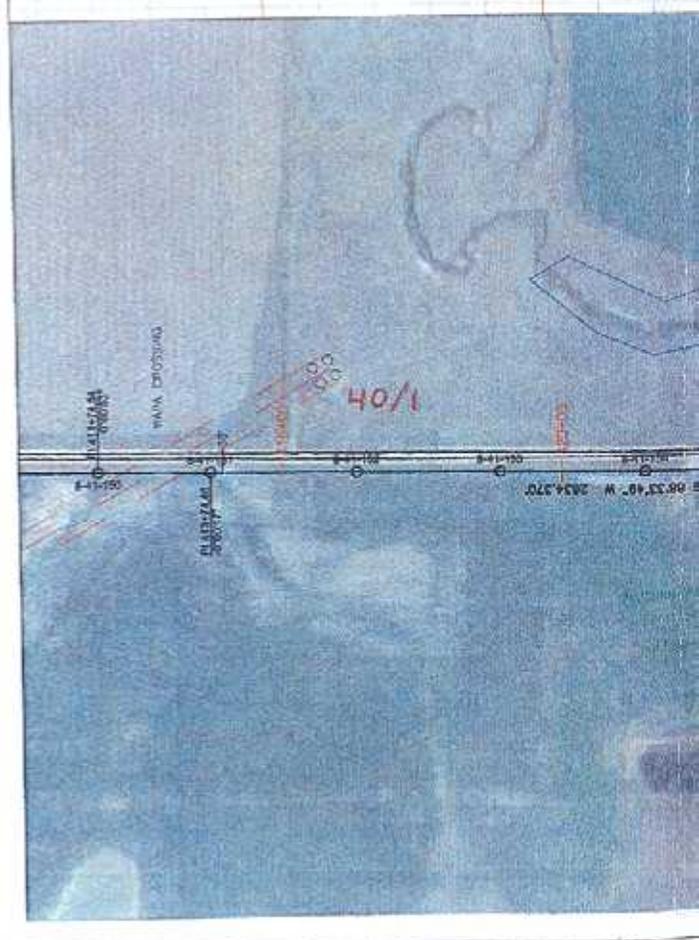
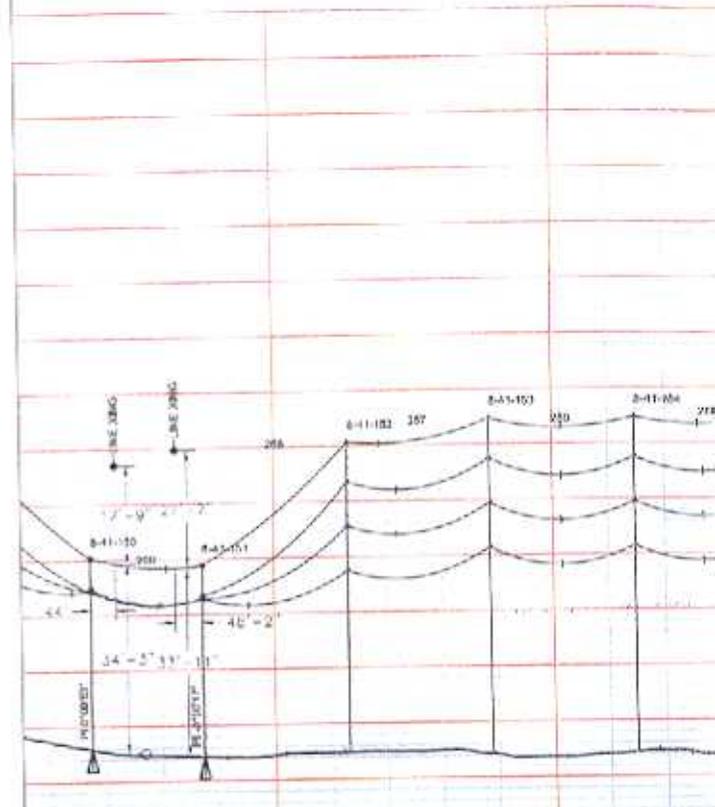
841-147  
 STA 41+24  
 10'-0" DEEP  
 SET TO DEEP

841-148  
 STA 41+37  
 10'-0" DEEP  
 SET TO DEEP

841-149  
 STA 41+50  
 10'-0" DEEP  
 SET TO DEEP

841-150  
 STA 41+63  
 10'-0" DEEP  
 SET TO DEEP

841-151  
 STA 41+76  
 10'-0" DEEP  
 SET TO DEEP



LINCOLN COUNTY HIGHWAY DEPARTMENT APPLICATION FOR UTILITY PERMIT

Application is hereby made by East River Electric Power Cooperative for a permit to locate (within) (across) the right-of-way of Lincoln County Highway No. 116. A sketch showing the approximate route location of proposed facilities for which permit is hereby requested is attached as Exhibit "A" and made part hereof.

(BORING IS REQUIRED TO CROSS UNDER ANY LINCOLN COUNTY HIGHWAY)

Pertinent Information to the Proposed Installation,  
Pipe size and type overhead transmission line w/ single wood pole Length poles-60'-75'  
Casing size and thickness \_\_\_\_\_  
Cable size and type \_\_\_\_\_ Length \_\_\_\_\_  
Depth of Cable \_\_\_\_\_ (36"Min) Depth of Pipeline \_\_\_\_\_ (72"Min)  
Method of Installation SD to 26" auger used to dig holes for poles  
Approximate Date of Installation 11/15/08  
Location by Legal: Quarter SE+SW Section 7 Township 99 Range 51

I, the undersigned, request permission to construct and maintain a utility facility on or across public right-of-way at the above location and as shown on the attached layout sheet and in accordance with provisions of Administrative Rules of South Dakota, Chapter 70:04:05. In consideration for this permission, I agree to abide by all conditions of said rules and in addition, the following.

1. To furnish all materials, labor, incidentals and pay all costs involved with the construction and maintenance of the utility facility. To perform approved open cut trench operations in accordance with current SDDOT Open Cut Trench Policy. To restore any damaged portions of the road right-of-way to equal or better conditions than existed prior to beginning work covered by this permit.
2. To provide protection to highway traffic during construction and maintenance by the use of proper signs, barricades, flag persons and lights as prescribed in the "Manual on Uniform Traffic Control Devices."
3. To indemnify, hold harmless Lincoln County, It's Officers and Employees, from any and all suits, actions or claims of any kind or nature brought because of any injuries or damage received or sustained by any person or property on account of the use or occupancy of highway right-of-way designated in this application.

Submitted By: East River Electric Power Corp. Date 10/28/2008  
Company Name \_\_\_\_\_ Date \_\_\_\_\_  
Address PO Box 1227 City Madison State SD Zip 57042  
By: (Sig.) Kurt Dorelan Typed Kurt Dorelan  
Title Land Agent

\*\*\*\*\*

RECOMMENDED FOR APPROVAL:

HIGHWAY SUPERINTENDENT Alan G. Bornuma Date 12/2/2008  APPROVED

APPROVED BY THE LINCOLN COUNTY BOARD OF COMMISSIONERS

CHAIRMAN Otho Hagedorn Date 12/2/2008

LINCOLN COUNTY HIGHWAY DEPARTMENT APPLICATION FOR UTILITY PERMIT

Application is hereby made by East River Electric Power Cooperative for a permit to locate (within) (across) the right-of-way of Lincoln County Highway No. 116. A sketch showing the approximate route location of proposed facilities for which permit is hereby requested is attached as Exhibit "A" and made part hereof.

(BORING IS REQUIRED TO CROSS UNDER ANY LINCOLN COUNTY HIGHWAY)

Pertinent Information to the Proposed Installation:  
Pipe size and type Overhead transmission line w/ single wood poles Length poles-60'-75'  
Casing size and thickness N/A  
Cable size and type \_\_\_\_\_ Length \_\_\_\_\_  
Depth of Cable \_\_\_\_\_ (36"Min) Depth of Pipeline \_\_\_\_\_ (72"Min)  
Method of Installation 30 to 36" auger used to dig holes for poles  
Approximate Date of Installation 11/15/08  
Location by Legal: Quarter NE 1/4 Section 17 Township 99 Range 51

I, the undersigned, request permission to construct and maintain a utility facility on or across public right-of-way at the above location and as shown on the attached layout sheet and in accordance with provisions of Administrative Rules of South Dakota, Chapter 70:04:05. In consideration for this permission, I agree to abide by all conditions of said rules and in addition, the following.

1. To furnish all materials, labor, incidentals and pay all costs involved with the construction and maintenance of the utility facility. To perform approved open cut trench operations in accordance with current SDDOT Open Cut Trench Policy. To restore any damaged portions of the road right-of-way to equal or better conditions than existed prior to beginning work covered by this permit.
2. To provide protection to highway traffic during construction and maintenance by the use of proper signs, barricades, flag persons and lights as prescribed in the "Manual on Uniform Traffic Control Devices."
3. To indemnify, hold harmless Lincoln County, It's Officers and Employees, from any and all suits, actions or claims of any kind or nature brought because of any injuries or damage received or sustained by any person or property on account of the use or occupancy of highway right-of-way designated in this application.

Submitted By: East River Electric Power Coop Date 10/28/2008  
Company Name \_\_\_\_\_ Date \_\_\_\_\_  
Address PO Bx 227 City Madison State SD Zip 57042  
By: (Sig.) Kurt Donelan Typed Kurt Donelan  
Title Land Agent

\*\*\*\*\*

RECOMMENDED FOR APPROVAL:

HIGHWAY SUPERINTENDENT Alan G. Bernema Date 12/2/2008  APPROVED

APPROVED BY THE LINCOLN COUNTY BOARD OF COMMISSIONERS  
CHAIRMAN Otto Hager Date 12/2/2008