



Ron L. Gogolin
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July 21, 2008

Ms Patricia Van Gerpen
Executive Director
SD Public Utilities Commission
State Capitol Building
Pierre, SD 57501

Re: Territory Exception, Yankton County, SD

Dear Ms. Gerpen:

The purpose of this letter is to request approval from the Public Utilities commission allowing Bon Homme Yankton Electric Association, Inc. (B Y Electric) to provide an electrical service to a proposed Irrigation Well located in NorthWestern Energy's (NorthWestern) Service Territory in the approximate center of the SW1/4 of the NW 1/4 of Section 33, Township 94 West, Range 55 West, Yankton County, SD.

This proposed irrigation Well requires Single Phase Service. NorthWestern's closest electrical power source (overhead power line) is located along the North line of said Section 33, see the attached Exhibit "A". The estimated cost for NorthWestern to provide a single phase service to the Irrigation Well site is **\$27,000.00** including all labor and material. B Y Electric's closest electrical power source (overhead power line) is located approximately 600 feet West of 442nd Street, see attached Exhibit "A". The estimated cost for B Y Electric to provide a single phase service to the Irrigation Well is **\$4250.00** including all labor and material.

Mr. Jack Frick of 30499, SW Jim River Road, Yankton, SD 57078-6015, Phone # 605-665-3193 (see attached letter) request that NorthWestern allow B Y Electric to provide an electrical service to an Irrigation well located in NorthWestern's Service Territory. Also attached is a Consent and Agreement for Electrical Service in Assigned Service Territory of Another Electric Supplier (prepared by NorthWestern), a drawing illustrating the approximate location of the Irrigation Well in relation to NorthWestern's and B Y Electric's existing overhead power lines and a drawing showing NorthWestern's Service Territory.

Thank you for your assistance, if you have any questions or require additional information please call me at 605/353-7528.

Sincerely,

Ron L. Gogolin
Coordinator - Land and Easement

Cc: Brad Wenande (NorthWestern)
Jack Frick (Land Owner)
B Y Electric

**CONSENT AND AGREEMENT FOR
ELECTRIC SERVICE IN
ASSIGNED SERVICE TERRITORY
OF ANOTHER ELECTRIC SUPPLIER**

As agreed between NorthWestern Corporation, d/b/a NorthWestern Energy (NorthWestern), 600 Market Street West, Huron, South Dakota 57350-1500 and Bon Homme, Yankton Electric Association, Inc. (B Y Electric) P.O. Box 158, Tabor, South Dakota.

NorthWestern has assigned territorial rights to provide Electrical Service to Section Thirty-three (S33), Township Ninety-four North (Mission Hill North), Range Fifty-five West (R.55 W.) of the Fifth (5th) Principal Meridian, Yankton County, South Dakota. By this Consent and Agreement NorthWestern hereby agrees to allow B Y Electric to supply electric service in its assigned service territory, pursuant to South Dakota Codified Law 49-34A-55 and the provisions of this Consent and Agreement.

The execution of this Consent and Agreement is made with the understanding and agreement that the land described herein shall remain a part of the assigned service area of NorthWestern, and that by virtue of this Consent and Agreement, B Y Electric does not acquire any assigned service area rights in any portion of the property, nor will B Y Electric acquire any rights to provide electric service in the area or in any other area on the basis of the electric line construction allowed pursuant to this Consent and Agreement. Furthermore, this Consent and Agreement shall not be admissible in evidence before any court or commission, nor shall it constitute or establish at any time a precedent between NorthWestern and B Y Electric.

NorthWestern consents to B Y Electric providing Electrical Service to an Irrigation Well for as long as said Irrigation Well is used to Irrigate the following described property. Should said well cease being used for Irrigation purposes all rights granted by this Consent and Agreement shall be Terminated.

Said Irrigation Well is located in the approximate center of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section Thirty-three (S33), Township Ninety-four North (T. 94 N.), Range Fifty-five West (R.55 W) of the Fifth (5th) Principal Meridian, Yankton County, South Dakota

As shown on the drawing attached as Exhibit "A"

This Consent and Agreement is effective only after being approved by the Public Utilities Commission.

Dated this 17th day of July, 2008.

NORTHWESTERN ENERGY

By: *[Signature]*
Its: Gen. Mgr. Retail Operations SD/NE

BON HOMME, YANKTON ELECTRIC ASSOCIATION, INC.

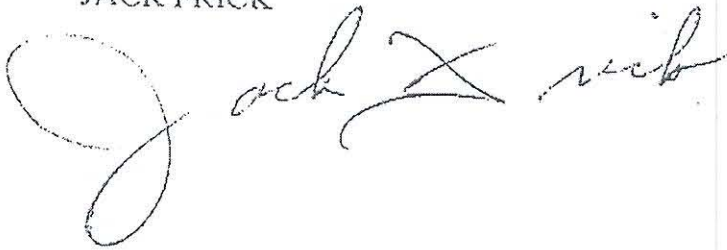
By: *[Signature]*
Its: Gen. Mgr.

I, JACK FRICK AM REQUESTING THAT B-Y ELECTRIC, SUPPLY
ELECTRICITY TO THE FOLLOWING DESCRIBED SECTION OF
PROPERTY SO THAT A CENTER PIVOT MAY BE RUN ON THE
PROPERTY, DESCRIBED AS:

SW ¼ OF NW ¼ OF SECTION 33, TOWNSHIP 94N RANGE 55 WEST
OF YANKTON COUNTY, SD

THANK YOU--

JACK FRICK

A handwritten signature in cursive script that reads "Jack Frick". The signature is written in black ink and is positioned to the right of the printed name "JACK FRICK".

NORTHWEST CORNER OF SEC. 33,
TOWNSHIP 94 WEST, RANGE 55 WEST.

APPROXIMATE LOCATION OF NORTHWESTERN ENERGY'S
EXISTING OVERHEAD 3 PHASE OVERHEAD POWER LINE

SECTION LINE

AVENUE

APPROXIMATE LOCATION OF B-Y ELECTRIC'S
EXISTING OVERHEAD POWER LINE

CENTER OF THE NW 1/4 OF SEC. 33,
TOWNSHIP 94 NORTH, RANGE 55 WEST

1/16 SECTION LINE

NW 1/4

SW 1/4 OF NW 1/4

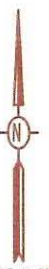
SERVICE, AND ONLY THE SERVICE TO AN IRRIGATION WELL, LOCATED IN THE
APPROXIMATE CENTER OF THE SW 1/4 OF THE NW 1/4 OF SECTION 33,
TOWNSHIP 94 NORTH, RANGE 55 WEST. NORTHWESTERN ENERGY'S SERVICE
TERRITORY TO BE RELEASED TO B-Y ELECTRIC OF TABOR, SOUTH DAKOTA.

600' MORE OR LESS

442 ft.

1/4 SECTION LINE

WEST QUARTER CORNER OF SEC. 33,
TOWNSHIP 94 NORTH RANGE 55 WEST



SCALE 1"=200'
JULY 2008

EXHIBIT "A"

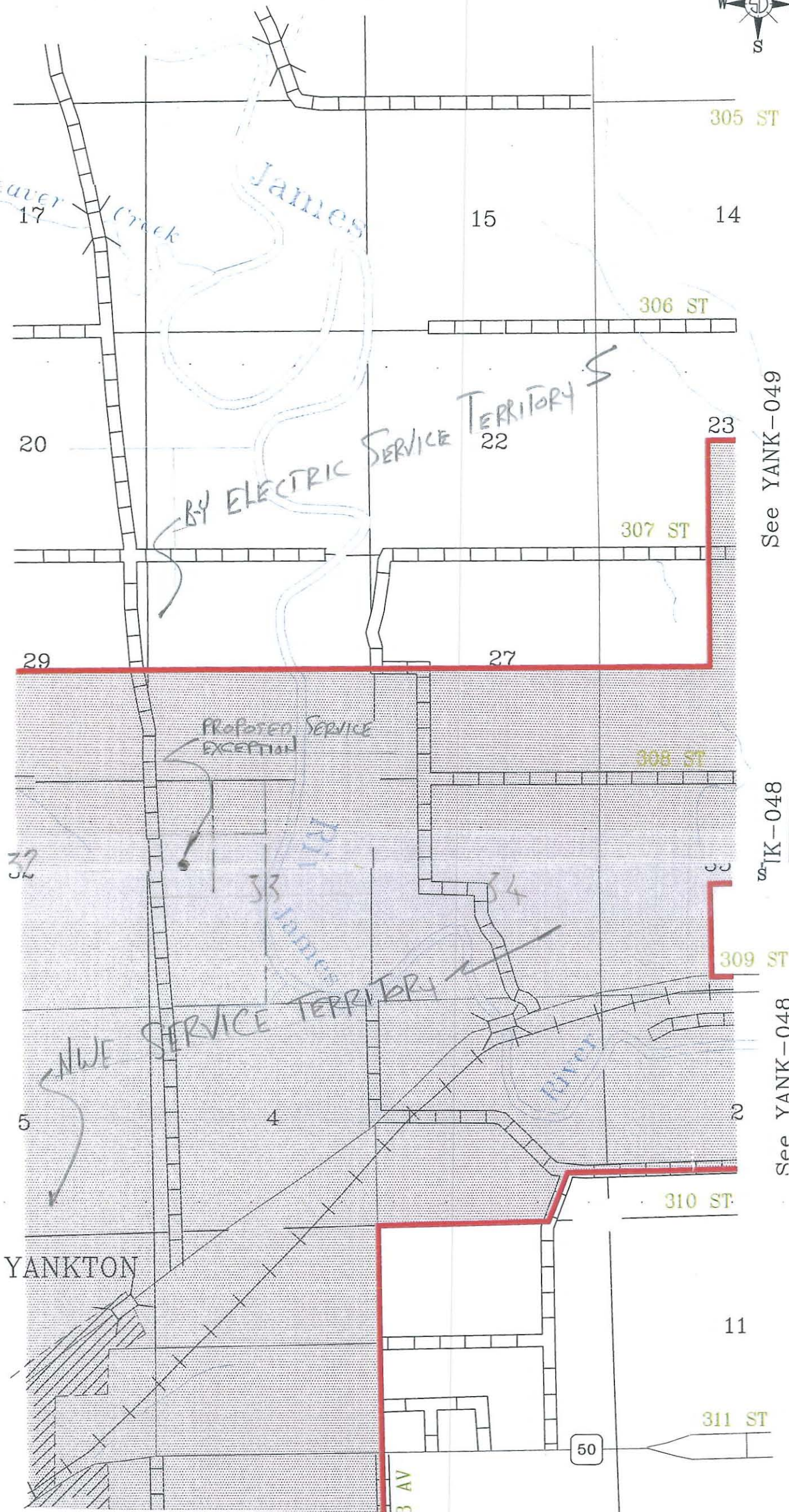
R 55 W



T 94 N

See YANK-045

See YANK-044



See YANK-049

See YANK-048

See YANK-048