

**LAKE HENDRICKS TOWNSHIP AGREEMENT  
FOR USE AND RESTORATION OF HAUL ROAD**

WHEREAS, The South Dakota Public Utilities Commission has authorized the CapX Brookings to South Dakota/Minnesota border 345 kV Transmission Line Project by Case No. EL10-016 (project), and

WHEREAS, in order to complete said project it may become necessary for the Great River Energy, as agent (see attached) (Contractor) to utilize a portion of Township road(s) 487B Avenue and 201<sup>st</sup> Street of Brookings County for the conveyance of construction equipment and materials to the project site, and

WHEREAS, Contractor or its assignee will restore those portions of said road systems as shown on the attached map(s), after they have been used to convey construction equipment and materials, to the condition which existed immediately prior to its use, and

WHEREAS, an inspection of the proposed route to be so utilized will be made, preferably not to exceed thirty days prior to expected initiation of stated use, at which time the inspection will determine and record the existing condition of the haul roads, including the type, thickness and width of surface materials in place, and

WHEREAS, authorized representatives of Great River Energy (Contractor) and LAKE HENDRICKS TOWNSHIP, after making said inspection and recording the existing conditions of the haul roads, shall sign the inspection report, agreeing to the conditions stated therein.

NOW THEREFORE, in consideration of the premises, the mutual and independent covenants' and any and all other requirements, agreements and covenants, all as hereinafter more fully set forth, the parties hereto agree as follows:

That, the portions of township road(s) 487B Avenue and 201<sup>st</sup> Street as shown on the attached map(s), are maintained by Lake Hendricks Township and are those portions which are proposed for use as haul roads, and that, after use of said roads as haul roads for the purposes herein set forth, Great River Energy (Contractor) hereby agrees to restore said roadbeds and road appurtenances to the condition, as reported in the Haul Road Inspection Report if conditions of said roads have changed as a result of the project's use of the same, in accordance with measurements and observations of the inspection party at time of inspection and to the satisfaction of the Township.

IN WITNESS WEHREOF, the said parties hereto have caused this agreement to be signed by their respective and duly authorized officers on the 25<sup>th</sup> day of June, 2013.

By:   
Dale Aukee (Contractor)

Lake Hendricks Township

Title: Field Rep

By:   
Authorized Representative

Great River Energy, as agent  
12300 Elm Creek Blvd.  
Maple Grove, MN 55369

APPROVED AS TO FORM:

**CapX2020 HAUL ROUTE INSPECTION REPORT**

CapX2020 BROOKINGS TO HAMPTON PROJECT

An inspection of the roads used for a haul route as set forth in the CapX2020 Agreement, Dated \_\_\_\_\_, 2013, was conducted on the \_\_\_\_ day of \_\_\_\_\_, 2013, by duly authorized representatives of the parties thereto and was found in the condition detailed as follows:

RECORD WIDTH OF SUBGRADE AND TYPE, THICKNESS AND WIDTH OF GRAVEL IN PLACE AT APPROXIMATELY UNIFORM INTERVALS ALONG THE ROUTE. CONDITION OF BRIDGES, BOX CULVERTS, PIPE CULVERTS AND OTHER ROAD APPURTENANCES SHOULD BE RECORDED IF PERTINENT.

Inspection conducted by:

CapX2020 Brookings to Hampton Project

Lake Hendricks Township

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Great River Energy, as Agent for:

**Great River Energy**, a cooperative corporation incorporated under the laws of Minnesota ("**GRE**"), **Central Minnesota Municipal Power Agency**, a municipal corporation and political subdivision of the State of Minnesota ("**CMMPA**"), **Western Minnesota Municipal Power Agency**, a municipal corporation and political subdivision of the State of Minnesota ("**WMMPA**"), **Otter Tail Power Company**, a Minnesota corporation ("**Otter Tail Power**"), and **Northern States Power Company**, a Minnesota corporation ("**NSP-MN**") (GRE, CMMPA, WMMPA, Otter Tail Power and NSP-MN are collectively referred to herein as the "**Owners.**")