BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF DAKOTA RANGE III, LLC FOR A PERMIT OF A WIND ENERGY FACILITY AND A 345-KV TRANSMISSION LINE IN GRANT AND ROBERTS COUNTIES, SOUTH DAKOTA

AFFIDAVIT OF JONATHAN KOEHN PROVIDING NOTICE OF TURBINE ADJUSTMENTS UP TO 250 FEET

EL18-046

STATE OF CALIFORNIA)
) SS
COUNTY OF SANTA BARBARA)

I, Jonathan Koehn, being first duly sworn on oath, depose and state as follows:

- 1. I am the Vice President of Development for ENGIE IR Holdings, LLC, the parent company of Dakota Range III, LLC ("Dakota Range III"), which is the owner of the Dakota Range III Project ("Project"), currently under development in Grant and Roberts Counties, South Dakota. I have the authority and knowledge to provide this affidavit on behalf of Dakota Range III.
- 2. I am providing this Affidavit pursuant to Condition 22 of the Settlement Stipulation approved by the South Dakota Public Utilities Commission ("Commission") in its February 22, 2019 Order Granting Joint Motion for Approval of Settlement Stipulation and Granting Permits to Construct Facilities ("Order") in the above-referenced docket.
- 3. Since the issuance of the Order, Dakota Range III has determined that two (2) turbine adjustments within 250 feet of the locations approved by the Commission are needed for the construction of the Project. Maps showing the turbine locations approved by the Commission and the current turbine locations with the adjustments are attached hereto as **Exhibit A** (public and confidential).
- 4. A summary of the adjustments is provided below:
 - A. Turbine F8 has been adjusted 200 feet to the southwest during final micrositing to avoid a wetland-like feature.
 - B. Turbine G3 has been adjusted 91 feet to the east during final micrositing to avoid a wetland-like feature.
- 5. The confidential version of **Exhibit A** identifies the locations of environmental avoidance areas, including cultural resources and wetlands, in relation to the turbine adjustments. In addition, **Exhibit B** provides a chart showing the distance of the turbines from

residences, property lines, and roads. As shown in **Exhibits A** and **B**, the proposed turbine adjustments comply with county and state setback requirements, and cultural resources, wetlands, and documented habitats for listed species are avoided.

- 6. The turbine adjustments comply with the specified noise and shadow flicker requirements set forth in Conditions 27 and 28 of the Settlement Stipulation. Reports providing the updated noise and shadow flicker modeling results for the entire Project are attached as **Exhibit C** and **Exhibit D**, respectively.
- 7. The adjustments are located on land already under lease/easement by Dakota Range III for the Project.
- 8. With respect to the Project, including the turbine adjustments described herein, Dakota Range III will comply with the Commission's Order, and all other applicable regulations and requirements.

FURTHER AFFIANT SAYETH NOT.

Dated this 3 day of September, 2019.

Subscribed and sworn to before me on this ____ day of _____, 2019.

See attached

My Commission Expires:

67822757.5

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.		
State of California County of Santa Barbara On 9/3/2019 before me, Satherine A. Dowling, Notary Public Pate Here Insert Name and Title of the Officer personally appeared S. Koehn Name(s) of Signer(s)		
who proved to me on the basis of satisfactory ex- subscribed to the within instrument and acknowled his/her/their authorized capacity(ies), and that by his/h or the entity upon behalf of which the person(s) acted	Iged to me that he/she/they executed the same in her/their signature(s) on the instrument the person(s),	
of	ertify under PENALTY OF PERJURY under the laws the State of California that the foregoing paragraph true and correct.	
KATHERINE A. DOWLING Notary Public - California	gnature Signature of Notary Public	
Place Notary Seal Above OPTIONAL		
Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.		
Description of Attached Document Title or Type of Document: Document Date: Signer(s) Other Than Named Above:	Number of Pages:	
Capacity(ies) Claimed by Signer(s) Signer's Name: Corporate Officer — Title(s): Partner — Limited General Individual Attorney in Fact Trustee Guardian or Conservator Other: Signer Is Representing:	Signer's Name: Corporate Officer — Title(s): Partner — Limited General Individual Attorney in Fact Trustee Guardian or Conservator Other: Signer Is Representing:	