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**BASIN ELECTRIC  
POWER COOPERATIVE**

1717 EAST INTERSTATE AVENUE  
BISMARCK, NORTH DAKOTA 58503-0564  
PHONE: 701-223-0441  
FAX: 701-557-5336

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April 5, 2010

Patricia Van Gerpen  
Executive Director  
Public Utilities Commission  
Capitol Building, 1<sup>st</sup> Floor  
500 E. Capitol Avenue  
Pierre, SD 57501-5070

Re: Docket HP09-002; Deer Creek Station – Natural Gas Pipeline

Dear Ms. Van Gerpen:

On December 15, 2009, Basin Electric obtained a Special Exception Permit to construct the underground natural gas pipeline in Deuel County, attached hereto, for the Deer Creek Station.

Please file the attached document in the above referenced docket.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Casey Jacobson', is written over a light blue horizontal line.

Casey Jacobson  
Attorney

cjj/ds  
enclosures

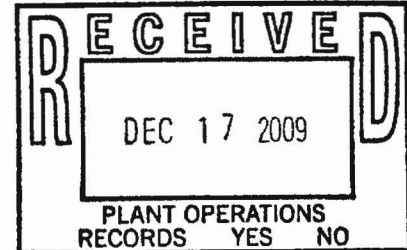
c: Service list



## **Deuel County Zoning**

**P.O. Box 606  
Clear Lake, SD 57226-0606**

**Phone 605-874-8562**



December 15, 2009

Mr. Cris Miller, P.E.  
Basin Electric Power Cooperative  
1717 East Interstate Ave  
Bismarck ND 58503-0564

Re: Special Exception Permit to construct underground pipeline in Deuel County.

Dear Sir:

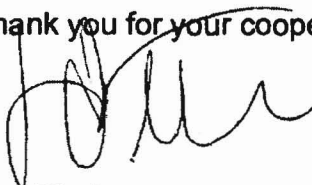
Enclosed is a copy of your application for a Special Exception Permit.

Please display the Permit in the plastic wrap on site.

Your receipt from the Deuel County Treasurer's Office is enclosed.

If you have any questions please call 605-874-8562.

Thank you for your cooperation.



Jodi Theisen  
Deuel County Zoning Officer

IT IS UNLAWFUL TO COMMENCE WORK BEFORE THIS PERMIT  
IS PLACED IN A CONSPICUOUS PLACE ON THE PREMISES

THIS CERTIFIES THAT  
**SPECIAL EXCEPTION**

PERMIT NUMBER 09-1717 ZONING DISTRICT AG

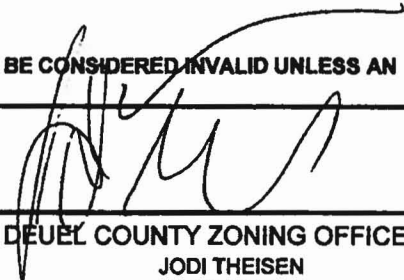
has been issued to Basin Electric Power Cooperative  
in compliance with the requirements of the Deuel County Planning  
Commission Ordinances for TO CONSTRUCT A 1.5 MILE UNDERGROUND PIPELINE IN DEUEL COUNTY  
located in SCANDINAVIA TOWNSHIP Sec 30-31 T 113 N;R 47 DOE #       

**SPECIFIC CONDITIONS OR VARIANCE REQUIREMENTS**

A special exception to construct A 1.5 mile underground pipeline to support the Deer Creek Station Project in sections 30-31(T113N, R47W) Deuel County, South Dakota. With the township of Scandinavia and Basin Electric Power Cooperative have agreement for use and restoration of haul road.

A SPECIAL EXCEPTION THAT IS GRANTED BUT NOT USED WITHIN TWO ( 2 ) YEARS SHALL BE CONSIDERED INVALID UNLESS AN  
EXTENSION HAS BEEN REQUESTED AND APPROVED BY THE BOARD OF ADJUSTMENT.

DATE December 15,2009

  
DEUEL COUNTY ZONING OFFICER  
JODI THEISEN  
PO BOX 606  
CLEAR LAKE, SD 57228

COPY

**DEUEL COUNTY  
NOTICE OF APPEAL  
SPECIAL EXCEPTION/VARIANCE APPLICATION**

PERMIT NUMBER

09-1717 A6

Gavin McCollam, PE

APPLICANT (PRINT): Project Manager PHONE: (701)223-0441

ADDRESS: 1717 East Interstate Avenue, Bismarck, ND 58503-0564

OWNER (PRINT): Basin Electric Power Cooperative PHONE: same as above  
IF DIFFERENT THAN APPLICANT

ADDRESS: same as above

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF DEUEL COUNTY SOUTH DAKOTA, TO ISSUE A SPECIAL EXCEPTION PERMIT OR VARIANCE FOR THE PROPERTY DESCRIBED AS:

(CIRCLE APPROPRIATE)

**LEGAL DESCRIPTION (Please print or type)**

In the western half of Sections 30 and 31 in T113 N R47W

**PARCEL NUMBER:** \_\_\_\_\_

**GENERAL AREA OR STREET ADDRESS:** Between Highway 28 and 196th Street parallel to 484th Avenue

**EXISTING LAND USE:** Agriculture **EXISTING ZONING:** Agricultural

**SIZE OF PARCEL:** ACRES 11 **LOT DIMENSIONS:** WIDTH 75' LENGTH 1.5 miles DEPTH 60"

**SURROUNDING LAND USE**

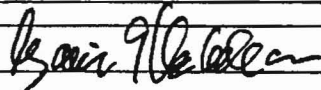
NORTH: Agriculture  
SOUTH: Agriculture  
EAST: Agriculture  
WEST: Agriculture

**PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A SPECIAL EXCEPTION PERMIT**  
(attach a separate sheet of paper if necessary)

Basin Electric proposes to construct, own and operate 1.5 miles of underground natural gas pipeline in Deuel County to support the Deer Creek Station Project. See attached permit application for detail.

**IF YOU ARE SEEKING A VARIANCE PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF.** (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a separate sheet of paper if necessary)

SIGNATURE OF APPLICANT



SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) \_\_\_\_\_

Note: A sketch of proposed property shall accompany this application, showing the following:

- |  |  |
|--|--|
| 1. North Direction                       | 5. Location Of Proposed Structure On Lot   |
| 2. Dimensions Of Proposed Structure      | 6. Dimensions Of Front And Side Set Backs  |
| 3. Street Names                          | 7. Location Of Adjacent Existing Buildings |
| 4. Other Information As May Be Requested |  |

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

**\*\*PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.**

**FOR OFFICIAL USE ONLY**

DATE FILED WITH ZONING OFFICER: \_\_\_\_\_  
FEE PAID (NON-REFUNDABLE): \_\_\_\_\_ YES \_\_\_\_\_ NO  
DATE OF HEARING: \_\_\_\_\_  
ACTION BY BOARD OF ADJUSTMENT: \_\_\_\_\_

ORIGINAL RECEIPT

No 91588

# TREASURER'S OFFICE

DEUEL COUNTY, SOUTH DAKOTA

Clear Lake, SD

11-23, 2009

RECEIVED OF

the sum of

being in payment of

Basin Electric Power Co-op  
Two hundred 1100

DOLLARS,

Special Operation

To apply to

101-326.00

Fund.

Judy Bartling

County Treasurer

\$

2001.00

By

Deputy

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE</b>	)	
<b>APPLICATION BY BASIN ELECTRIC</b>	)	<b>DOCKET NUMBER HP09-002</b>
<b>POWER COOPERATIVE FOR AN</b>	)	
<b>ENERGY CONVERSION FACILITY</b>	)	<b>CERTIFICATE OF SERVICE</b>
<b>SITING PERMIT FOR A NATURAL GAS</b>	)	
<b>PIPELINE TO SUPPORT THE DEER</b>	)	
<b>CREEK STATION PROJECT</b>	)	

I hereby certify that the Special Exception Permit to Construct the Underground Gas Pipeline in Deuel County, South Dakota, was served upon all of the parties listed below on the 5th day of April, 2010, electronically to their last known e-mail address:

MS PATRICIA VAN GERPEN  
[patty.vangerpen@state.sd.us](mailto:patty.vangerpen@state.sd.us)

MS CASEY JACOBSON  
[cjacobson@bepc.com](mailto:cjacobson@bepc.com)

MS KAREN E CREMER  
[karen.cremer@state.sd.us](mailto:karen.cremer@state.sd.us)

MS VICKI BUSETH  
[elections@brookingscountysd.gov](mailto:elections@brookingscountysd.gov)

MR NATHAN SOLEM  
[nathan.solem@state.sd.us](mailto:nathan.solem@state.sd.us)

MS PAM LYNDE  
[plynde@itctel.com](mailto:plynde@itctel.com)

MR BRIAN ROUNDS  
[brian.rounds@state.sd.us](mailto:brian.rounds@state.sd.us)

MR DONALD LARSON  
[dlarson@brookingscountysd.gov](mailto:dlarson@brookingscountysd.gov)

MS STACY SPLITTSTOESSER  
[stacy.splittstoesser@state.sd.us](mailto:stacy.splittstoesser@state.sd.us)

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[tim.binder@state.sd.us](mailto:tim.binder@state.sd.us)

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[cityofaurora@itctel.com](mailto:cityofaurora@itctel.com)

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[sthornes@cityofbrookings.org](mailto:sthornes@cityofbrookings.org)

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MR BRETT KOENECKE  
[koenecke@magt.com](mailto:koenecke@magt.com)

MR DAVID LANDSMAN  
[cityelk@itctel.com](mailto:cityelk@itctel.com)

MR. ROBERT W. HILL  
[rhill@brookingscountysd.gov](mailto:rhill@brookingscountysd.gov)

MR. TONY SIMONS  
[tonysimons@k12.sd.us](mailto:tonysimons@k12.sd.us)

MR. DENNIS FALKEN  
[dfalken@brookingscountysd.gov](mailto:dfalken@brookingscountysd.gov)

MS SHERYL BROWN  
[whitesd@heartlandpower.org](mailto:whitesd@heartlandpower.org)

MR. GREGG JONGELING  
[jong@swiftel.net](mailto:jong@swiftel.net)

**BASIN ELECTRIC POWER COOPERATIVE**

By:   
\_\_\_\_\_  
Casey J. Jacobson, Attorney  
1717 East Interstate Avenue  
Bismarck, ND 58503-0564  
Phone: (701) 557-5413  
[cjacobson@bepc.com](mailto:cjacobson@bepc.com)