

# ROAD USE AND REPAIR AGREEMENT

APPENDIX E – REV 2, 03/14/2019

## FORM OF APPLICATION TO ERECT POLES AND WIRES AND TO BURY CABLE FOR ELECTRICITY (“UTILITY FACILITIES”) IN AND ALONG PUBLIC HIGHWAYS (“UTILITY PERMIT”)

To Auditor and Board of County Commissioners of Charles Mix County, SD.

Applicant: Prevailing Wind Park, LLC

Project description (including location): 218 MW Windfarm w/ WTGs in Hutchinson, Charles Mix and Bon Homme counties -only buried lines will be used in Charles Mix County, and a Generation Tie Line running from Bon Homme County (intersection of 296<sup>th</sup> St and 406<sup>th</sup> Ave) into Yankton County , terminating at the Utica Junction substation North of Lesterville (just N of the 299<sup>th</sup> street & 431<sup>st</sup> ave intersection).

Application date: 03/05/2019

Start date: Q2 2019 Completion Date: December, 2019

Proposed electrical connection points (description or map) The underground cable will connect each wind turbine and pass out of the county at 4 different locations

Route over which the applicant desires to construct lines or bury underground cable (description or map): See attached Charles Mix County map – underground lines only

Existing electric, telegraph, and telephone lines occupying public highways which the proposed electrical poles, wires or cables will occupy (description or map): NA - This will be all new construction

Size and type of electrical poles, wires or cables being installed: 34.5kV buried lines

Method of installation: trench or plow

Depth of cover for buried facilities: Minimum 48” cover

Distance of aboveground lines from roadway centerline: NA

Certificate of Public Convenience and Necessity (if any): Not applicable.

All underground lines through roads will be bored.

Warning signs shall be installed where appropriate.

All work shall comply with all State and Federal codes.

County assumes no responsibility for damages to the applicant's property occasioned by any construction or maintenance operations on said highway subsequent to the building of said Utility Facilities.

Prevailing Wind Park shall take all precautions during the construction or maintenance of electric lines to protect and safeguard the lives and property of traveling public and adjacent property owners and shall hold the county harmless from any damage or losses that may be sustained by the traveling public or adjacent property owners of such construction projects.

A map of locations of proposed Utility Facilities must be submitted with application.

Issuance of a Utility Permit pursuant to this application authorizes Prevailing Wind Park, LLC or its designee to construct the Utility Facilities in the identified public highways.

Issuance of a Utility Permit pursuant to this application authorizes Prevailing Wind Park, LLC or its contractor to perform maintenance and repair of the Utility Facilities in the public highways after installation.

Submitted by:

Scott Creech

(Name)

sPower Construction Manager

(Title)

2180 S 1300 E

(Address)

Salt Lake City, UT 84106

(City, State, Zip Code)

Recommended for Approval:

By

[Signature]  
(Highway Superintendent)

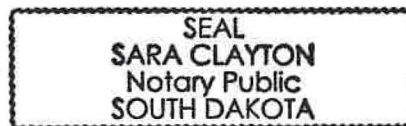
Approved:

3-11-19

(Date)

By:

[Signature]  
Chairman, Board of County  
Commissioners



expires 4-19-23