

RESOLUTION
2020-21
RECITALS

I.

WHEREAS, Dakota Range III, LLC (Dakota Range), has filed an application with the Roberts County Board of Commissioners pursuant to Chapter 31-26 of the South Dakota Codified Laws, for authorization to erect and maintain poles and wires and necessary appurtenances and/or bury cable for the purpose of conducting electricity for lighting, heating and power purposes (Utility Lines) along and/or across certain public highways in Roberts County, South Dakota.

II.

WHEREAS, the Roberts County Board of Commissioners has the jurisdiction and authority to grant the application of Dakota Range as set forth in paragraph I above, subject to such conditions as it may desire to impose.

III.

WHEREAS, Dakota Range has obtained approval of the locations of the Utility Lines crossing township highways, including section lines, from the applicable organized townships.

IV.

WHEREAS, Dakota Range has obtained approval of the locations of the Utility Lines crossing Roberts County public highways from the Roberts County Highway Department.

NOW, THEREFORE, BE IT RESOLVED by the Roberts County Board of Commissioners as follows:

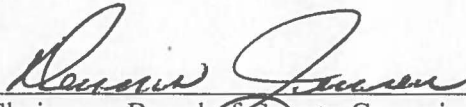
1. That the application of Dakota Range dated May 26, 2020, for authorization to erect and maintain poles and wires and necessary appurtenances and/or bury cable for the purpose of conducting electricity for lighting, heating and power purposes along certain public highways in Roberts County, South Dakota is granted subject to the conditions set forth herein.
2. That this grant is for a period twenty (20) years from and after May 26, 2020, or as may be extended by the Roberts County Board of Commissioners in writing at a subsequent date.
3. That as consideration for this grant, Dakota Range agrees to indemnify and hold harmless Roberts County, its officers and employees from any and all liability, damages, claims, demands or otherwise, whether the same is based on contract or otherwise in law or in equity associated with the design, construction, installation, operating, inspecting, repairing, maintaining, replacing or removal of the Utility Lines along with all appurtenances thereto

located pursuant to this grant, except such liability, damages, claims or demands which arise as a result of the intentional act or negligence of the county, its officers, employees or agents.


4. That as additional consideration for this grant, Dakota Range agrees to restore, at its expense, the affected areas to a similar condition as before said work was commenced and replace any structures affected by Dakota Range's activities in erecting and maintaining such poles, wires and necessary appurtenances and/or in such burying of any such cable, i.e., culverts and signs; and if the public highways in the county should be rebuilt or construction and maintenance of the county highways otherwise requires the removal or relocation of the Utility Lines, removal or relocation of the Utility Lines within the public highways shall be solely at the expense of Dakota Range.
5. That the rights and conditions of this grant shall be binding upon the successors and assigns of Dakota Range.
6. This grant shall further be subject to all rules and regulations as specified in the current edition of the National Electrical Safety Code.
7. That this grant shall not be effective until execution of the acceptance of the conditions set forth below by Dakota Range.

Dated this 26th day of MAY, 2020.

ROBERTS COUNTY BOARD OF COMMISSIONERS

By: 
Chairman, Board of County Commissioners

ATTEST:


Roberts County Auditor

The foregoing resolution was made by Commissioner Tim Zempel and seconded by Commissioner Don Carlson and upon a vote being taken thereon:

The following voted YEA: Carlson, Johnston, Vergeldt, Zempel & Jensen

The following voted NAY: none

Whereupon the Chairman declared the resolution adopted.

ACCEPTANCE OF CONDITIONS

I, Jonathan Koehn, Vice President for Dakota Range III, LLC
acknowledge that I have reviewed the terms and conditions of the resolution set forth above and,
being authorized so to do on behalf of Dakota Range III, LLC, do hereby accept all of the terms
and conditions set forth in such resolution.

Dated this 11th day of June, 2020.

DAKOTA RANGE III, LLC

By: Jonathan S. Koehn

Name: Jonathan Koehn

Title: Vice President

Dakota Range III, LLC
Roberts County Utility Permit Applications
Reference Table

County/Township	Description	Date Originally Issued	Highway(s); County Rd.	Crossing ID(s)	Approval DRIII-[#]
Roberts County	Occupancy on the Right of Way of County Highways (collection lines)	February 25, 2020	Hwy 453; County Rd. 28	6; 7	DRIII-1
Roberts County	Occupancy on the Right of Way of County Highways (collection lines)	February 25, 2020	Hwy 143 & 455; County Rd. 30	1; 22; 23	DRIII-2
Ortley Township	Consent for Occupancy in Right of Way of County Highway (collection lines)	March 14, 2020	Hwy 454	2; 3	DRIII-3
Ortley Township	Consent for Occupancy in Right of Way of County Highway (collection lines)	March 14, 2020	Hwy 453	6	DRIII-4
Ortley Township	Consent for Occupancy in Right of Way of County Highway (collection lines)	April 1, 2020	Hwy 143	4	DRIII-5
Summit Township	Consent for Occupancy in Right of Way of County Highway (collection lines)	March 15, 2020	Hwy 143 & 456	8; 9	DRIII-6
Summit Township	Consent for Occupancy in Right of Way of County Highway (collection lines)	April 1, 2020	Hwy 456	24	DRIII-7

APPLICATION FOR OCCUPANCY
ON
THE RIGHT OF WAY OF COUNTY HIGHWAYS

TO: The Board of Roberts County Commissioners
Sisseton, South Dakota

Application is made by: Dakota Range III, LLC

Type of Occupancy: Buried electrical cabling

Highway Number 453 in Section 35, Township 122N, Range 52W
County rd 28th Crossings 6 & 7 on exhibit
Roberts County, South Dakota.

The following information is pertinent to the proposed installation:

1. Intended usage: For transport of electricity from turbines to the substation
Directional bore machine will bore either 8 or 10 in wide, depending
2. Method of installation: on cable size. The collection cable will then be pulled through
the bore pipe. Depth of trench will comply with the permit.
3. Line plowed should be a minimum of 32" deep and not put in front of culvert openings.

This installation will comply with the National Safety Code.

A marker sign will be installed where appropriate.

Recommended for Approval

Submitted February 6, 2020

By: [Signature]
County Highway Superintendent

By: Dakota Range III, LLC

3760 State Street, Suite 200

APPROVED: 2-25, 2020

Santa Barbara, CA 93105

BY: [Signature]
Board of County Commissioners
Sisseton, South Dakota

APPLICATION FOR OCCUPANCY
ON
THE RIGHT OF WAY OF COUNTY HIGHWAYS

TO: The Board of Roberts County Commissioners
Sisseton, South Dakota

Application is made by: Dakota Range III, LLC

Type of Occupancy: Buried electrical cabling

143 &
Highway Number 455 in Section 30, Township 122N, Range 51W
County rd 30th Crossings 1, 22 & 23 on exhibit
Roberts County, South Dakota.

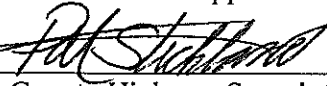
The following information is pertinent to the proposed installation:

1. Intended usage: For transport of electricity from turbines to the substation
Directional bore machine will bore either 8 or 10 in wide, depending
2. Method of installation: on cable size. The collection cable will then be pulled through
the bore pipe. Depth of trench will comply with the permit.
3. Line plowed should be a minimum of 32" deep and not put in front of culvert openings.


This installation will comply with the National Safety Code.

A marker sign will be installed where appropriate.

Recommended for Approval

By: 
County Highway Superintendent

APPROVED: 2-25, 2020

BY: 
Board of County Commissioners
Sisseton, South Dakota

Submitted February 6, 2020

By: Dakota Range III, LLC

3760 State Street, Suite 200

Santa Barbara, CA 93105

APPLICATION FOR OCCUPANCY
ON
THE RIGHT OF WAY OF COUNTY HIGHWAYS

TO: The Board of Roberts County Commissioners
Sisseton, South Dakota

Application is made by: Dakota Range III, LLC

Type of Occupancy: Buried electrical cabling

Highway Number 454 in Section 25, Township 122N, Range 52W
Crossings 2 & 3 on exhibit
Roberts County, South Dakota.

The following information is pertinent to the proposed installation:

1. Intended usage: For transport of electricity from turbines to the substation
Directional bore machine will bore either 8 or 10 in wide, depending
2. Method of installation: on cable size. The collection cable will then be pulled through
the bore pipe. Depth of trench will comply with the permit.
3. Line plowed should be a minimum of 32" deep and not put in front of culvert openings.

This installation will comply with the National Safety Code.

A marker sign will be installed where appropriate.

Recommended for Approval

Submitted _____, 20__

By: *Duff Beam*
County Highway Superintendent
Ortley Township

By: Dakota Range III, LLC

APPROVED: 3-14, 2020

3760 State Street, Suite 200

Santa Barbara, CA 93105

~~BY: _____
Board of County Commissioners
Sisseton, South Dakota~~

APPLICATION FOR OCCUPANCY
ON
THE RIGHT OF WAY OF COUNTY HIGHWAYS

TO: The Board of Roberts County Commissioners
Sisseton, South Dakota

Application is made by: Dakota Range III, LLC

Type of Occupancy: Buried electrical cabling

Highway Number 453 in Section 35, Township 122N, Range 52W
Roberts County, South Dakota. Crossing 6 on exhibit

The following information is pertinent to the proposed installation:

1. Intended usage: For transport of electricity from turbines to the substation
Directional bore machine will bore either 8 or 10 in wide, depending
2. Method of installation: on cable size. The collection cable will then be pulled through the bore pipe. Depth of trench will comply with the permit.
3. Line plowed should be a minimum of 32" deep and not put in front of culvert openings.

This installation will comply with the National Safety Code.

A marker sign will be installed where appropriate.

Recommended for Approval

Submitted _____, 20__

By: *Guy Dean*
County Highway Superintendent
Ortley Township

By: Dakota Range III, LLC

3760 State Street, Suite 200

APPROVED: 3-14, 2020

Santa Barbara, CA 93105

BY: _____
~~Board of County Commissioners~~
~~Sisseton, South Dakota~~

APPLICATION FOR OCCUPANCY
ON
THE RIGHT OF WAY OF COUNTY HIGHWAYS

TO: The Board of Roberts County Commissioners
Sisseton, South Dakota

Application is made by: Dakota Range III, LLC

Type of Occupancy: Buried electrical cabling

Highway Number 143 in Section 27, Township 122N, Range 52W
Crossing 4 on exhibit
Roberts County, South Dakota.

The following information is pertinent to the proposed installation:

1. Intended usage: For transport of electricity from turbines to the substation
Directional bore machine will bore either 8 or 10 in wide, depending
2. Method of installation: on cable size. The collection cable will then be pulled through
the bore pipe. Depth of trench will comply with the permit.
3. Line plowed should be a minimum of 32" deep and not put in front of culvert openings.

This installation will comply with the National Safety Code.

A marker sign will be installed where appropriate.

Recommended for Approval

Submitted 4-1, 20 20

By: [Signature]
County Highway Superintendent

By: Dakota Range III, LLC

Ortly Township
APPROVED: 4-1, 20 20

3760 State Street, Suite 200

Santa Barbara, CA 93105

BY: [Signature]
Board of County Commissioners
Sisseton, South Dakota

APPLICATION FOR OCCUPANCY
ON
THE RIGHT OF WAY OF COUNTY HIGHWAYS

TO: The Board of Roberts County Commissioners
Sisseton, South Dakota

Application is made by: Dakota Range III, LLC

Type of Occupancy: Buried electrical cabling
143 &

Highway Number 456 in Section 29, Township 122N, Range 51W
Crossings 8 & 9 on exhibit

Roberts County, South Dakota.

The following information is pertinent to the proposed installation:

1. Intended usage: For transport of electricity from turbines to the substation
Directional bore machine will bore either 8 or 10 in wide, depending
2. Method of installation: on cable size. The collection cable will then be pulled through
the bore pipe. Depth of trench will comply with the permit.
3. Line plowed should be a minimum of 32" deep and not put in front of culvert openings.

This installation will comply with the National Safety Code.

A marker sign will be installed where appropriate.

Recommended for Approval

Submitted _____, 20__

By: [Signature]

By: Dakota Range III, LLC

DL Samm. 1. Township
County Highway Superintendent

3760 State Street, Suite 200

APPROVED: 3-15, 20 20

Santa Barbara, CA 93105

BY: _____

~~Board of County Commissioners~~
~~Sisseton, South Dakota~~

APPLICATION FOR OCCUPANCY
ON
THE RIGHT OF WAY OF COUNTY HIGHWAYS

TO: The Board of Roberts County Commissioners
Sisseton, South Dakota

Application is made by: Dakota Range III, LLC

Type of Occupancy: Buried electrical cabling

Highway Number 456 in Section 32, Township 122N, Range 51W

Roberts County, South Dakota. Crossing #24 on exhibit.

The following information is pertinent to the proposed installation:

1. Intended usage: For transport of electricity from turbines to the substation
Directional bore machine will bore either 8 or 10 in, depending
2. Method of installation: on cable size. The collection cable will then be pulled through
the bore pipe.
3. Line plowed should be a minimum of 32" deep and not put in front of culvert openings.

This installation will comply with the National Safety Code.

A marker sign will be installed where appropriate.

Recommended for Approval

By: [Signature]
County Highway Superintendent

APPROVED: 4-1, 2020

BY: _____
Board of County Commissioners
Sisseton, South Dakota

Submitted 4-1, 2020

By: Dakota Range III, LLC

3760 State Street, Suite 200

Santa Barbara, CA 93105

