

RIGHT-OF-WAY PERMIT - OH/UG CORPORATION

I, or We, Double RF Development Co. LLC, in consideration of the sum of \$1.00, receipt of which is hereby acknowledged, hereby grants to BLACK HILLS POWER, INC. having its principal place of business and post office address at 625 Ninth Street, P.O. Box 1400, Rapid City, South Dakota 57709, its successors and assigns, a perpetual right-of-way and easement to construct, operate and maintain, repair, alter, inspect, remove, upgrade, enhance and replace an electrical power system consisting of buried cables or wires, surface terminals, surface markers, transformer pads or vaults, and an electrical power line with poles, wires and associated equipment, and all necessary attachments and appurtenances, with the right of ingress and egress therefor, together with the power to extend to any communications company the right to use any pole or trench placed pursuant to the provisions hereof, upon, over and across that certain piece of real estate hereinafter described, together with the right to cut, trim, or remove from said right-of-way any brush, trees, stumps, or roots where necessary to secure a clearance from the conductors of at least **10 feet** on each side of the center line of said right-of-way. This easement shall run with the land.

The real estate above referred to is specifically described as follows:

Lot 1 and Lot 3 of the BHP Addition in the City of Rapid City
Situated in the W 1/2 SE 1/4 of Section 34 T2N, R 7E, east of the BHM

See EXHIBIT A

Book: 91
Page: 7365
R01-10449.0 Page 001 of 002
06/22/2001 01:35P 12.00
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The foregoing right is granted upon the express condition that Black Hills Power, Inc. will assume liability for all damage to the hereinbefore described property caused by said Black Hills Power, Inc. failure to use due care in its exercise of the granted right.

Dated this 19th day of June, 2001.

Signed: Robert K Fischer member

Signed: Rita D Fischer member

[Corporate Seal]

STATE OF: South Dakota COUNTY OF: Pennington

On this 19th day of June, 2001, before me, the undersigned officer, personally appeared Robert K Fischer and Rita D Fischer, who acknowledged themselves to be the President and Secretary, respectively, of the Double RF Development Co. LLC, a Corporation, and at that they as such officers, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by themselves as such officers.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Prepared By: Lyle Clapp
Black Hills Power, Inc.
PO Box 1400
Rapid City, SD 57709
(605)-721-3200

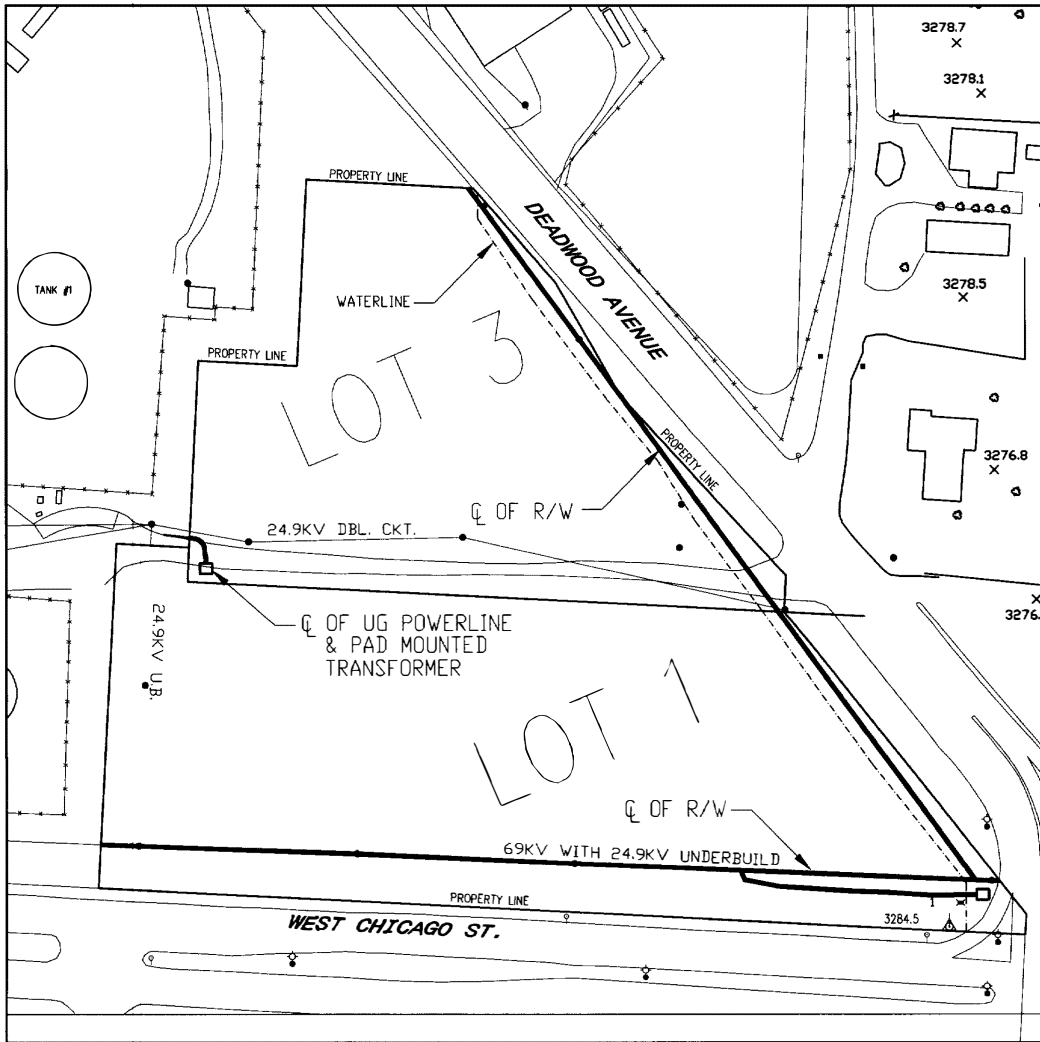
My Commission Expires: June 30, 2002
Allen Nelson
Notary Public (Seal)
SOUTH DAKOTA

**RIGHT OF WAY EASEMENT
BLACK HILLS POWER & LIGHT COMPANY**

EXHIBIT A

Section 34, Township 2 North, Range 7 East, BHM
Pennington County, South Dakota

Owner (s): DOUBLE RF DEVELOPMENT CO, LLC



Scale 1"=150'

NOTE: The centerline of the powerline as constructed is the centerline of the easement.

Exhibit A



Book: 91
Page: 7366
R01-10449.0 Page 002 of 002
06/22/2001 01:35p 12.00
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R0 0-13