Prepared by: SWEETLAND WIND FARM, LLC c/o Scout Clean Energy 4865 Sterling Drive, Suite 200 BOULDER, CO 80301 ATTN: LAND DEPT 303-284-7566



I certify the within instrument was filed for record
Doc: 201906349 Book: 88 MISC Page: 491-500
Hand County, SD Rec Fee: \$30.00 Trans Fee: \$0.00
needed and filed 12/3/2019 at 4:30 PM File #/
Suzy Wernsmann, Register of Deeds
By / Deputy
7

(Space above this line for Recorder's use only)

## AFFIRMATION of

Agreement Regarding Permit to Erect Poles and Wires and to Bury Cable for Electricity In and Along
Public Highways

between

Sweetland Wind Farm, LLC

and

Hand County, South Dakota

The undersigned representatives of Sweetland Wind Farm, LLC, a Delaware limited liability company qualified to do business in South Dakota ("Developer"), and the Board of County Commissioners of Hand County ("County"), do hereby execute and deliver this Affirmation of that certain Permit to Erect Poles and Wires and to Bury Cable for Electricity In and Along Public Highways ("Permit") approved by the County as of the day of Quanty, 20 10 (the "Effective Date"). A copy of the Permit is attached to this instrument as Exhibit A and incorporated herein by this reference.

This instrument confirms the Agreement by Developer and County in recordable form so that it may be placed of record in the Office of the Recorder of Hand County, South Dakota, to provide public notice thereof.

IN WITNESS WHEREOF, each of Developer and County has caused their duly authorized representatives to sign this instrument on the dates indicated below, to be effective as of the Effective Date.

[Signature Pages and Notary Acknowledgments Attached]

[Remainder of Page Intentionally Blank]

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed as of the date shown above and to be effective as the Effective Date.

DEVELOPER:
SWEETLAND WIND FARM, LLC By: Name: Michael Rucker
Its: Manager
before me a notary public, the undersigned officer, wledged himself to be the Manager of SWEETLAND company and that he as such officer, being authorized to purpose therein contained by signing the name of the company.
nd official seal.
JONATHAN R FORSTE NOTARY PUBLIC STATE OF COLORADO
-

**COUNTY:** 

Chairman, Board of County
Commissioners

STATE OF South Dakotas country of Hand 8

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On this 3 day of <u>December</u>, 2019, before me a notary public, the undersigned officer, personally appeared <u>Tim Tones</u>, who acknowledged himself/herself to be the fairman of BOARD OF COUNTY COMMISSIONERS OF HAND COUNTY, SOUTH DAKOTA and that he/she in such capacity, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the entity by himself/herself as Chairman on behalf of such entity.

In witness whereof, I hereto set my hand and official seal.

Notary Public State of South DAKOTA

mmission expires: None

## EXHIBIT A

PERMIT

Attached hereto

## 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 Hand County, SD.

Applicant: Sweetland Wind Farm, LLC

Project description (including location): Please see attached map and table for utility locations; the Sweetland Wind Project is planned to be located in Pearl, Hulbert and Rose Hill Townships

Application date: October 16, 2019

Start date: Q1 2020

Completion Date: Q4 2020

Proposed electrical connection points (description or map): Attached map and table

Route over which the applicant desires to construct overhead transmission lines and/or bury underground collection lines (description or map): See attached map and table

Existing electric, telegraph, and telephone lines occupying public highways which the proposed electrical poles, wires or cables will occupy (description or map): Attached map and table

Size and type of electrical poles, wires or cables being installed: 34.5kV underground collector lines approximately 3 inches in diameter; 230kV overhead transmission line with 16-inch diameter poles

Method of installation: Directional boring underground collection; direct embedment up to 12 feet below grade for overhead transmission line

Depth of cover for buried facilities: Minimum 42 inches for underground collection

Distance of aboveground lines from roadway centerline: Minimum 25 feet above road

Certificate of Public Convenience and Necessity (if any): N/A

All underground collection lines through road right-of-ways 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.

Applicant 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 Sweetland Wind Farm, LLC or its designee to construct the Utility Facilities in the identified public highways.

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

Submitted by: Muly Muly Michael Rucker (Name)

4865 Sterling Vv.,

Roulder, CO 88381 (City, State, Zip Code)

Recommended for Approval:

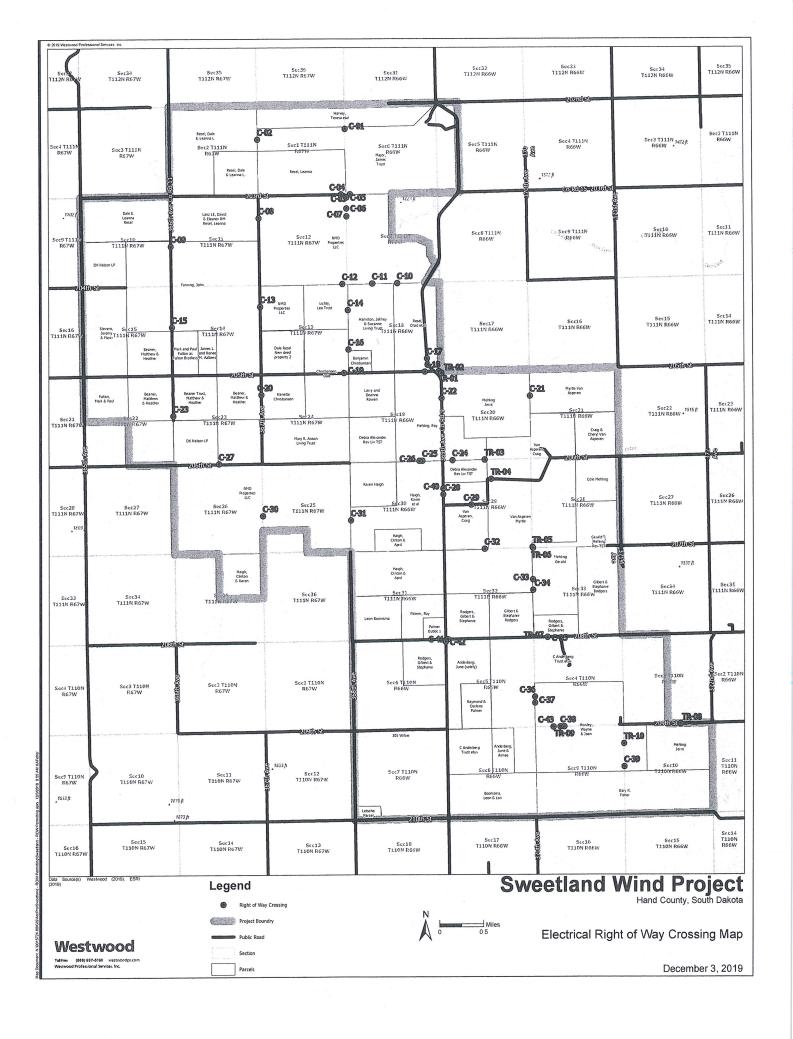
Approved: 12/3/19 (Date)

Wi e-Chairman, Board of County

Commissioners

67747800

Utility Company	CONTACT PHONE NO.	Contact	Email	Mailing Address 15 4th Ave SW, Aberdeen, SD 57401
CENTURYLINK	605-229-7441	CORY MOSER	cory.moser@centuryLink.com	15 4th Ave SW, Aberteen, 30 37401
DAKOTA ENERGY ELECTRIC COOP	800-353-8591	LYNN KRÚSE	lkruse@dakotaenergy.coop	1003 N Broadway Ave, Miller, SD 57362
MID DAKOTA RURAL WATER SYSTEM	605-853-2105	WAYNE RUHNKE	wayne,ruhnke@mdrws.com	608 W 14th St, PO Box 318, Miller, SD 57362 P.O. Box 157, 218 Commercial Ave. SE, Highmore, SD
VENTURE COMMUNICATIONS COOP	800-824-7282	CLINT BUCHHOLZ	clintb@venture.coop	57345



Project - Sweetland Wind WPS Project Number - 0015724.00 Coordinate System - NAD83 HARN South Dakota North Date - December 3, 2019 Title - Sweetland Electrical Right of Way Crossing Points

GIS ID	XING NAME	FACILITY	Crossings	ROW NAME	Northing	Easting	Latitude	Longitude
1	C-01	COLLECTION	1	368th Ave - Unimproved	228256.4	2275730.1	44.4533062	-98.8234250
2	C-02	COLLECTION	1	367th Ave - Unimproved	227644.6	2270450.3	44.4518369	-98.8436755
3	C-03	COLLECTION	1	203rd St- Unimproved	224410.4	2276026.5	44.4427460	-98.8225044
4	C-04	COLLECTION	1	203rd St	224402.4	2275479.6	44.4427459	-98.8245984
5	C-05	COLLECTION:		368th Ave - Unimproved	224215.3	2275796.6	44.4422201	-98.8233953
6	C-06	COLLECTION	1	368th Ave - Unimproved	223572.3	2275803.2	44.4404562	-98.8234057
7	C-07	COLLECTION	1	368th Ave - Unimproved	223108.5	2275808.0	44.4391842	-98.8234132
8	C-08	COLLECTION	1	367th Ave	223014.6	2270515.3	44,4391358	-98.8436800
9	C-09	COLLECTION	1	366th Ave	221358.1	2265232.9	44.4347977	-98.8639911
10	C-10	COLLECTION	1	204th St - Unimproved	219160.5	2278816.0	44.4282356	-98.8121201
11	C-11	COLLECTION	1	204th St - Unimproved	219139.6	2277323.5	44.4282381	-98.8178334
12	C-12	COLLECTION	1	204th St - Unimproved	219115.5	2275541.4	44.4282431	-98.8246558
13	C-13	COLLECTION	1	367th Ave	217784.2	2270589.1	44.4247875	-98.8436833
14	C-14	COLLECTION	1	368th Ave - Unimproved	217573.2	2275869.0	44.4240001	-98.8234876
15	C-15	COLLECTION	1.	366th Ave	216580.8	2265298.1	44.4216924	-98.8639981
16	C-16	COLLECTION	1	368th Ave - Unimproved	215244.2	2275899.1	44.4176110	-98.8235022
17	C-17	COLLECTION	8	369th Ave	214702.8	2280576.4	44.4159384	-98.8056337
18	C-18	COLLECTION	4	205th St	213921.1	2280445.5	44.4137997	-98.8061788
19	C-19	COLLECTION	1	205th St	213850.7	2275628.6	44.4138000	-98.8246145
20	C-20	COLLECTION	1	367th Ave	212571.8	2270652.6	44.4104888	-98.8437252
21	C-21	COLLECTION	1	370th Ave - Unimproved	212474.9	2286746.3	44,4095759	-98.7821523
22	C-22	COLLECTION	1	369th Ave	212347.6	2281449.7	44.4094435	-98.8024252
23	C-23	COLLECTION	1	366th Ave	211333.4	2265371.9	44.4072973	-98.8639974
24	C-24	COLLECTION	1	206th St - Unimproved	208673.7	2282103.5	44.3993405	-98.8001320
25	C-25	COLLECTION	13.5	206th St - Unimproved	208645.2	2280287.4	44.3993361	-98.8070814
26	C-26	COLLECTION	1	206th St - Unimproved	208642.6	2280109.0	44.3993361	-98.8077640
27	C-27	COLLECTION	1	206th St	208486.2	2268103.8	44.3993827	-98.8536991
28	C-28	COLLECTION	1	369th Ave	206654.9	2281545.7	44.3938263	-98.8023801
29	C-29	COLLECTION	2	206th St	206043.5	2283233.4	44.3920807	-98.7959593
30	C-30	COLLECTION	1	367th Ave - Unimproved	205402.5	2270739.3	44.3908223	-98.8437852
31	C-31	COLLECTION	1	368th Ave - Unimproved	205131.8	2276034.7	44.3898705	-98.8235457
32	C-32	COLLECTION	2	207th St - Unimproved	203429.1	2284027.6	44.3848780	-98.7930705
33	C-33	COLLECTION	2	370th Ave - Unimproved	201623.2	2286922.8	44.3798059	-98.7821017
34	C-34	COLLECTION	1	370th Ave - Unimproved	200996.6	2286933.0	44.3780871	-98.7820987
35	C-35	COLLECTION	1	208th St	198213.0	2287797.0	44.3704169	-98.7789553
36	C-36	COLLECTION	1	370th Ave - Unimproved	194692.5	2287041.8	44.3607925	-98.7820454
37	C-37	COLLECTION	1	370th Ave - Unimproved	194339.5	2287048.3	44.3598241	-98.7820408
38	C-38	COLLECTION	1	209th St - Unimproved	192932.2	2288554.0	44.3559021	-98.7763660
39	C-39	COLLECTION	1	371st Ave - Unimproved	190568.7	2292384.6	44.3492601	-98.7618610
50	C-40	COLLECTION	1	369th Ave	207003.7	2281540.2	44.3947833	-98.8023816
51	C-41	COLLECTION	1	208th St	198095.6	2281818.7	44.3703400	-98.8018207
52	C-42	COLLECTION	1	369th Ave	197946.1	2281692.6	44.3699349	-98.8023114
53	C-43	COLLECTION	1	209th St - Unimproved	192922.9	2288144.8	44.3558934	-98,7779306
40	TR-01	TRANSMISSION LINE	1	205th St - Unimproved	213933.6	2281271.7	44.4138005	-98.8030167
41	TR-02	TRANSMISSION LINE	1	369th Ave - Unimproved	213841.1	2281436.1	44.4135402	-98.8023927
42	TR-03	TRANSMISSION LINE	1	206th St - Unimproved	208707.3	2284025.5	44.3993542	-98.7927776
43	TR-04	TRANSMISSION LINE	1	206th St.	207561.9	2284417.4	44.3961969	-98.7913439
44	TR-05	TRANSMISSION LINE	1	370th Ave - Unimproved	203532.2	2286892.2	44.3850430	-98.7821089
45	TR-06	TRANSMISSION LINE	1	207th St - Unimproved	203478.4	2286925.2	44.3848942	-98.7819857
46	TR-07	TRANSMISSION LINE	1	208th St	198213.3	2287794.6	44.3704177	-98.7789641
47	TR-08	TRANSMISSION LINE	1.	209th St	193093.4	2295731.4	44.3560433	-98.7489197
48	TR-09	TRANSMISSION LINE	1	209th St - Unimproved	192937.5	2288779.1	44.3559072	-98.7755052
49	TR-10	TRANSMISSION LINE	1	371st Ave - Unimproved	191933.7	2292361.2	44.3530048	-98.7618707

By: Chairman, Board of County

Commissioners

STATE OF South Dakots
COUNTY OF Hand 8

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On this day of <u>December</u>, 2019, before me a notary public, the undersigned officer, personally appeared <u>Tim Tones</u>, who acknowledged himself/herself to be the fairman of BOARD OF COUNTY COMMISSIONERS OF HAND COUNTY, SOUTH DAKOTA and that he/she in such capacity, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the entity by himself/herself as Chairman on behalf of such entity.

In witness whereof, I hereto set my hand and official seal.

Notary Public State of Science DAKOTA

mmission expires: NONE