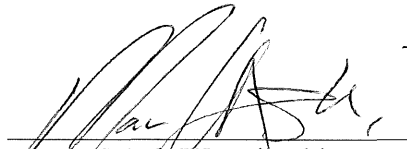




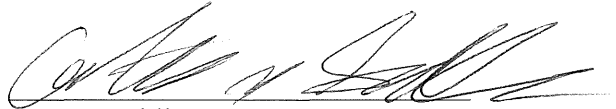
- d. Turbine 78 has been adjusted approximately 117 feet to the Northwest to enhance constructability and avoid an existing road.
  - e. Turbine 79 has been adjusted approximately 122 feet to the Northwest to enhance constructability and avoid an existing road.
5. The confidential version of **Exhibit A** identifies the locations of environmental avoidance areas, including cultural resources and wetlands, in relation to the turbine adjustments. In addition, **Exhibit B** provides a chart showing the distance of the turbines from residences, roads, overhead distribution and transmission lines, and property lines. As shown in **Exhibits A and B**, the proposed turbine adjustments comply with county and state setback requirements and commitments, cultural and tribal resource impacts are avoided, and wetland impacts are avoided or are in compliance with applicable U.S. Army Corps of Engineers regulations.
  6. Attached as **Exhibit C** is an updated Sound and Shadow Flicker Analyses Memorandum, which demonstrates that the turbine adjustments comply with the sound requirements set forth in paragraph 28 of the Settlement Stipulation
  7. As indicated in **Exhibit C**, only one receptor was modeled to exceed 30 hours of shadow flicker per year. A shadow flicker waiver executed by Mr. and Mrs. Stevens was filed on November 18, 2019 as Exhibit C to the Affidavit of Mark Wengierski in Support of Request for Approval of Turbine Model Change and Turbine Adjustments. Therefore, the Project meets the shadow flicker requirements set forth in paragraph 29 of the Settlement Stipulation.
  8. The adjustments are located on land under lease/easement for the Project.
  9. With respect to the Project, including the turbine adjustments described herein, Sweetland will comply with the Commission's Order and all other applicable regulations and requirements.

FURTHER AFFIANT SAYETH NOT.

Dated this 7<sup>th</sup> day of March, 2021.

  
\_\_\_\_\_  
Mark Wengierski

Subscribed and sworn to before me on this 9<sup>th</sup> day of March, 2021.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 02/03/2025

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**Colton Michael Sorrells**  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID# 20214004397  
MY COMMISSION EXPIRES 02/03/2025