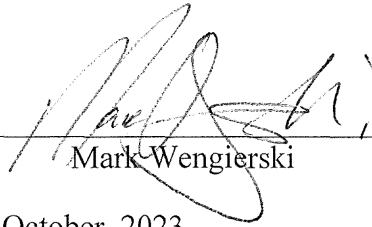


- c. Turbine 69 was constructed at the current location in July 2023. Due to an inadvertent oversight, Sweetland did not submit this Affidavit to the Commission prior to implementing the turbine adjustment.
5. The confidential version of **Exhibit A** identifies the locations of environmental avoidance areas, including cultural resources and wetlands, in relation to the turbine adjustment. In addition, **Exhibit B** provides a chart showing the distance of the turbine from residences, roads, overhead distribution and transmission lines, and property lines. As shown in **Exhibits A and B**, the turbine adjustment complies 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 adjustment complies 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 adjustment is located on land under lease/easement for the Project.
9. With respect to the Project, including the turbine adjustment described herein, Sweetland will comply with the Commission's Order and all other applicable regulations and requirements.


FURTHER AFFIANT SAYETH NOT.

Dated this 27th day of October, 2023.



Mark Wengierski

Subscribed and sworn to before me on this ____ day of October, 2023.



Notary Public

My Commission Expires: 01-23-2027

BARTEK SUSOL
Notary Public
State of Colorado
Notary ID # 20234002920
My Commission Expires 01-23-2027