

CONSENT AND AGREEMENT FOR ELECTRIC SERVICE

This Consent and Agreement for Electrical Service ("*Consent*") is entered into effective as of the 6th day of January, 2021 by and between NorthWestern Corporation d/b/a NorthWestern Energy ("*NorthWestern*") with a principal place of business at 600 Market Street West, Huron, South Dakota 57350-1500, and Charles Mix Electric Association, Inc. ("*Association*") of 440 E. Lake Street, Lake Andes, South Dakota 57356.

WHEREAS, Association is assigned the territorial right to provide electric utility service to the following described real property:

Lot Two Hundred Twenty-seven (227) in the Yankton Sioux Indian Reservation, a part of Section Four (4), Township Ninety-four North (T94N), Range Sixty-four West (R64W) of the 5th P.M., Charles Mix County, South Dakota;

Part of Government Lot Four (4), except Lot A thereof, of Irregular Section Four (4), Township Ninety-four North (T94N), Range Sixty-four West (R64W) of the 5th P.M., Charles Mix County, South Dakota; and

Government Lot Three (3) of Section Four (4), Township Ninety-four North (T94N), Range Sixty-four West (R64W) of the 5th P.M., Charles Mix County, South Dakota (*collectively the "Property"*).

WHEREAS, streetlights are being constructed on the Property at the request of the Yankton Sioux Tribe, and electrical utility service is required to the following described real property:

The West Thirty-three Feet (W.33') of Lot Two Hundred Twenty-seven (227) in the Yankton Sioux Indian Reservation, a part of Section Four (4), Township Ninety-four North (T94N), Range Sixty-four West (R64W) of the 5th P.M., Charles Mix County, South Dakota, as illustrated on attached Exhibit "B";

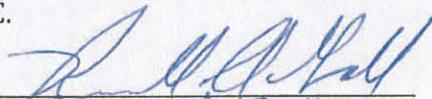
The South Thirty-three Feet (S.33') of Government Lot Four (4), except Lot A thereof, lying East of the Northwest corner of Lot Two Hundred Twenty-seven (227) in the Yankton Sioux Indian Reservation, of Irregular Section Four (4), Township Ninety-four North (T94N), Range Sixty-four West (R64W) of the 5th P.M., Charles Mix County, South Dakota, as illustrated on attached Exhibit "C"; and

The South Thirty-three Feet (S.33') of Government Lot Three (3) of Irregular Section Four (4), Township Ninety-four North (T94N), Range Sixty-four West (R64W) of the 5th P.M., Charles Mix County, South Dakota, as illustrated on attached Exhibit "D".

- Consent to Service. Association agrees to allow NorthWestern to supply electrical service to the Property for the purpose of installing and operating streetlights ("*Electrical Service*"). This Consent is entered into pursuant to South Dakota Codified Law §49-34A-55.

- Reservation of Rights. This Consent is made with the following understanding and agreement: (i) the Property remains a part of the assigned service territory of Association; (ii) NorthWestern does not acquire any service territory rights in any portion of the Property; and (iii) except the Electrical Service specifically described in this Consent, NorthWestern does not acquire any other rights to provide utility service to the Property.
- No Admissibility or Precedence. This Consent may not be used for the purpose of establishing permanent territorial service rights, nor does it constitute or establish at any time any precedent between Association and NorthWestern.
- Termination. Association consents to NorthWestern providing Electrical Service for as long as the Electrical Service is used for the purpose intended. Rights granted by this Consent immediately terminate if: (i) the Electrical Service ceases to be used for the purpose intended; or (ii) NorthWestern breaches the terms of this Consent.
- Commission Approval. This Consent is not effective until the parties receive the approval of the Public Utilities Commission of the State of South Dakota.

CHARLES MIX ELECTRIC ASSOCIATION, NORTHWESTERN ENERGY
INC.

By: 
Russell A. Crall

Its: General Manager

By: 
JASON MERKEL

Its: GENERAL MANAGER

