

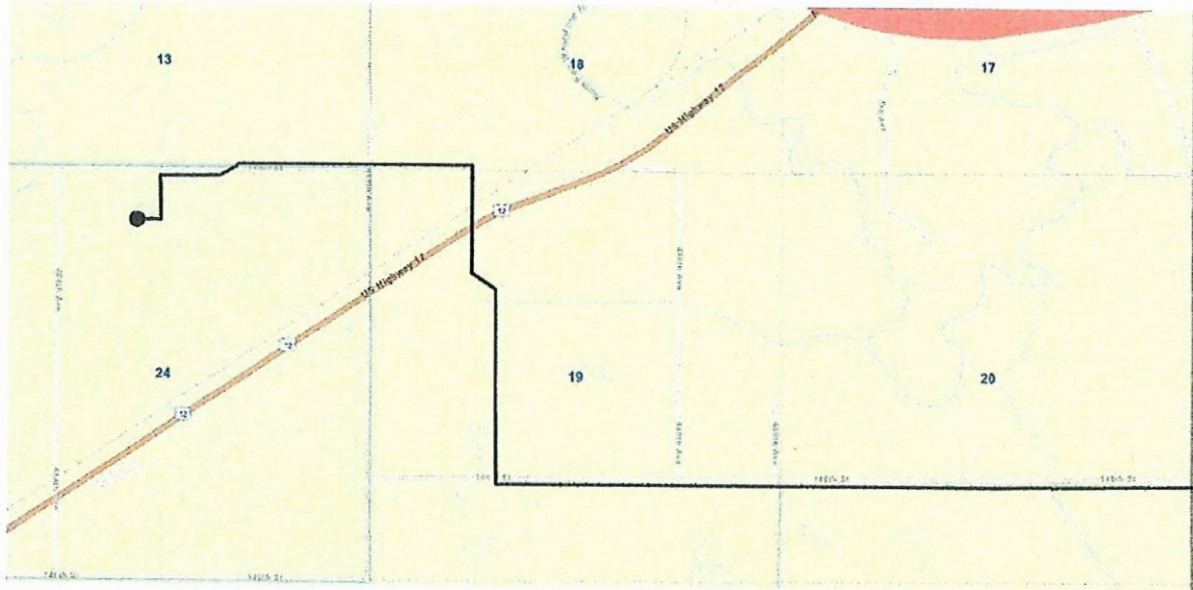
**Grant County Conditional Use Permit
Letter of Assurance**

Prepared by Steve Berkner
Grant County Zoning Officer
210 East 5th Avenue
Milbank, SD 57252

Corrected Letter of Assurance

Conditional Use Permit CUP04082024 has been granted by the Grant County Board of Adjustment to Ottertail Power Company and Western Minnesota Municipal Power Agency the "Applicants" for Essential Public Utility and Service Structure (Transmission Line) and substation improvements.

1. Property location: property situated in Big Stone Township (See map below)



2. Conditions to be placed upon the conditional use permit issued to the applicants by the Grant County Board of Adjustment on June 24, 2024:
 - A. The Applicants are to provide proof of easements prior to construction on any particular parcel.
 - B. The Applicants are to comply with information provided in submitted Application and its associated Exhibit A.
 - C. If the route of the project changes from what was provided in the application, the Applicants will provide to the Planning and Zoning Officer an updated map with the final route and structure locations with the building permit application prior to construction.
 - D. The Applicants are to provide copies of Haul Road Agreements with affected road authorities prior to construction. Grant County requires the Grantor to abide by the following terms to be included in the Agreement:
 1. Unless otherwise agreed upon between the Applicants and the Road Authority, the Applicants shall be responsible for any costs associated with extraordinary maintenance due to the Project on the portion of affected roads during the construction and the proposed use.
 2. Unless otherwise agreed upon between the Applicants and the Road Authority, all road work, whether customary or extraordinary shall be done under the authority and supervision of the

Road Authority and meet their specifications. The work shall be done through the applicable contractor, unless the Applicants receive prior authorization from the Road Authority, to conduct their own repairs or maintenance.

- E. Construction related to the project is not governed by the 1-year permit expiration date stated in Section 504(6)(a), but rather the permit is effective so long as the project is in-service by December 31, 2031. Applicants may apply for a further extension of said permit term no later than December 1, 2031.
- F. If the temporary material site locations are not on applicant-owned property, they will need to be approved by the Zoning Officer. Any temporary material site locations will need to meet all applicable zoning regulations.
- G. Any failure to comply with the terms of this agreement will be deemed a violation of the terms of this Conditional Use permit. The Grant County Zoning Officer will determine violations. If violations are substantiated, the Board of Adjustment may hold a hearing to consider revocation of this Conditional Use Permit.

IN WITNESS WHEREOF, Grant County and the Applicant have executed this Conditional Use Permit Letter of Assurance.

Kristopher Koch

(Applicant)

10/23/24

Date

Mark Leddy

Chairperson
Grant County Board of Adjustment

10-4-2024

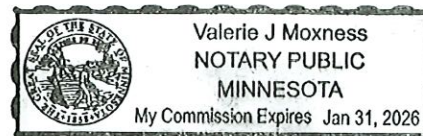
Date

STATE OF SOUTH DAKOTA Minnesota
SS:
COUNTY OF GRANT Otter Tail

This instrument was acknowledged before me on Oct 23rd, 2024 by Valerie Moxness representing the applicant.

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

Valerie Moxness Notary Public
My Commission Expires: 1/31/26



STATE OF SOUTH DAKOTA
SS:
COUNTY OF GRANT

This instrument was acknowledged before me on Oct 4th, 2024 by Mark Leddy, representing Grant County as the Chairperson of the Grant County Board of Adjustment.

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

Rebecca Wellnitz Notary Public My Commission Expires: 01-16-2025

