

Direct Testimony
Witness Amy Spilman

Before the Public Service Commission of
The State of North Dakota

In the Matter of the Application of
Basin Electric Power Cooperative
For A Route Permit for The Antelope
Valley Station Raw Water Pipeline

Case No. PU-04-109
February 3, 2005

ROUTE SELECTION/RIGHT-OF-WAY

1. Q. What is your name, business address and your occupation?

A. My name is Amy Spilman. I am employed as a Property & Right-of-Way Specialist for Basin Electric Power Cooperative, 1717 East Interstate Avenue, Bismarck, North Dakota.

2. Q. What is your educational background and work experience?

A. I have worked for Basin Electric for 17 years. Prior to the AVS raw water pipeline, I worked on the Rapid City DC Tie where I purchased land for the DC converter site and acquired easements for the transmission line. I did courthouse research in Gillette, Wyoming, for the Carr Draw 230 kV transmission line and met with several of the landowners to get survey permission. I settled crop/pasture damages after the Dakota Gasification Company CO₂ pipeline was placed in the ground.

Seminars/courses I have taken through the International Right of Way Association include: Property Descriptions, Pipeline Right of Way Agents Development Program, Principles of Real Estate Acquisition – Negotiation, Ethics and the Right of Way Profession, Standards of Practice for Right of Way Professionals, Principles of Negotiation, Easement Valuation, Land Titles, Legal Aspects of Easements, Principles of Real Estate Engineering and Engineering Plan Development and Application.

I am a graduate of Bismarck High School and attended Bismarck State College for two years.

3. Q. Of what professional associations are you a member?

A. I am a member of the International Right-of-Way Association and am currently the Secretary/Treasurer of the North Dakota/South Dakota Chapter.

4. Q. What are your particular responsibilities in connection with the

routing and construction of the proposed facilities?

A. It is the responsibility of the Right-of-Way Specialist to contact all the landowners and acquire the necessary easements. We will also monitor construction and settle damages.

5. Q. Would you summarize for us, please, the extent of the contacts, which have been made by Basin Electric with landowners on or near the proposed route?

A. All landowners have been contacted and informed of the easement conditions. On the first visit they were told that Basin Electric would be installing a new water pipeline to the Antelope Valley Station due to structural problems with the existing pipeline. The landowners were very familiar with the existing pipeline. We also asked the landowners for survey permission and told them that some areas had to be rerouted because of the rough terrain. The landowners have been and will continue to be updated on the progress of the pipeline.

6. Q. Mrs. Spilman, would you now please describe the considerations used to determine each segment of the route and note landowner concerns along with the right-of-way considerations used in choosing the route.

A. Segment 1: Heading west out of the intake structure to the first angle, then turning 90 degrees south to the north side of a gravel road.

This segment extends for 2900 feet. This route was chosen to reduce the number of angle fittings, which creates a better water flow. Oliver-Mercer Electric Cooperative has a substation on the corner of the gravel road and there are two pipelines in the ground at that same corner. There was no space for another pipeline at this corner. One of the landowners near the intake structure would like to develop his property for cabins. We are continuing discussions with this landowner to see if we can accommodate his concerns with minor route modifications.

Segment 2: South of gravel road to Highway 1806.

This segment extends for approximately 5,280 feet. The new pipeline runs parallel with the existing pipeline on the west side with no major changes. The landowner was concerned with the number of existing pipeline appurtenances (vent pipes and guard posts).

Segment 3: From Highway 1806 to an angle point on the west section line of Section 26.

This segment extends for approximately 3,935 feet. This segment runs parallel on the southeast side of the existing pipeline. There are no major changes except on the section line where the pipeline curves further to the east to stay in land that has less of a terrain problem.

Segment 4: From the angle point on Section 26 west to a 90-degree angle point and then south to the south section line of Section 27.

This segment extends for approximately 3,190 feet. This segment is part of the reroute of the pipeline. This reroute was chosen to bypass very rough terrain, to avoid scoria pits, to minimize appurtenances and to create a better water flow. The landowner was concerned about potential loss of revenue from gravel and scoria. Basin Electric will reimburse the landowner if these resources are removed during the construction process.

Segment 5: From the south section line of Section 27 going south to the middle of Section 34.

This segment extends for approximately 2,510 feet. This reroute was chosen to bypass very rough terrain, to minimize appurtenances and to create better water flow. The majority of the land will be farmed after the pipeline is in place. The landowner wants contractors to stay away from any tree rows.

Segment 6: From the middle of Section 34 going south,

southwest of the existing pipeline and then running parallel with the existing pipeline starting at the south section line of Section 34.

This segment extends for approximately 2,980 feet. This reroute, as above, was chosen to bypass very rough terrain, to minimize appurtenances and to create a better water flow.

Segment 7: From the south section line of Section 34 running southeast to a 54-degree angle point south of County Road 15 then east to a point in the curve of County Road 15.

This segment extends for approximately 6,010 feet. This segment runs parallel with the existing pipeline route.

Segment 8: From the point in the curve of County Road 15 following County Road 15 south around the curve to a point where the pipeline runs parallel with the existing pipeline.

This segment extends for approximately 3,335 feet. This

reroute was chosen to follow the County Road, to avoid crossing the road twice and to shorten the distance.

Segment 9: Where the pipeline starts to run parallel with the existing pipeline to the Water Treatment Building at AVS.

This segment extends for approximately 12,288 feet. The new pipeline runs parallel with the existing pipeline route.

7. Q. Does this conclude your direct testimony?

A. Yes.