

May 18, 2023

**VIA E-MAIL AND FEDERAL EXPRESS**

Mr. Steven Kahl  
Executive Secretary  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**Re: Otter Tail Power Company  
Amend – Luverne Wind Farm Upgrade Project  
Siting Application – Steele County  
Case No. PU-23-176**

**and**

**Otter Tail Power Company  
Luverne Wind Farm  
Siting Application – Griggs and Steele Counties  
Case No. PU-08-034**

**and**

**Otter Tail Power Company  
Luverne Wind Farm  
Siting Application – Griggs and Steele Counties  
Case No. PU-09-407**

Dear Mr. Kahl:

In connection with the above-referenced matters, Otter Tail Power Company provides two (2) copies of as-builts for its 49.5 MW Luverne Wind Farm. Electronic copies of this letter and the enclosed as-builts were filed with the Commission today via e-mail.

If you have any questions, please let me know.

Sincerely,



MOLLIE M. SMITH

MMS/78743095  
Enclosures

cc: Lisa McFarland (w/ enclosures, via e-mail)  
Bryce Haugen (w/ enclosures, via e-mail)

175 PU-08-34 Filed 05/18/2023 Pages: 13  
As-Builts for the Luverne Wind Farm  
Otter Tail Power Company  
Mollie Smith, Fredrikson & Byron, P.A.

5 PU-23-176 Filed 05/18/2023 Pages: 13  
As-Builts for the Luverne Wind Farm  
Otter Tail Power Company  
Mollie Smith, Fredrikson & Byron, P.A.



Westwood

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Eden Prairie, MN 55344  
PHONE 952-937-5150  
FAX 952-937-9822  
TOLL FREE 1-888-937-5150  
www.westwoodps.com

Client: \_\_\_\_\_ JAG  
Checked: \_\_\_\_\_ CHM  
Drawn: \_\_\_\_\_ BRS  
Record Drawing by/date: \_\_\_\_\_

Revisions:  
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# **Luverne North Field Wind Farm Project**

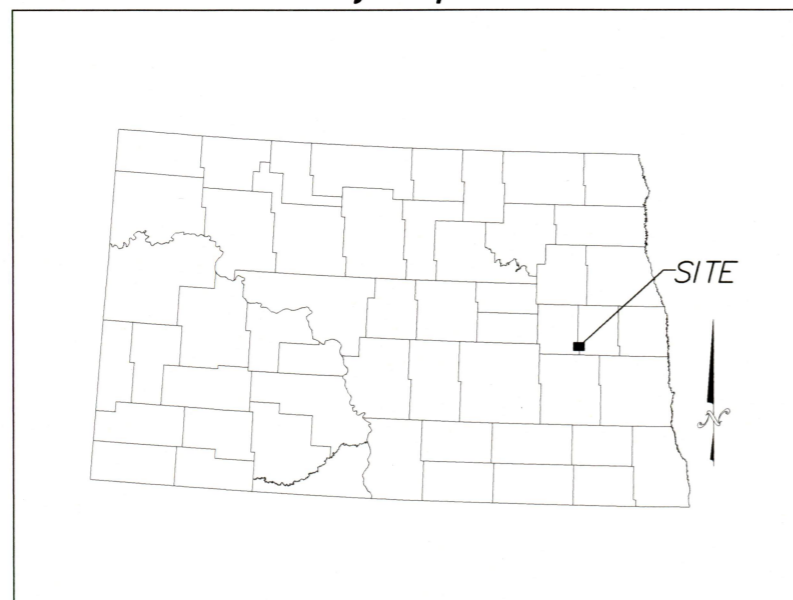
*(ASBUILT ALTA/ACSM Land Title Survey)*

*Steele County, North Dakota*

## GENERAL DRAWINGS

<u>DWG. NO.</u>	<u>TITLE</u>
SHEET 2	PROJECT SITE LAYOUT, INDEX SHEET AND GENERAL NOTES
SHEETS 3 - 12	SECTIONAL DETAIL SHEETS, RELEVANT TITLE COMMITMENTS AND SCHEDULE B II EXCEPTIONS

*Vicinity Map*



(Not to Scale)



NO.	DATE	REVISION	SHEETS

**Luverne North  
Field Wind Farm**  
Luverne, North Dakota

AS-BUILT  
ALTA/ACSM Land  
Title Survey

Date: 9/14/2009  
Sheet: 1 OF 12



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Eden Prairie, MN 55344

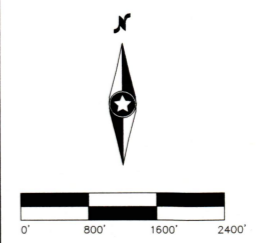
PHONE 952-837-5150  
FAX 952-837-5822  
TOLL FREE 1-888-937-5150

www.westwoodps.com

Crew: JAG  
Checked: CWM  
Drawn: BRB  
Record Drawing by/date:

Revisions table with columns for revision number and description.

Prepared for:

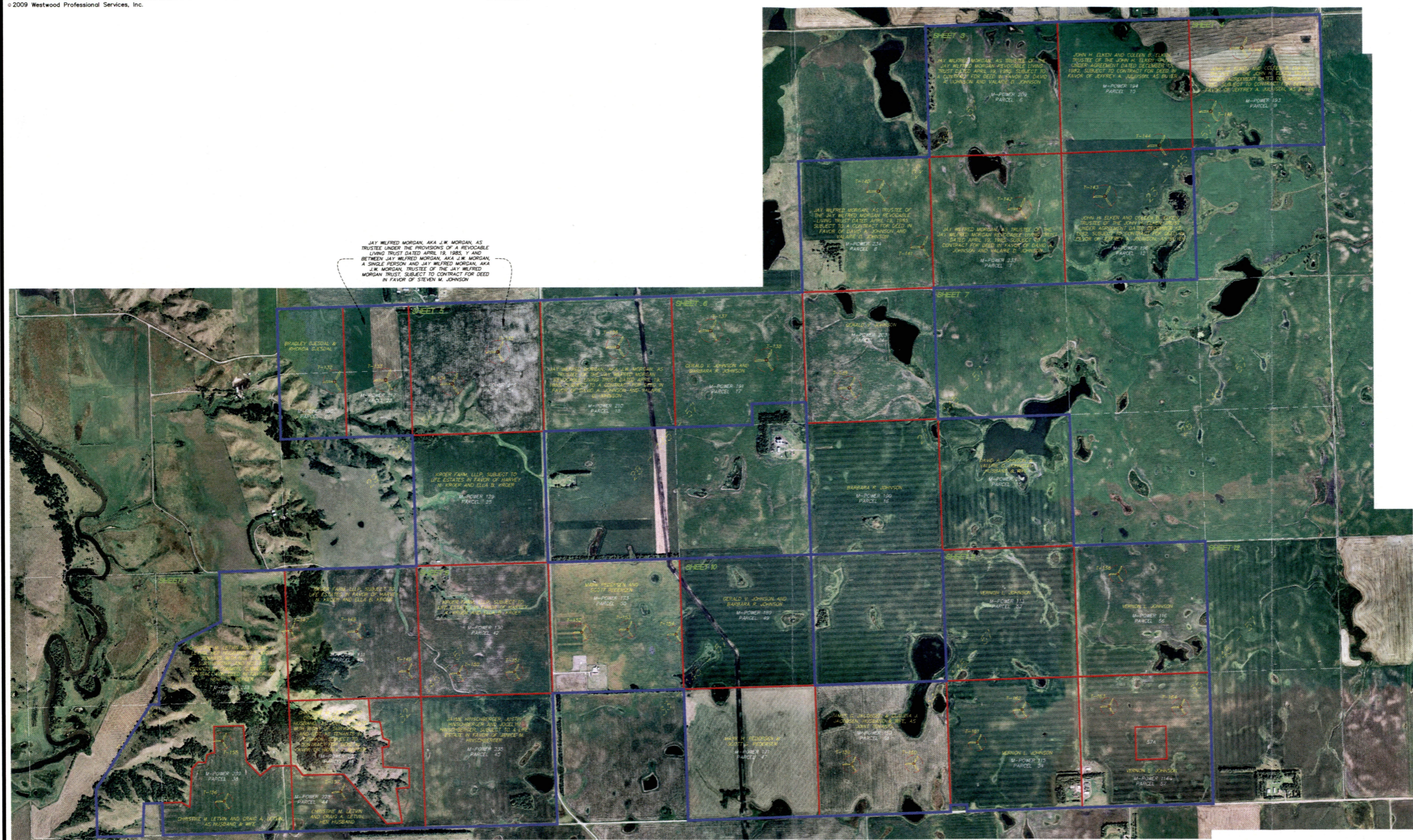


# Luverne North Field Wind Farm

Luverne, North Dakota

AS-BUILT  
ALTA/ACSM Land  
Title Survey

Date: 9/14/2009  
Sheet: 2 OF 12  
20082573AT12135-145-57.dwg

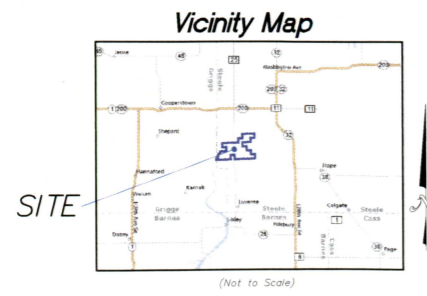


JAY MURFED MORGAN, AKA J.W. MORGAN, AS TRUSTEE UNDER THE PROVISIONS OF A REVOCABLE LIVING TRUST DATED APRIL 18, 1985, Y AND BETWEEN JAY MURFED MORGAN, AKA J.W. MORGAN, A SINGLE PERSON AND JAY MURFED MORGAN, AKA J.W. MORGAN, TRUSTEE OF THE JAY MURFED MORGAN TRUST, SUBJECT TO CONTRACT FOR DEED IN FAVOR OF STEVEN M. JOHNSON

### SURVEYOR'S CERTIFICATE

To: M-Power, LLC, Otter Tail Corporation, a Minnesota corporation doing business as Otter Tail Power Company and Surety Title Company and/or Commercial Title, LLC, as agent(s) for Old Republic National Title Insurance Company, and their successors and assigns:  
I, Paul V. Greenhagen, North Dakota Registered Professional Land Surveyor Number 5536, hereby certify to the aforesaid parties, as of the date set forth below, that I have made a the attached survey of the tracts of land described in the legal descriptions on sheets 3-24 hereto (the "Survey"). This will further certify as follows:  
1. The Survey was made on the ground as per the record field notes shown on this survey and show (i) the boundaries of the lease and easement parcels (including the boundaries of the land legally described in the Policy) and some of the improvements thereon as provided in paragraph 5 herein below; (ii) an overlay of the wind energy improvements erected or located thereon; (iii) the tax assessor identification numbers for each parcel legally described in the Policy; (iv) the names of the landowners as currently vested; (v) the location of rights-of-way, easements and other matters of record affecting the subject property according to the Policy; (vi) abutting public highways providing access to the subject property together with the width and name thereof; and (vii) other significant items on the land described in the Survey.  
2. Except as shown on the Survey, there are no (i) encroachments upon the subject property by improvements on adjacent properties or highways by the proposed wind energy improvements on the subject properties, unless otherwise noted on the Survey graphically;  
3. Egress to and egress from the subject property is provided from public roads or from public roads in conjunction with contiguous properties included in the Policy; and all roads shown on the Survey (unless otherwise noted) are public roads and are maintained by the State, County or Township in which they are located.  
4. The wind energy facilities placed or erected by M-Power, LLC are not located within a designated flood plain, except as shown otherwise on the Survey.  
5. This Survey is made in accordance with the Minimum Standard Detail Requirements for the American Land Title Association and the American Congress on Surveying and Mapping (the "ALTA/ACSM") Land Title Surveys, jointly established and adopted by the ALTA, ACSM and the National Society of Professional Surveyors (the "NSPS") in 2005, and includes items 1 (only major section boundary corners), 2, 7(a), 8, 10, 11(a) & 13 of Table A thereof. Proper field procedures, instrumentation and adequate survey personnel were employed in order to achieve results comparable to those outlined in the Minimum Angle, Distance, and Closure Requirements for Survey Measurements which Control Land Boundaries for ALTA/ACSM Land Title Surveys, as specified by the ALTA, ACSM and NSPS.  
6. The proposed site is located entirely within the parcels described in the Policy; (b) each of the parcels is contiguous to a public road without gap; (c) the wharf is contiguous from a public road to all of the turbines, without gap; and (d) all of the proposed roads, collection system lines, communication lines, turbines, transformers, substation and other improvements as shown on the survey are within the boundaries of the easements insured by the below-mentioned title insurance companies, unless otherwise noted on the survey graphically.  
7. The land and wind energy improvements shown on the Survey are contiguous from the substation to all of the turbines served thereby, without gaps or gaps, unless otherwise noted on the survey graphically.  
8. The land that is covered by the Policy constituted the same real property as described as the lease and easement parcels on the Survey.  
9. According to the survey, based on setback requirements provided by M-Power, LLC, there are no turbines, turbine blades, pod-mounted transformers, or other project improvements that as proposed would encroach on any public road setback or any other setback, unless otherwise noted on the survey graphically.  
10. The wind energy improvements shown on the Survey comply with all applicable zoning ordinances, permits and rules, as they have been provided to me by M-Power, LLC.  
11. The above-ground electrical and phone lines were the only visible utilities observed on the subject property and are shown on the Survey. There was no visible evidence of rural water, sewer or gas lines within close proximity of the proposed turbine sites unless otherwise shown on the survey graphically.  
12. There is no above ground observed evidence that the subject property was used as a commercial solid waste dump, pump or commercial sanitary landfill.

Dated this 4th day of February, 2009  
Paul V. Greenhagen  
Professional Land Surveyor  
North Dakota Registration Number 5536

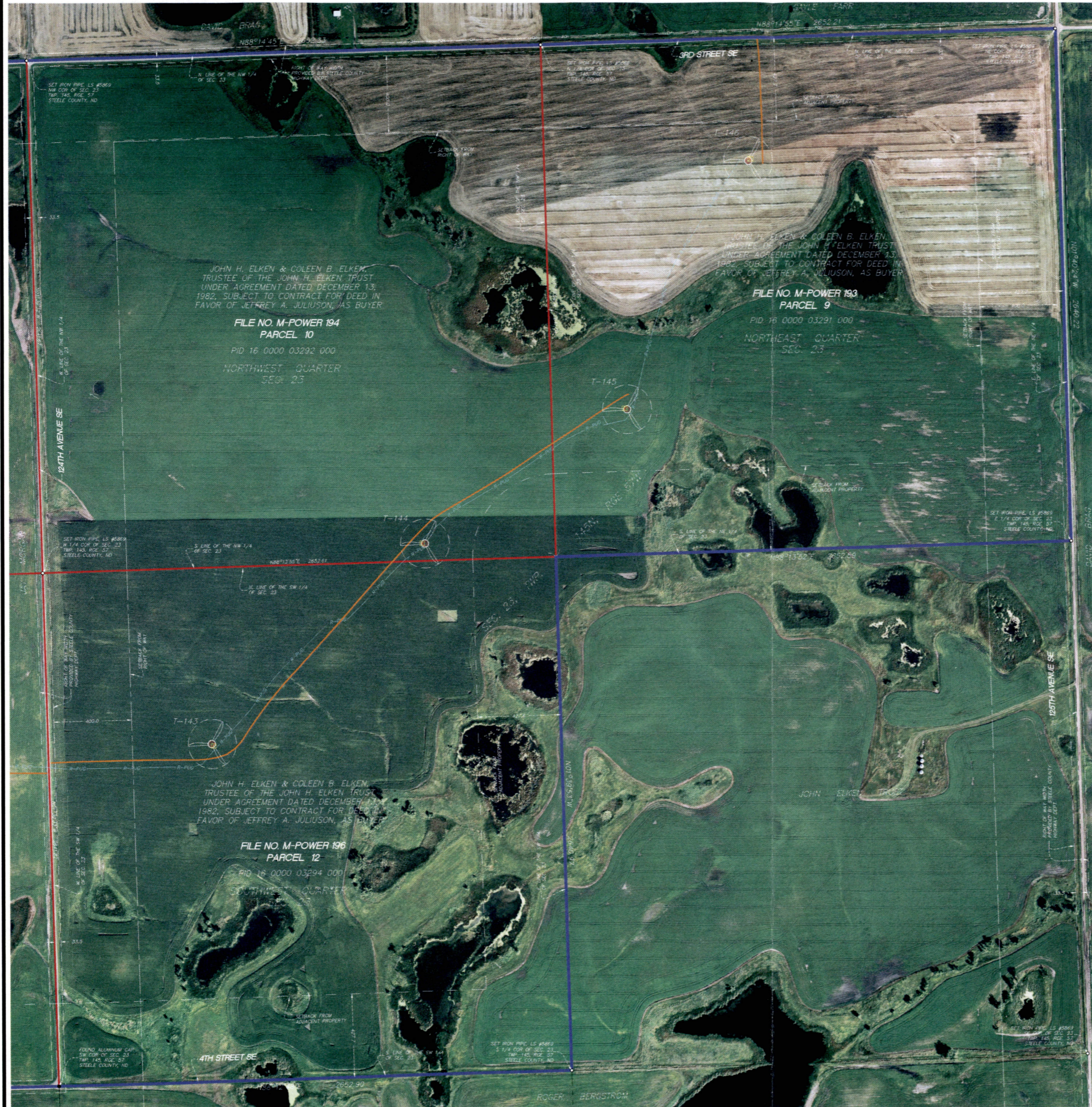


(Not to Scale)

### General Notes

- 1) The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (See individual sheets for ticket numbers).  
All underground utilities, except utility boxes, are represented by approximate locations taken from mapping provided by relevant utilities.  
2) This survey is based on the 1983 NAD(1986 ad.) North Dakota State Plane North Zone in International Feet. Ground coordinates must be calibrated to equate to dimensions shown in the area of the work taking place. Vertical datum is 1988 NAVD.  
3) All right of way widths were provided from the Steele County Highway Department.  
4) Adjoining owners are based on County Plat Book, published by Farm & Home Publishers for the year 2008.  
5) Improvements appearing on this survey are a combination of information obtained by aerial methods, provided by and improvements located by conventional methods by Westwood Professional Services, Inc.  
6) Proposed turbine, underground utilities and access road locations provided by M-Power, LLC.  
7) The setbacks to the turbines are to the center of structure. The circle shown around the turbine symbol is the sweep, said circle does not have an impact on the turbine being within a setback.  
8) Property is currently zoned Agriculture.  
9) In regard to the certification, item 7a in Schedule A, existing buildings are shown per aerial and Westwood has field verified the location of the occupied building. Specific ground dimensions of the exterior building are not shown. Items 16 & 18 of Schedule A, are only for use on projects for the U.S. Department of Housing and Urban Development per note in paragraph one of Table A. Items 16 & 18 have been removed from the certification.  
10) Setbacks were established by the North Dakota Public Service Commission based on the GE SLE Turbine.





**Property Description from File No. M-Power 193 (Parcel 9)**  
 The Northeast Quarter (NE1/4) of Section Twenty-three (23), Township One Hundred Forty-five (145) North, Range Fifty-seven (57) West of the Fifth Principal Meridian, Steele County, North Dakota.  
 JOHN H. ELKEN & COLEEN B. ELKEN, TRUSTEES OF THE JOHN H. ELKEN TRUST UNDER AGREEMENT DATED DECEMBER 13, 1982, SUBJECT TO CONTRACT FOR DEED IN FAVOR OF JEFFREY A. JULIUSON, AS BUYER

**General Notes**  
 1) This survey was prepared using Surety Title Company, as agent for Old Republic National Title Insurance Company, Proforma Version 6, File Number: 1687 having an effective date of February 4, 2009.  
 2) Steele County, North Dakota does not participate in the Flood Insurance Rate Map.  
 3) Subject property contains 7,004,005± Sq.Ft. or 160.8 acres.  
 4) Subject property contains no parking stalls.  
 5) The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (North Dakota One Call Ticket No. 8084975)

**Property Description from File No. M-Power 194 (Parcel 10)**  
 The Northwest Quarter (NW1/4) of Section Twenty-three (23), Township One Hundred Forty-five (145) North, Range Fifty-seven (57) West of the Fifth Principal Meridian, Steele County, North Dakota.  
 JOHN H. ELKEN & COLEEN B. ELKEN, TRUSTEES OF THE JOHN H. ELKEN TRUST UNDER AGREEMENT DATED DECEMBER 13, 1982, SUBJECT TO CONTRACT FOR DEED IN FAVOR OF JEFFREY A. JULIUSON, AS BUYER

**General Notes**  
 1) This survey was prepared using Surety Title Company, as agent for Old Republic National Title Insurance Company, Proforma Version 6, File Number: 1687 having an effective date of February 4, 2009.  
 2) Steele County, North Dakota does not participate in the Flood Insurance Rate Map.  
 3) Subject property contains 7,006,112± Sq.Ft. or 160.8 acres.  
 4) Subject property contains no parking stalls.  
 5) The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (North Dakota One Call Ticket No. 8084975)

**Property Description from File No. M-Power 196 (Parcel 12)**  
 The Southwest Quarter (SW1/4) of Section Twenty-three (23), Township One Hundred Forty-five (145) North, Range Fifty-seven (57) West of the Fifth Principal Meridian, Steele County, North Dakota.  
 JOHN H. ELKEN & COLEEN B. ELKEN, TRUSTEES OF THE JOHN H. ELKEN TRUST UNDER AGREEMENT DATED DECEMBER 13, 1982, SUBJECT TO CONTRACT FOR DEED IN FAVOR OF JEFFREY A. JULIUSON, AS BUYER

**General Notes**  
 1) This survey was prepared using Surety Title Company, as agent for Old Republic National Title Insurance Company, Proforma Version 6, File Number: 1687 having an effective date of February 4, 2009.  
 2) Steele County, North Dakota does not participate in the Flood Insurance Rate Map.  
 3) Subject property contains 7,007,019± Sq.Ft. or 160.9 acres.  
 4) Subject property contains no parking stalls.  
 5) The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (North Dakota One Call Ticket No. 8084975)

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Crew: JAG  
 Check: CWM  
 Drawn: BBS  
 Record Drawing by/date:

Revisions:

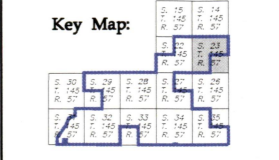
Prepared for:

**OTTER TAIL POWER COMPANY**

**LEGEND**

- WELL
- GUY WIRE
- POWER POLE
- POST
- GATE VALVE
- TELEPHONE BOX
- ELECTRIC BOX
- ELECTRIC METER
- HYDRANT
- WATER METER
- CURB STOP BOX
- FIBER OPTIC UNDERGROUND
- TELEPHONE UNDERGROUND
- TELEPHONE UNDERGROUND CONNECTED FROM BOX TO BOX
- RURAL WATERMAIN
- POWER OVERHEAD
- FENCE LINE
- DENOTES SET IRON MONUMENT
- DENOTES FOUND IRON MONUMENT
- DENOTES PROJECT BOUNDARY
- DENOTES PARCEL BOUNDARY
- XX DENOTES AS-BUILT TURBINE LOCATION AND NUMBER
- DENOTES AS-BUILT ACCESS ROAD
- DENOTES AS-BUILT UNDERGROUND COLLECTION CABLE
- DENOTES AS-BUILT TRANSMISSION LINE

SEE GENERAL NOTE #10 ON SHEET 2 FOR SETBACKS



**Luverne North Field Wind Farm**  
 Luverne, North Dakota

**AS-BUILT ALTA/ACSM Land Title Survey**

Date: 9/14/2009  
 Sheet: 4 OF 12  
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