

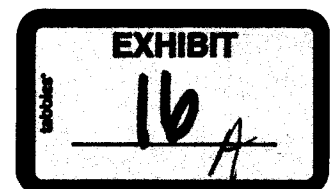
Reed Township  
County of Cass  
State of North Dakota

APPLICATION FOR CONDITIONAL USE PERMIT

COMES NOW, Otter Tail Power Company and for its Application for Conditional Use Permit in Reed Township says:

1. Otter Tail Power Company plans to construct and maintain a high voltage transmission line from near Pillsbury, North Dakota, to Maple River Substation near Fargo, North Dakota.
2. The portion of the high voltage transmission line is planned to cross Reed Township as described and depicted in attached Exhibit 1. Notice for the public hearing has been published in the *Fargo Forum*.
3. The public hearing pursuant to Reed Township ordinance has been set and noticed for March 18, 2008, at the place and time set out in the Exhibit 2 attached. The proposed route in the notice has been minimally altered. Exhibit 1 details the final proposed route.
4. The map attached to Exhibit 1 has the route of the transmission line indicated and details of what sections it passes through in Reed Township. The line is within the South Half (S½) of Section Seven (7) of the township.
5. Otter Tail Power Company asks the Township Supervisor/Zoning Commission to issue a conditional use permit for the purposes and in the location set out in this application notice attached hereto.

**ORIGINAL**



6. Otter Tail Power Company has researched the use of the property contained in the notice for the purpose of the high voltage transmission line and finds the line:

- a. Will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the area.
- b. Will be sufficiently compatible or separated by distance or screening from adjacent residential zoned or used lands.
- c. Shall have an appearance that will not have any adverse affect upon adjacent residential properties.
- d. The use is reasonably related to the existing and projected land use of the Township.
- e. The use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.
- f. The use is not in conflict with the comprehensive plan of the Township.

Dated this 4th day of March, 2008.

  
\_\_\_\_\_  
Applicant Signature

The applicant by amendment is Minnkota Power Cooperative. This application for conditional use permit is hereby approved subject to the following condition:

The proposed transmission line and the existing 345 kV transmission line must be carried on one set of structures over the South Half of Section 7, Township 140 North, Range 49 West, excepting that part lying East of the Sheyenne River, excepting Auditors Lot 5 of the Southeast Quarter of Section 7, Township 140 North, Range 49 West, excepting Auditors Lot 4 of the East One Half of Section 7, Township 140 North, Range 49 West.


Subject to the above condition, this application meets all requirements for the approval of a conditional use permit based upon the evidence presented at hearings held on March 18, April 8, April 22 and May 13, 2008.

Date this \_\_\_\_\_ day of May, 2008.

\_\_\_\_\_  
Chairman, Township Zoning Commission

\_\_\_\_\_  
Chairman, Township Board of Supervisors

APPROVED AS TO FORM:

  
\_\_\_\_\_  
R. Kristian Svingen  
Attorney for Minnkota Power Cooperative

\_\_\_\_\_  
Robert G. Hoy  
Attorney for Landowners of the above  
described tract

**Kathy Mounts**

---

**From:** Robert Hoy [rhoy@ohnstadlaw.com]  
**Sent:** Wednesday, May 21, 2008 10:09 AM  
**To:** Kathy Mounts; go4trails@ideaone.net; nodakrose@ideaone.net  
**Cc:** jsmestad@ottertail.com  
**Subject:** RE: Conditional User Permit

Good morning all;

I have had the opportunity to consult my clients and can advise that we have no objection to the form of the Conditional Use Permit as proposed by attorney Svingen. I have spoken separately with Mr. Svingen this morning to advise him of our position. Thank you to the Board for the opportunity to review the proposed language. Bob Hoy

-----Original Message-----

**From:** Kathy Mounts [mailto:kmounts@firmananswer.com]  
**Sent:** Monday, May 19, 2008 3:55 PM  
**To:** go4trails@ideaone.net; nodakrose@ideaone.net  
**Cc:** jsmestad@ottertail.com; Robert Hoy  
**Subject:** Conditional User Permit

Enclosed is a copy of the conditional use permit which I prepared after the meeting last Tuesday. I faxed and mailed a copy of this to Bob Hoy last

Thursday morning. I have a call in to Bob to make sure that the wording is accurate as to what you decided last Tuesday and to ask him to attach his signed copy to an e-mail and send it to you. I am attaching my signed copy to this e-mail.

If Bob has approved the language, would you please sign the same and e-mail or fax it back to me as soon as convenient as we will need to have it for the Public Service Commission hearing on Thursday.

Kris Svingen

Kathy Mounts  
Legal Assistant  
Svingen, Karkela, Cline, Haugrud,  
Hunt, Larson & Jensen, PLLP  
125 South Mill Street, P.O. Box 697  
Fergus Falls, MN 56538-0697  
Telephone No. 218/736-5456  
Fax No. 218/739-5331  
kmounts@firmananswer.com

**CONFIDENTIALITY NOTICE:** The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee.

It is the property of The Law Office of Svingen, Karkela, Cline, Haugrud, Hunt, Larson & Jensen, PLLP. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return e-mail or by e-mail to kmounts@firmananswer.com and destroy this communication and all copies thereof, including all attachments.