

**CONDITIONAL USE PERMIT
CONSTRUCTION AND OPERATION OF A TRANSMISSION LINE,
COLLECTION SYSTEM, AND WIND TURBINE FACILITY**

A hearing was conducted under the authority of the Grass Lake Township Zoning Ordinance on June 1, 2010 in the back room of the City Hall in Wilton, North Dakota.

As a result of that hearing, this Conditional Use Permit is granted to Baldwin Wind, LLC for the purposes as referenced above, and contingent on the following conditions:

I. Township Costs.

A. The costs incurred by Grass Lake Township associated with the application for this Conditional Use Permit and any meeting or hearing associated therewith shall be paid by the Applicant. Such costs shall be forwarded to the Applicant by the Law Firm of Kelsch, Kelsch, Ruff & Kranda and payment shall be made to the Law Firm on behalf of Grass Lake Township.

II. Road Maintenance.

A. To avoid damage to Township roads, the Applicant hereby agrees to directionally bore underground lines.

B. Road maintenance shall remain with Grass Lake Township, except for any required repair of Township roads as a result of permittee's activity..

C. As a condition of this Permit, "as-built" surveys shall be supplied to Grass Lake Township as developed.

D. Applicant agrees to provide required temporary assistance in the spring of 2011 to ensure roads are usable by Township personnel during the interim period. Such temporary assistance shall include and not be limited to such activity as interim gravelling.

III. Setbacks.

A. Any turbine facilities involving a signed participation or easement agreements with Baldwin Wind, LLC, shall be set back a distance as required at the time of the granting of this Permit by appropriate regulatory agencies, PSC, or Baldwin Wind, LLC itself.

B. All turbine facilities located in the Township shall be located at least one-half (½) mile from any non-participating residence in the township existing at the time of the granting of this Permit.

IV. Remediation and Assistance.

A. The Applicant agrees to utilize the Minneapolis Board of Trade methodology for remediation of any crop damage occurring during construction, utilizing the last three years of yield information.

B. The Applicant agrees to assist and work with any Township residents who encounter TV reception difficulties associated with the wind turbine construction and/or operation.

V. Penalties.

A. In addition to potential revocation of the Permit or authority referenced in Section 58-03-14, the Applicant agrees to a \$200.00 per violation per day penalty for any violations of this Conditional Use Permit.

VI. Conditional Use Permit.

A. The Permit is issued in accordance with the hearing held on June 1, 2010 for 27 wind turbines, with 5 alternate locations . Any major variation from the numbers as represented in this Conditional Use Permit (such as use of alternate locations totaling more towers than paid for with the permit fee) may result in increased fees or re-application as a major modification


requiring a new Conditional Use Permit.

VII. Fees.


A. A fee of \$500.00 plus attorney fees, expenses from extra meetings and one-tenth (1/10th) of one percent (1%) of the construction costs as a result of building of facilities (wind towers, access roads, transmission lines) will be charged by the Township.

Dated this 17 day of July, 2010.

GRASS LAKE TOWNSHIP

By 
HARRY KASSIAN
Chairman

By 
WATSON JOHNSON
Supervisor

By 
CATHERINE ERICKSON
Supervisor