

August 9, 2012

VIA POSTAL SERVICE

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

RECEIVED

AUG 13 2012

PUBLIC SERVICE COMMISSION

**RE: Minnkota Power Cooperative, Inc.
345 kV Transmission Line – Center
to Grand Forks Project
Case No. PU-09-670**

Dear Mr. Nitschke:

Enclosed herewith for filing in connection with the above-referenced matter are hard copies of the following reports, permits and/or approvals previously submitted via email:

1. Wilson Township Conditional Use Permit and Variance;
2. Oliver County Conditional Use Permit and Building Permit;
3. Painted Woods Township Conditional Use Permit;

Should you have any questions, please let me know.

Sincerely,



Mike Hennes
System Projects Manager
Minnkota Power Cooperative
(701) 795-4352

Encl.

cc: Mr. Jerry Lein (w/ encl. – via e-mail)
Mr. Brian Hunker (w/o encl. – via e-mail)
Ms. Mollie M. Smith (w/o encl. – via e-mail)

**WILSON TOWNSHIP PLANNING AND ZONING COMMISSION
APPLICATION FOR SPECIAL USE PERMIT
PUBLIC AND PRIVATE ELECTRIC TRANSMISSION LINES
CONDITIONAL STIPULATIONS**

Applicant:

Name: MINNKOTA POWER COOPERATIVE, INC.

Address: P.O. BOX 13200, GRAND FORKS, ND 58208-3200

 denied

 granted

 X *granted subject to the following requirements:*

1. The requirements of the Variance (No. 104v) are met and approved.
2. Applicant shall abide by statements made by Minnkota Power Cooperative, Inc. representatives as on record from the October 26th, 2011 public information meeting.
 - a. Access gates that get placed on fenced easements must be accessible by the property owner and lockable.
 - b. Repair and maintain erosion areas.
 - c. Insure all areas disturbed by construction and maintenance are re-vegetated as necessary.
 - d. Yearly weed control must be maintained around the towers for the lifetime of the tower system.
3. Wilson Township roads impacted by construction and maintenance will be maintained and repaired at the request of the Wilson Township Chairman or an Engineer representing the interests of Wilson Township.
4. The permit fee will be 1% of the cost of construction and is limited to the area that will cross Wilson Township.

7-25, 2012
Date

Shane E. Mors
PRESIDENT, PLANNING AND ZONING COMMISSION

7-25, 2012
Date

Shane E. Mors
CHAIRMAN, WILSON TOWNSHIP

Request No. 104 v
Date 11/06/11

**TOWNSHIP OF WILSON
REQUEST FOR VARIANCE**

Applicant:

Name: MINNKOTA POWER COOPERATIVE, INC.

Address: P.O. BOX 13200 GRAND FORKS ND 58208-3200

Location of Property NW $\frac{1}{4}$ & NE $\frac{1}{4}$ of Sections 5 and 6 of Township 144 North, Range 79 West

(Legal Description)

Present Zoning of Property: Agricultural

Present Use of Property: Agricultural

SIGNATURE OF APPLICANT B. S. Hoffner

Reasons for Request for Variation

Please note that the following questions must be answered completely. If additional space is needed, attach extra pages to application.

Before answering read the Notice to Applicants

1. What characteristics of your property prevent its being used for any of the uses permitted in your zone?

Too narrow _____ Elevation _____ Soil _____
Too small _____ Slope _____ Subsurface _____
Too shallow _____ Shape _____ Other Energy (GRE) Transmission Line.
(specify)

Describe the items checked, giving dimensions where appropriate. _____
Location of the existing GRE transmission line in Section 6, T.144 N., R. 79 W. and wetlands to the north in Mclean County dictated location of Minnkota's proposed transmission line.

How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance? The location of Minnkota's proposed transmission line will not prevent any reasonable use of the land on which it will be located.

4. Are the conditions on your property the result of man-made changes (such as the relocation of a road or highway?) Yes, if so, describe.
Location of existing GRE transmission line dictates location of Minnkota's proposed transmission line.

5. Which of the following types of modifications will allow you a reasonable use of your land?

Change in setback requirement X _____ Change in lot coverage requirement _____
Change in yard restriction _____ Change in height requirement _____
Change in area requirement _____

PDF Postname 11-10-11

6. State the variation requested, give distances where appropriate.

Variance request is for Ordinance 05-02 Section 3 .A. setback requirements to located proposed electric transmission line closer than 300 feet to NorthDakota State Highway 41 and closer than 2640 feet to the Berg residence in Section 6, T.144 N., R. 79 W., final route to be determined by PSC.

7. Are the conditions of the hardship for which you request a variation true only of your property? Yes if not, how many other properties are similarly affected? _____

For use by PLANNING AND ZONING COMMISSION

Date filed: _____

Date set for hearing: _____

Date notice published in newspaper: _____

Date the adjacent property owners notified: _____

Fee \$ 150.00 Paid SM. 11/16/11

The board shall base its findings on evidence presented in the application, comments received from adjacent property owners and the following conditions before it may approve a request for a variance:

- a) The particular surroundings or the topographic condition of the property would result in undue hardship.
- b) The variance request is not based on a desire for economic or other gains.
- c) The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.
- d) The variance shall not be detrimental to the public welfare or injurious to other properties in the area.
- e) The variance shall not be contrary to the interest and purpose of this ordinance.

In light of the evidence presented at the hearing on this case and in conformity with the requirements of the Zoning Ordinance, a variance is:

_____ denied

_____ granted

X _____ granted subject to the following requirements:

ATTACHED SPECIAL CONDITIONS

7-25, 20 12
Date

Shane E. Morris
PRESIDENT, PLANNING AND ZONING COMMISSION

7-25, 20 12
Date

Shane E. Morris
CHAIRMAN, WILSON TOWNSHIP

CONDITIONAL USE PERMIT

PAINTED WOODS TOWNSHIP OF BURLEIGH COUNTY

Owner/s: MinnKota Power Cooperative

Address: 1822 Mill Road, PO Box 13200

Grand Forks, ND 58208-3200

Phone: (home) 795-4854 (cell) 213-7476 (work)

Legal Description of Property: Sec. 13, 14, 22, 23, 24, 27 of T42 R 81W,
Sec. 6, 7, 18, 19 of T42N, R 80W. # of Acres: _____ Fee Paid: \$19,000

By resolution of the Painted Woods Township Board of Supervisors a Conditional Use

Permit is hereby granted to MinnKota Power for the purpose of:

Constructing power line including maintenance
& operation 38 Towers,

This permit is granted upon the express condition that the person/s to whom it is granted, their agents, employees and workmen, that all of the work done in, around, and upon said above described permit area, or any part thereof, shall conform in all respects to the zoning ordinances of Painted Woods Township concerning the Conditional Use Permit.

Comments:

This permit was approved at a meeting of the Board of Supervisors of the Township of

Painted Woods on August 13, 2011.

Wayne Ruzicka August 13, 2011
Attested by Township Clerk Date

cc: Township Clerk

OLIVER COUNTY

PERMIT NO. 626

- BUILDING PERMIT
- OCCUPANCY PERMIT
- CONDITIONAL USE PERMIT
- TEMPORARY USE PERMIT
- OUTDOOR ADVERTISING PERMIT

GRANTED TO: Minnesota Power
(APPLICANT)

FOR: 345 KV Power Line
(USE)

LOCATION: See File

With the understanding that the applicant will satisfy all conditions set forth in the Oliver County Zoning Ordinance and the applicant will satisfy any additional conditions deemed necessary by the Board of County Commissioners. Failure of the applicant to comply with these conditions will constitute a violation of the ordinance under section 18 and all penalties under section 18.3 apply..

ISSUED BY Dustin Halverson DATE: 8-4-11
(COUNTY COMMISSIONER)

RECEIVED BY: B. S. Hoff DATE: 7-25-12
(APPLICANT SIGNATURE)

COMMENTS: Fee \$75⁰⁰ + 5⁰⁰ / Acre over 10 Acres

627

OLIVER COUNTY

BUILDING PERMIT APPLICATION

- 1. NAME OF APPLICANT: Minnesota Power
- 2. MAILING ADDRESS: P.O. Box 13200
- 3. CITY, STATE, ZIP: Grand Forks, ND 58208-3200
- 4. TELEPHONE: 701-795-4354

5. DESCRIPTION: 345 Kv Power Line

6. PROPERTY IS LOCATED IN SECTION See File, TOWNSHIP , RANGE , AND CONTAINS ACRES, APPROXIMATELY.

7. PLAT DRAWING OF EXISTING AND PROPOSED BUILDINGS SHOWING LOCATIONS, SIZE, AND SHAPE OF STRUCTURE ERECTED.

8. PRESENT LAND USE:

9. PROPOSED LAND USE:

10. ADJACENT LAND USE:

11. ADJACENT LANDOWNERS	PROPERTY DESCRIPTION
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

12. I UNDERSTAND ALL REGULATIONS OF THE OLIVER COUNTY ZONING ORDINANCE APPLY TO THIS APPLICATION.

SIGNATURE: B. S. [Signature]

COPY TO LAND USE ADMINISTRATOR