

Permit Compliance Filing

Permittee: Border Winds Energy, LLC
Permit Type: Certificate of Site Compatibility
Project Location: Rolette County, North Dakota
Commission Case Number: PU-08-797/PU-14-31
Type of Submission: Permits and Licenses
Date of Submission: 06/09/14

List of the attached Permits and Licenses:

- 1) Rolette County - Conditional Use Permit and Building Permit
- 2) Rolette County – Road Use and Approach Agreement
- 3) Rolette County – Approach Permit
- 4) Rolette County – Utility Crossing Permit
- 5) Rolette County – Border Winds Project Approvals letter pertaining to various Border Winds permits
- 6) North Dakota Department of Transportation – Driveway and Utility Crossing Permits
- 7) North Dakota Department of Health – National Pollution Discharge Elimination System, Notice of Intent to obtain coverage and NPDES coverage statement (email)
- 8) North Dakota State Water Commission – Temporary Water Permit for construction water
- 9) U.S. Department of the Army-Corps of Engineers – Nationwide Permit coverage letter
- 10) Federal Aviation Administration – Determinations of No Hazard for each proposed wind turbine location

1) Rolette County - Conditional Use Permit and Building Permit

Rolette County
Zoning Request Application

Date November 1, 2013

Applicant Name Border Winds Energy, LLC Phone (612) 746-4028 (Minneapolis, MN); or (303) 439-4200 (Broomfield, CO)
Address: C/O Renewable Energy Systems Americas Inc., 11101 West 120th Avenue, Suite 400, Broomfield, CO

Type of Request Building Permit _____ Amendment
 _____ Permitted Use _____ Text
 Conditional Use _____ Map
 _____ Variance

Description of Request Conditional Use and Building Permits for the Border Winds Energy Project, which will have a nameplate capacity of approximately 150 megawatts (MW) and will consist of up to seventy-five (75) 2.0 MW turbines distributed over a 52.5-square-mile project area. The project will also include an operations and maintenance facility, turbine access roads, underground electrical collection cables, and a substation that will connect to the existing Xcel Energy transmission line.

Reason for Request To allow construction and operations of the Border Winds Energy Project.

Existing Use of Property Agricultural

Lot Size See attached narrative. Setbacks 476 feet from property boundaries of non-participating landowners; 700 feet from public roads, and 1,640 feet from occupied residences.

Lot Width See attached narrative. Sideyard See attached narrative.

A Sketch showing all proposed structures and their location on the lot must be attached. (See attached Exhibits 1, 2, and 3)

Tom Hester
Signature of Applicant

11-4-13
Date

Action Taken approved

Signature for the County Bob Leonard, Jr. Date 11-19-13

Rolette County

Building Permit

Date November 1, 2013

Permit No. 18

Permit Issued to (Name) Border Winds Energy, LLC

Address 11101 West 120th Avenue, Suite 400, Broomfield, CO

Phone (612) 746-4028

For Construction of Border Winds Energy Project, which will have a nameplate capacity of approximately 150 megawatts (MW) and will consist of up to seventy-five (75) 2.0 MW turbines distributed over a 52.5-square-mile project area. Includes an operations and maintenance facility, turbine access roads, underground electrical collection cables, and a substation that will connect to the existing Xcel Energy transmission line.

Expected Cost \$225,000,000 to \$275,000,000

Location (Legal Description and Parcel #) 52.5-square-miles in Baxter, Fairview, and Mt. Pleasant Townships

This certificate, issued on the basis of approved plans as stated on the zoning certificate application form, authorizes only the use, arrangement and construction set forth in such approved plans and applications, and no other use, arrangement or construction. Any use, arrangement or construction at variance with that authorized shall be deemed a violation of the ordinance and subject as such to penalties as described by the ordinance and/or certificate of revocation.

Construction must be commenced within six months.

All certificates shall expire one year from date of issuance unless a longer period of construction is agreed to in writing at the time of application.

This notice must be posted in a conspicuous place on or near the construction site.

County Fee PD

Bob Leonard, Jr.
Signature for the County

Tom Hister
Signature of Applicant

Conditional Use Permit

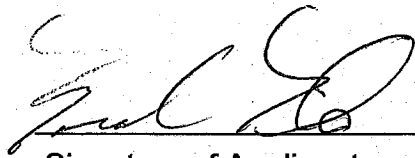
To Accompany Building Permit No. 18

Name of Applicant Border Winds Energy, LLC, RES America's Inc.

Having reviewed the conditional use with respect to the provisions of Section 22 of the Rolette County Zoning Ordinance, the Rolette County Commissioners agree to the issuance of a building permit to the above named applicant, contingent upon the following conditions:

No conditions, Building permit Approved, Construction will start in 2014 and will tentatively be completed in 2015, as agreed to by Rolette County and applicant.

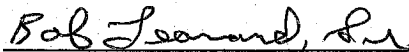
Should the applicant violate any or all of the above stated conditions, the building permit shall be declared invalid and appropriate action will be instituted by the County Commissioners.



Signature of Applicant

11-19-13

Date



Signature for the County

11-19-13

Date

2) Rolette County – Road Use and Approach Agreement

ROAD USE AND APPROACH AGREEMENT
(Border Winds Project)
Road Use and Approach Agreement No. 1

This ROAD USE AND APPROACH AGREEMENT (this "Agreement") is made and entered into as of April 15 2014 (the "Effective Date") by and between Rolette County, a political subdivision organized under the laws of the State of North Dakota ("County"), following approval by the Board of Commissioners for Rolette County on April 15 2014, and RES America Construction Inc., a Delaware corporation ("Contractor"). Each of County and Contractor is sometimes referred to as a "Party" and collectively as the "Parties".

RECITALS

- A. County is responsible for constructing, altering, improving, and maintaining County Roads (defined below) and is authorized to limit or prohibit classes, types of weights or vehicles that travel on, over, and across County Roads.
- B. Contractor has been retained to design and construct a wind energy project located in Rolette County, North Dakota commonly known as the "Border Winds Project" by Border Winds Energy, LLC, a Delaware limited liability company ("Owner"), substantially as depicted on the Wind Project Site Map attached hereto as Exhibit A and incorporated herein by this reference (the "Wind Project").
- C. Contractor plans to transport items, including, but not limited to, products, equipment, materials, and supplies relating to the construction and operation of the Wind Project, across and over certain County Roads identified by Contractor in the Inspection Report and Exhibit B.
- D. County and Contractor anticipate that as a result of the Contractor's use of County Roads, accelerated deterioration of such County Roads may occur.
- E. Contractor seeks from County, and County is willing to grant to Contractor, subject to the terms and conditions of this Agreement, a right to construct and use Approach Roads and use County Roads for purposes of transporting products, equipment, materials, and supplies relating to the construction and operation of the Wind Project ("Construction Purposes").

NOW, THEREFORE, in consideration of the terms, conditions, and covenants contained herein, the receipt and sufficiency of which is hereby acknowledged, the Parties mutually agree as follows:

AGREEMENT

1. Definitions. Capitalized terms used but not otherwise defined in this Agreement shall have the following meanings:

"Approach Road" means any road constructed, widened, or improved by Contractor located on lands located within the County easement comprising the Wind Project as depicted on the Wind Project Site Map attached as Exhibit A.

"Additional Maintenance" means grading, dust control, reshaping, repair, and/or modification performed on County Roads in excess of the same operations confirmed as routine maintenance by the County.

"County Road" means any street, road, or other public way, including shoulders, designated for the purpose of vehicular traffic and under the jurisdiction of the County.

"County Road System" means all County Roads under the jurisdiction of the County and those roads located in unorganized townships. Any such consent shall be attached as an exhibit to this Agreement and acknowledged by Contractor.

"Extraordinary Use" means any use beyond what is common or usual.

"Haul Road" means any approved County Road, Approach Road, bridge, ditch, or other structure identified on the attached Exhibit A-1 and used by Contractor for transporting any item including, but not limited to, products, equipment, materials, and/or supplies.

"Haul Route" means the system of Haul Roads to be used by Contractor subject to this Agreement as identified in the Inspection Report (defined in Section 3.1).

"Road Prism" means the driving surface of a road (including constructed roadbed), shoulders, and ditches including back slopes, fillslopes, curbs, gutters, storm drainage facilities and sidewalks.

"Routine Maintenance" means any grading, reshaping, repair, or modification of the Road Prism by County that would occur in the absence of the use of a County Road as a Haul Road, as indicated in a regular maintenance schedule, or at the same intervals or frequency as would normally be included in such a schedule.

2. Grant by County; Acknowledgement by Contractor. County hereby grants Contractor a right to use the Haul Roads covered by this Agreement for Construction Purposes subject to the conditions contained herein. This Agreement shall not serve to relieve any operator of any Contractor vehicle from complying with applicable speed limits, weight restrictions, or other posted restrictions. Without limiting the generality of the foregoing, for the purposes of this Agreement, the maximum truck speed limit on any Haul Road is 40 MPH or such lower speed limit as may be posted. Contractor understands and agrees that, although the Haul Roads covered by this Agreement are within the County Road System and are subject to normal traffic use, Contractor shall be solely responsible for any improvements or modifications to such Haul Roads as Contractor determines may be necessary prior to Contractor's Extraordinary Use of such roads, and all costs of damage and Additional Maintenance to such Haul Roads resulting from Contractor's Extraordinary Use of such Haul Roads in connection with its Haul Route.

3. Inspection and Documentation.

3.1 Pre-Operations Inspection and Documentation. On or before 4/8/14 2014 Contractor shall identify and submit to County a map of the proposed Haul Roads

(including Approach Roads Contractor proposes to build), which map shall be incorporated herein as Exhibit A-1. On or before August 1 2014 and before commencement of any hauling activities by Contractor on any County Road, Contractor, or its authorized representative or agent, and a representative designated by County shall jointly inspect each County Road proposed to be used by Contractor as a Haul Road to determine the existing condition of the Road Prism of such proposed Haul Roads (such date, the "Pre-Construction Inspection Date"). In conjunction with such inspection, the Parties shall together make a video record of the condition of the Road Prism of each proposed Haul Road. Each Party shall receive a copy of the video record no later than August 15 2014 describing the condition of each proposed Haul Road's Road Prism and attach and incorporate such report to this Agreement as Exhibit B (the "Inspection Report"). The Inspection Report shall identify the estimated cost to repair any pre-existing deficiencies.

3.2 Completion of Construction Inspection and Documentation. Not more than fifteen (15) days after the Hauling Completion Date (defined below), Contractor, or its authorized representative or agent, and a representative designated by County shall jointly inspect each Haul Road identified in the Inspection Report (the date of such joint inspection, the "Post-Construction Inspection Date"). Within fifteen (15) days after the Post-Construction Inspection Date, Contractor and County shall jointly complete a report setting out (1) the condition of the Road Prism of each Haul Road used by Contractor as of the Post-Construction Inspection Date as compared with its condition on the Pre-Construction Inspection Date, and (2) the estimated costs of any necessary Additional Maintenance mutually agreed upon by the Parties to repair damage caused by Contractor's Extraordinary Use of such Haul Road (the "Post-Construction Report").

4. Completion of Hauling Activities. Upon completion by Contractor of all hauling operations and activities over and upon the Haul Roads for Construction Purposes, Contractor shall notify County in writing via certified mail, return receipt requested, of such completion (the date of such notice, the "Hauling Completion Date").

5. Road Restoration; Reimbursement.

5.1 Road Restoration; Routine Maintenance. As consideration for all rights granted to Contractor in this Agreement and for purposes of repairing any Haul Road degradation caused by Contractor's activities thereon, Contractor shall within sixty (60) days after the Hauling Completion Date, upon mutual agreement with County: (a) restore each Haul Road to its condition as of the Pre-Construction Inspection Date set forth in Section 3.1 above, or (b) reimburse County for such mutually-agreed upon restoration costs. In addition, Contractor shall reimburse County for all mutually agreed upon, commercially reasonable costs of Additional Maintenance performed by County as a result of Contractor's activities hereunder. Notwithstanding the foregoing, Contractor shall not be responsible for repairing degradation to any Haul Road that is not caused by Contractor. Contractor shall also have no obligation or liability for any preexisting deficiencies or repair costs relating thereto, save and except to the degree any such preexisting condition is exacerbated by Contractor's activities under this Agreement. During the term of this Agreement, Contractor shall conduct Routine Maintenance on the Haul Roads. Without limiting Contractor's road restoration obligations set forth in this Section, upon written notice to County that

Contractor has ceased hauling activities on any Haul Road; Contractor shall have no further obligation to perform Routine Maintenance on such Haul Road.

5.2 Reimbursement; Invoices; Disputed Amounts. Contractor shall reimburse County for all reasonable engineering fees and costs associated with County's review and cooperation in preparing all reports set forth in Section 3, and County's commercially reasonable monitoring of Haul Road conditions during the term of this Agreement. Reimbursement shall be limited to the actual and reasonable cost to the County. Contractor shall make payment to the County upon receipt of detailed invoices supported by written documentation equivalent to that normally supplied by the County. Contractor shall pay the invoiced amount to County within thirty (30) days from the invoice date. In the event of any disputed invoiced amount, Contractor shall pay the invoiced amount without waiving any and all rights to dispute the invoice within (60) days after receipt thereof. Upon any mutual determination of the Parties or by a court of competent jurisdiction that the invoiced amount was in error or should not have been paid by Contractor, County shall refund the amount due to Contractor.

6. Contractor's Obligations.

6.1 Approach Roads ; Oversize/Overweight Load Restrictions. Contractor is hereby authorized to construct, widen and improve the Approach Roads, and Contractor is further authorized to operate or move its commercial vehicles on all such Approach Roads and County Roads. All Approach Roads shall comply with the specifications set forth on Exhibit C, . Contractor and its subcontractors shall comply with the County's oversize/overweight load restrictions set forth on Exhibit D attached hereto and incorporated by this reference, and shall pay all applicable fees relating thereto as set forth on Exhibit D.

6.2 Modification to Haul Roads. Contractor is hereby authorized to improve, widen, or otherwise modify any Haul Road Contractor deems necessary in its reasonable discretion. Any improvements to or widening of any Haul Road by Contractor shall be made at Contractor's sole expense unless otherwise authorized in an addendum to this Agreement, and shall remain in place or be removed at the discretion of the County.

7. Assumption of Risk. The Parties acknowledge that they will perform a joint inspection of the Haul Roads pursuant to Section 3 herein for the purpose of describing the condition of the Road Prism for each Haul Road. Except as set forth in the Inspection Report prepared in connection therewith, County makes no representation as to the present or future conditions of any County Roads or the character of the traffic on any County Road. Contractor assumes all risks of damage to property of or injury to, Contractor or anyone acting under the authority granted to the Contractor by this Agreement, except to the extent such damage or injury is sustained as a result of the negligence or willful misconduct of the County or any of its employees, agents or affiliates.

8. Indemnification.

8.1 Indemnification by Contractor. Contractor agrees and covenants to indemnify, defend, and save harmless County and its agents against and from any loss, damage, costs,

charges, liability, claims, demands, or judgments, whether to persons or property, arising out of any act, action, neglect, omission, or default on the part of the Contractor or anyone acting under the Contractor's authority granted by this Agreement.

8.2 Indemnification by County. To the extent allowed under applicable law, County agrees and covenants to indemnify, defend, and save harmless Contractor, Owner and their respective employees, owners, officers, subcontractors, affiliates and agents against and from any loss, damage, costs, charges, liability, claims, demands, or judgments, whether to persons or property, arising out of any act, action, neglect, omission, or default on the part of the County or anyone acting under County' authority granted by this Agreement.

9. Termination.

9.1 Termination by Contractor. This Agreement may be terminated by Contractor upon notice by Contractor to County, in accordance with Section 5 above, that Contractor has completed hauling operations.

9.2 Termination by County. This Agreement may be terminated by County upon the occurrence of any of the following events (subject to Contractor's right to cure set forth below): (a) a material violation by Contractor or any of its agents of any of the terms of this Agreement; (b) failure by Contractor to pay any invoice delivered by County; or (c) upon threat of endangerment to the public health, safety or welfare. Notwithstanding the foregoing, in the event that a default by Contractor described in subclauses (a) or (b) above shall have occurred and remains uncured, County shall notify Contractor in writing of the default, which notice sets forth in reasonable detail the facts pertaining to the default and specifies the method of cure. If Contractor has not remedied the default within thirty (30) days after Contractor receives the written notice, or, if cure will take longer than 30 days, if Contractor has not begun diligently to undertake the cure and thereafter diligently prosecutes the cure to completion, then County shall have the right to terminate this Agreement.

9.3 Effect of Termination. Upon termination of this Agreement, for any reason, the Contractor shall immediately discontinue hauling operations covered by this Agreement. The Parties' obligations set forth in Section 3.2, Section 5, Section 7, Section 8 and this Section 9.3 shall survive termination of this Agreement.

10. Miscellaneous.

10.1 Notices. All notices or other communications required or permitted by this Agreement, including payments to County, shall be in writing and shall be deemed given when personally delivered to County or Contractor, or in lieu of such personal service, five (5) days after deposit in the United States mail, first class, postage prepaid, certified; or the next business day if sent by reputable overnight courier, provided receipt is obtained and charges prepaid by the delivering party. Any notice shall be addressed as follows:

If to County:
Rolette County Auditor
102 NE 2nd Street

If to Contractor:
RES America Construction Inc.
Attn: Brad Lila

P.O. Box 939
Rolla, ND 58367

330 2nd Ave.S; Suite 820
Minneapolis, MN 55402

10.2 Legal Matters.

10.2.1 Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of North Dakota.

10.2.2 **CONSEQUENTIAL DAMAGES.** NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS AGREEMENT, NEITHER PARTY SHALL BE ENTITLED TO, AND EACH OF COUNTY AND CONTRACTOR HERBY WAIVES ANY AND ALL RIGHTS TO RECOVER, CONSEQUENTIAL, INCIDENTAL, AND PUNITIVE OR EXEMPLARY DAMAGES, HOWEVER ARISING, WHETHER IN CONTRACT, IN TORT, OR OTHERWISE, UNDER OR WITH RESPECT TO ANY ACTION TAKEN IN CONNECTION WITH THIS AGREEMENT.

10.2.3 Dispute Resolution. In the event of any dispute relating to this Agreement or the Parties' respective rights, duties, and interests arising hereunder, the Parties shall endeavor to resolve such dispute through mutual negotiations conducted by officers from each Party. If the Parties are unable to resolve any such dispute through mutual negotiations, the dispute shall be submitted to a court of competent jurisdiction located in Rolette County, North Dakota or the nearest jurisdiction.

10.3 Counterparts. This Agreement may be executed with counterpart signature pages and in duplicate originals, each of which shall be deemed an original, and all of which together shall constitute a single instrument.

* * * * *

IN WITNESS WHEREOF, Contractor and County have caused this Agreement to be executed and delivered by their duly authorized representatives as of the Effective Date.

COUNTY:

Rolette County,
a political subdivision of the State of
North Dakota

By: Eldon R. Moors Sr.
Name: Eldon R. Moors, Sr.
Its: Chairman

CONTRACTOR:

RES America Construction Inc.,
a Delaware corporation

By: [Signature]
Name: Erod Lila
Its: Development Director

3) Rolette County – Approach Permit

EXHIBIT C-1

ROLETTE COUNTY APPROACH PERMIT

Applicant Data:

Date: 05/21/14

Name: Border Winds Energy, LLC _____

Address: 11101 W. 120th Suite 400 Broomfield, CO _____

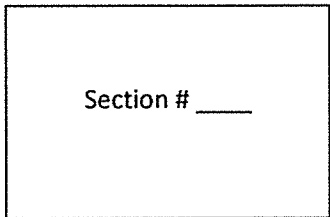
Phone Number: 303-439-4200 _____

Contractor: RES America Construction Inc _____

Contact Person: Bob Tepp _____

Contact Phone No. 303-517-7995 _____

Approach Location: Sec. See Attached Twp. _____ Rge. _____



| | |
|-------------------------------------|----------|
| Turbines | Supplied |
| Approach width at culvert location: | Supplied |
| Fill height: | Supplied |
| Culvert Diameter: | Supplied |
| Culvert Length: | Supplied |

Foregoing dimensions pertain to permanent 25' radius approaches

- Minimum side slopes shall be 4:1 on Township Roads
- Minimum side slopes shall be 8:1 of Federal Aide and County Roads
- Min. culvert length=height of fill x side slope + top width of approach
- Approach shall be constructed per plan Typical Intersection Detail # WE12

If Applicant fails to construct approach to the specified dimensions, Rolette County will either cancel this permit and remove approach or make necessary corrections at the Applicants expense.

Rolette County

Seldon R. Moore Sr.
Signature

5-27-14
Date

Permit Granted Yes No
(Circle One)

Attachment to EXHIBIT C-1

Rolette County Auditor

Valerie McCloud

102 NE 2nd St
Rolla, ND 58367

May 21, 2014

RE: Entrance Drive Permit Application for the Border Winds Wind Project

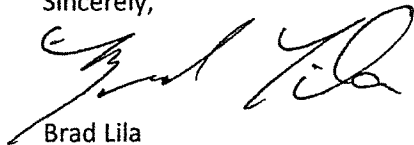
This letter, as an Attachment to EXHIBIT C-1, is in part Border Winds Energy LLC's application for Approach Permit Applications to support the wind energy project. There are 55 Approaches as identified in the following chart, and as represented on the engineered site construction plans supplied on May 12, 2014.

| Entry | Township/Range | Section | Turbine(s) | Public Road |
|-------|----------------|---------|--------------|-------------------------|
| 1 | 163N / 69W | 26 | T-76 | 103 rd St NE |
| 2 | 163N / 69W | 25 | T-77, 78 | 103 rd St NE |
| 3 | 163N / 69W | 25 | T-79, 80 | 54 th Ave NE |
| 4 | 163N / 69W | 26 | T-71 | 52 nd Ave NE |
| 5 | 163N / 69W | 23 | T-72, 73 | 105 th St NE |
| 6 | 163N / 69W | 24 | T-74 | 105 th St NE |
| 7 | 163N / 69W | 24 | T-75 | 105 th St NE |
| 8 | 163N / 69W | 14 | T-61, 62 | 52 nd Ave NE |
| 9 | 163N / 69W | 15 | T-60 | 52 nd Ave NE |
| 10 | 163N / 69W | 16 | T-59 | 106 th St NE |
| 11 | 163N / 69W | 16 | T-58 | 106 th St NE |
| 12 | 163N / 69W | 9 | T-40 | 106 th St NE |
| 13 | 163N / 69W | 7 | T-35 | 106 th St NE |
| 14 | 163N / 69W | 8 | T-36, 37 | 106 th St NE |
| 15 | 163N / 69W | 11 | T-63 | 106 th St NE |
| 16 | 163N / 69W | 11 | T-64, 65, 66 | 106 th St NE |
| 17 | 163N / 69W | 12 | T-67 | 107 th St NE |
| 18 | 163N / 69W | 12 | T-68 | 107 th St NE |
| 19 | 163N / 69W | 10 | T-43 | 107 th St NE |
| 20 | 163N / 69W | 10 | T-41, 42 | 107 th St NE |
| 21 | 163N / 69W | 3 | T-44 | 107 th St NE |
| 22 | 163N / 69W | 8 | T-39 | Airport Rd |
| 23 | 163N / 69W | 8 | T-38 | 107 th St NE |
| 24 | 163N / 69W | 4 | T-1, 2 | 108 th St NE |
| 25 | 163N / 69W | 4 | T-3 | 108 th St NE |
| 26 | 163N / 69W | 3 | T-45 | 52 nd Ave NE |
| 27 | 163N / 69W | 2 | T-46 | 52 nd Ave NE |

| | | | | |
|----|------------|-------|------------------|-------------------------|
| 28 | 163N / 69W | 2 | T-47 | 52 nd Ave NE |
| 29 | 163N / 69W | 6 | T-22, 21 | 108 th St NE |
| 30 | 164N / 69W | 32 | T-23 | 108 th St NE |
| 31 | 164N / 69W | 32 | T-24 | 108 th St NE |
| 32 | 164N / 69W | 32 | T-25 | 108 th St NE |
| 33 | 164N / 69W | 33 | T-26 | 108 th St NE |
| 34 | 164N / 69W | 33 | T-27, 28, 29 | 109 th St NE |
| 35 | 164N / 69W | 27 | T-30, 31, 32 | 109 th St NE |
| 36 | 164N / 69W | 26 | T-50 | 109 th St NE |
| 37 | 164N / 69W | 26/25 | T-51, 52, 53, 54 | 109 th St NE |
| 38 | 164N / 69W | 35 | T-49 | 53 rd Ave NE |
| 39 | 164N / 69W | 35 | T-48 | 53 rd Ave NE |
| 40 | 163N / 70W | 12 | T-17 | 107 th St NE |
| 41 | 163N / 70W | 12 | T-16 | 47 th Ave NE |
| 42 | 163N / 70W | 11 | T-15 | 47 th Ave NE |
| 43 | 163N / 70W | 11 | T-13, 14 | 106 th St NE |
| 44 | 163N / 70W | 10 | T-12 | 46 th Ave NE |
| 45 | 163N / 70W | 1 | T-18 | 107 th St NE |
| 46 | 163N / 70W | 3 | T-6 | 108 th St NE |
| 47 | 163N / 70W | 3 | T-5 | 108 th St NE |
| 48 | 163N / 70W | 3 | T-4 | 45 th Ave NE |
| 49 | 164N / 70W | 35 | T-7 | 46 th Ave NE |
| 50 | 164N / 70W | 35 | T-8 | 108 th St NE |
| 51 | 164N / 70W | 35/36 | T-9, 10, 11 | 108 th St NE |
| 52 | 163N / 69W | 3 | O&M Building | 107 th St NE |
| 53 | 163N / 69W | 3 | Laydown Yard | 52 nd Ave NE |
| 54 | 163N / 69W | 3 | Laydown Yard | 52 nd Ave NE |
| 55 | 163N / 69W | 2 | Substation | 52 nd Ave NE |

Thank you for your consideration. We appreciate the opportunity to complete this project in Rolette County.

Sincerely,



Brad Lila

Development Director

RES America Developments LLC

4) Rolette County – Utility Crossing Permit

County Permit

RES America Construction Inc, hereinafter called the Applicant, is hereby granted permission to install and maintain the following described facilities on highway right-of-way, as shown on the plans attached hereto and made a part hereof:

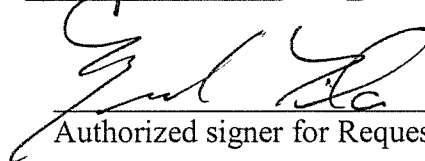
INSTALLATION AND MAINTENANCE: Installation and maintenance of said facilities on highway right-of-way shall conform to the following provisions:

- (1) Upon construction, maintenance, relocation or removal of said any right-of-way scars shall be removed and the disturbed areas restored to original condition, including the re-seeding thereof where necessary. Trenches dug within highway right-of-way shall be backfilled and compacted to a density equal to that of the adjacent undisturbed soil.

TERMS AND CONDITIONS: Installation and maintenance of said facilities on highway right-of-way shall be subject to the following terms and conditions:

- (A) Installation, maintenance, relocation, and removal of said facilities on highway right-of-way shall be done in a manner satisfactory to and subject to supervision by the County Engineer for the County Highway Department.
- (B) The Rolette County shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the highway. Applicant shall hold the County harmless for injury to persons or damage to property resulting from the location of said facilities on highway right-of-way.
- (C) Applicant shall repair or replace highway structures and appurtenances, and any existing facilities located on, over or under highway right-of-way, which may be damaged as a result of the installation and maintenance of said facilities on highway right-of-way.
- (D) Applicant shall promptly adjust said facilities as reasonably necessary at its sole cost and expense when requested to do so by the County.

WHEREAS, THE TERMS OF Section 24-01-42 of North Dakota Century Code, provides that the Board of County Commissioners may grant such a permit, and is approved by the Board of County Commissioners this 6th day of May, 2014 at Rolla, North Dakota.

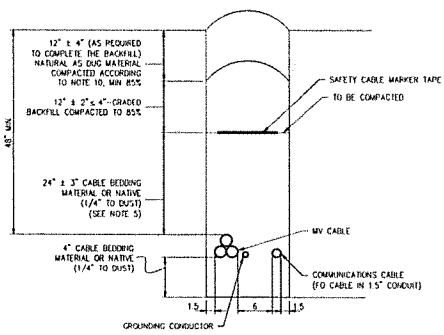

Authorized signer for Requesting Agency

ATTEST

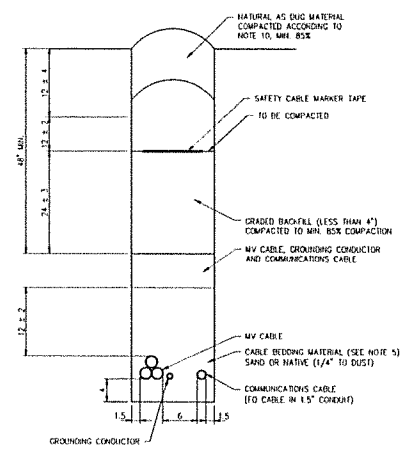
Valerie McChesney
County Auditor



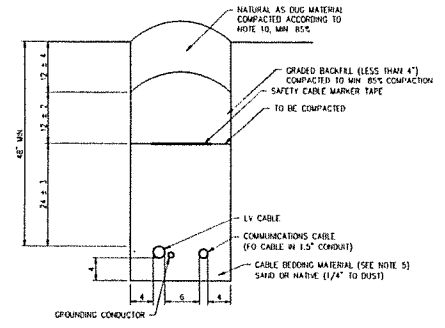
Edwin R. Moore Sr.
Chairman, Board of County Commissioners
Rolette County, North Dakota



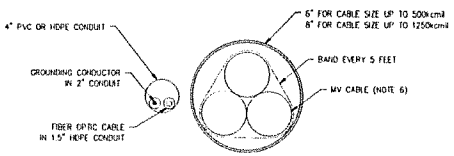
(A) CABLE TRENCH SECTION BACKFILL FOR ALL CABLES IN TRIPLEX Scale: N.T.S.



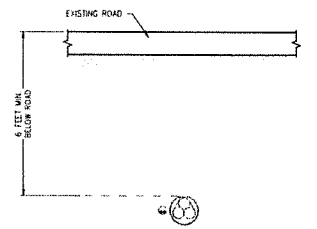
(B) CABLE TRENCH SECTION SHOWING TWO SINGLE CIRCUITS CROSSING Scale: N.T.S.



(C) CABLE TRENCH SECTION SHOWING CONNECTION TO MET MAST Scale: N.T.S.



(D) DIRECTIONAL DRILL SECTION VIEW Scale: N.T.S.



(E) DIRECTIONAL BORE UNDER EXISTING ROAD Scale: N.T.S.

- NOTES**
1. ALL DIMENSIONS ARE IN INCHES UNLESS INDICATED OTHERWISE.
 2. MV CABLE CIRCUITS, RUNNING PARALLEL TO EACH OTHER, SHALL BE PHYSICALLY SEPARATED BY A MINIMUM DISTANCE OF 20 FEET CENTER-TO-CENTER OF CABLE CIRCUIT CONFIGURATION UNLESS INDICATED OTHERWISE.
 3. RES SITE MANAGER TO BE INFORMED PRIOR TO ANY EXCAVATING TAKING PLACE.
 4. 'PERMIT TO DIG' TO BE OBTAINED PRIOR TO ANY EXCAVATING TAKING PLACE.
 5. ALL MV CABLES ARE DIRECT BURIED UNLESS AS SHOWN. CABLE BEDDING MATERIAL SHALL HAVE A GRADED OUT THERMAL RESISTIVITY VALUE OF MAX 2,500-ohm-in AT 80% STANDARD PROCTOR COMPACTION.
 6. IF APPLICABLE MV CABLE IN CONDUIT (6 IN OR 8 IN NPSI) (BURIED MAX 12.5 FT. BELOW FINISHED GRADE).
 7. DIRECTIONAL BORING SHALL BE IMPLEMENTED FOR INSTALLING MV CABLE IN CONDUIT WHERE APPLICABLE UNLESS INDICATED OTHERWISE.
 8. GROUNDING CONDUCTOR SIZE TO BE CONFIRMED.
 9. CABLE MANAGEMENT PLAN TO BE FOLLOWED. MV CABLE AND FIBER OPTIC CABLE SPLICE LOCATIONS TO BE REPORTED TO RES ELECTRICAL SITE MANAGER.
 10. WHERE CABLE TRENCH SLOPE IS GREATER THAN 5%, TRENCH SHALL HAVE FINISHED COMPACTION MINIMUM OF 90% STANDARD PROCTOR. WHERE CABLE TRENCH CROSSES PROJECT ROADS, FINISHED COMPACTION SHALL BE PER CIVIL DRAWINGS.



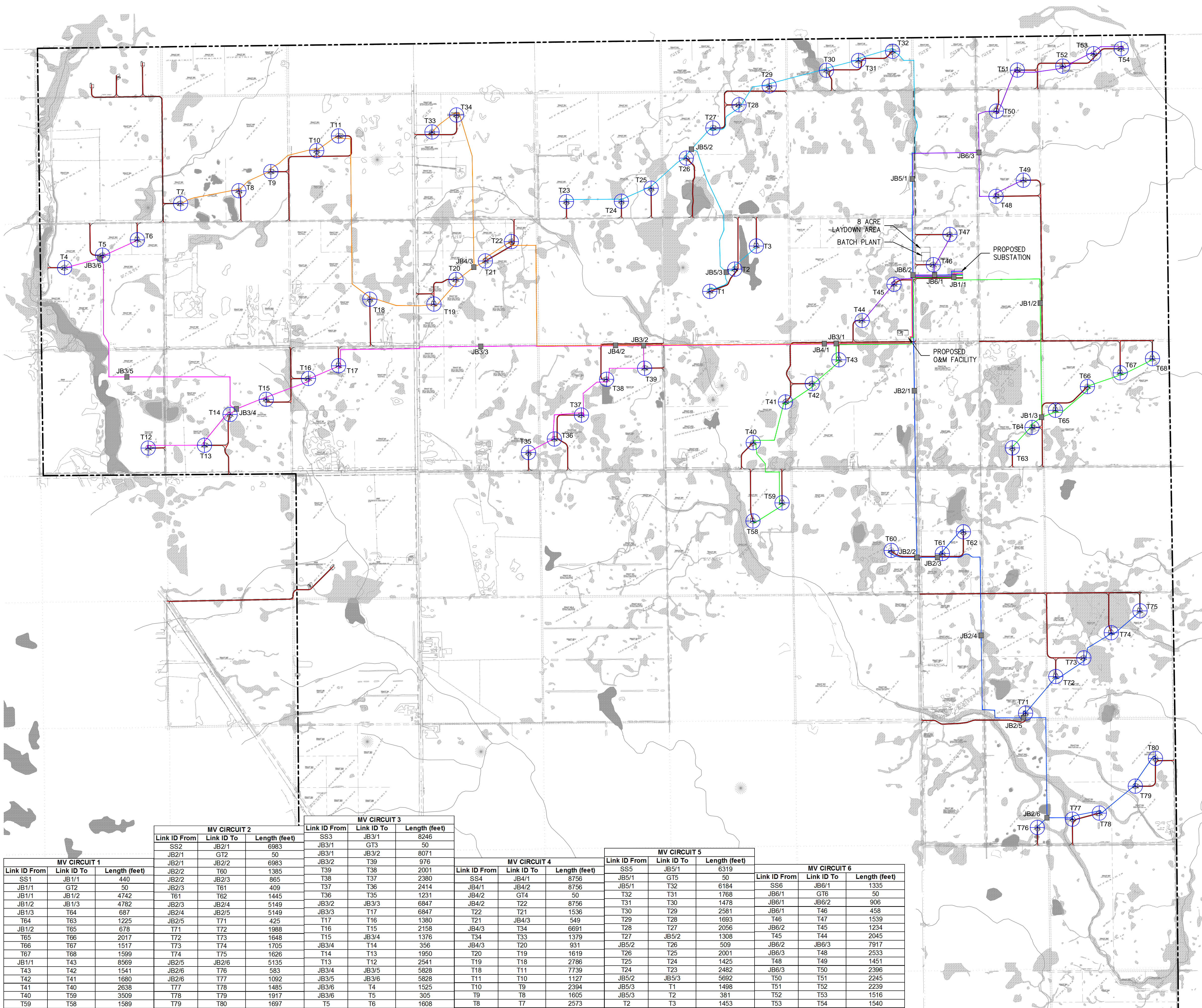
| NO | REVISION | ZONE | DATE | BY | CHK | ENG | PRO | REVISION | ZONE | DATE | BY | CHK | ENG | REFERENCE DRAWINGS | DESCRIPTION | DATE | BY | CHK | ENG | SCALE |
|----|------------------------------|------|----------|-----|-----|-----|-----|----------|------|------|----|-----|-----|--------------------|-------------|------|----|-----|-----|-------|
| A | ISSUED FOR 30% DESIGN REVIEW | ALL | 02-04-14 | SMK | GP | HL | | | | | | | | DESIGN | | | | | | |
| B | ISSUED FOR 60% DESIGN REVIEW | ALL | 04-15-14 | SMK | GP | HL | | | | | | | | MANUFACTURER | DESCRIPTION | DATE | BY | CHK | ENG | SCALE |

| | |
|--|--|
| <p>BORDER WINDS - WIND ENERGY PROJECT</p> | <p>RES AMERICA CONSTRUCTION INC.</p> <p>23053D4320</p> |
|--|--|

| | | | |
|---|---|---|---|
| <p>DATE: 04-15-14</p> <p>DATE: 04-15-14</p> <p>DATE: 04-15-14</p> | <p>CHK: N/A</p> <p>CHK: GP</p> <p>CHK: GP</p> | <p>DATE: 04-15-14</p> <p>DATE: 04-15-14</p> <p>DATE: 04-15-14</p> | <p>DATE: 04-15-14</p> <p>DATE: 04-15-14</p> <p>DATE: 04-15-14</p> |
|---|---|---|---|

[U:\WIND\FARMS\USA\North Davis - Border Winds 23053D\DWG\Series A\CONTROLLED\23053D4320.dwg] [10/17/14] [Apr 17, 2014 - 1:52pm]

[sleuter] [Apr 09, 2014 - 10:12am] [U:\WIND_FARM\USA\North Dakota - Border Winds 23053\DWG\Internal\MODEL_WORKING\20140407_PUSAbw076_23053D4308.dwg]

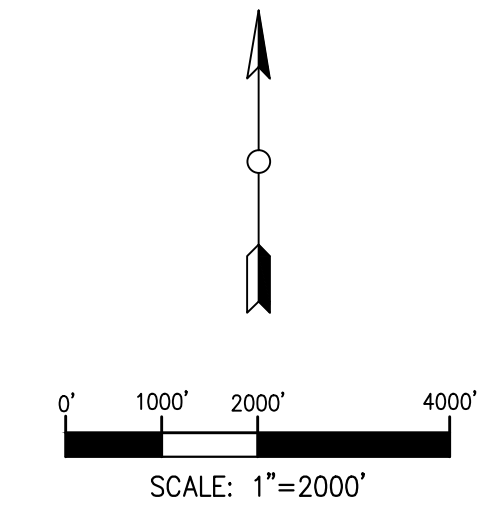


LEGEND:

- ⊕ T75 PROPOSED WTG LOCATION (75 of)
- PROPOSED ROAD ☑
- PROJECT BOUNDARY
- WETLAND AREA
- PROPOSED OVERHEAD LINE
- MV UNDERGROUND CIRCUIT 1
- MV UNDERGROUND CIRCUIT 2
- MV UNDERGROUND CIRCUIT 3
- MV UNDERGROUND CIRCUIT 4
- MV UNDERGROUND CIRCUIT 5
- MV UNDERGROUND CIRCUIT 6
- JUNCTION BOX

- NOTES:**
- CABLE ROUTES ARE NOT TO SCALE; THEY HAVE BEEN ENLARGED FOR VISIBILITY.
 - THE TURBINE LOCATIONS MAY CHANGE DUE TO MICROSITING AND SITE CONDITIONS. THIS MAY IN TURN IMPACT THE ACCESS ROAD AND CABLE ROUTE LAYOUTS.

| MV CIRCUIT 1 | | | MV CIRCUIT 2 | | | MV CIRCUIT 3 | | | MV CIRCUIT 4 | | | MV CIRCUIT 5 | | | MV CIRCUIT 6 | | |
|--------------|------------|---------------|--------------|------------|---------------|--------------|------------|---------------|--------------|------------|---------------|--------------|------------|---------------|--------------|------------|---------------|
| Link ID From | Link ID To | Length (feet) | Link ID From | Link ID To | Length (feet) | Link ID From | Link ID To | Length (feet) | Link ID From | Link ID To | Length (feet) | Link ID From | Link ID To | Length (feet) | Link ID From | Link ID To | Length (feet) |
| SS1 | JB1/1 | 440 | SS2 | JB2/1 | 6983 | SS3 | JB3/1 | 8246 | SS4 | JB4/1 | 8756 | SS5 | JB5/1 | 6319 | SS6 | JB6/1 | 1335 |
| JB1/1 | GT2 | 50 | JB2/1 | GT2 | 50 | JB3/1 | GT3 | 50 | JB4/1 | GT4 | 50 | JB5/1 | T32 | 1768 | JB6/1 | GT6 | 50 |
| JB1/2 | JB1/3 | 4782 | JB2/2 | T60 | 1385 | JB3/2 | T39 | 976 | JB4/2 | T22 | 1536 | T30 | T29 | 2581 | JB6/1 | JB6/2 | 906 |
| JB1/3 | T64 | 687 | JB2/3 | T61 | 409 | T37 | T36 | 2414 | T22 | T21 | 1536 | T29 | T28 | 1693 | JB6/1 | T46 | 458 |
| T64 | T63 | 1225 | T61 | T62 | 1445 | T36 | T35 | 1231 | T21 | T20 | 1536 | T28 | T27 | 2056 | JB6/2 | T45 | 1234 |
| JB1/2 | T65 | 678 | JB2/4 | JB2/5 | 5149 | JB3/2 | JB3/3 | 6847 | JB4/2 | T34 | 6691 | T27 | JB5/2 | 1308 | T45 | T44 | 2045 |
| T65 | T66 | 2017 | JB2/5 | T71 | 425 | T17 | T16 | 1380 | T34 | T33 | 1379 | JB5/2 | T26 | 509 | JB6/2 | JB6/3 | 7917 |
| T66 | T67 | 1517 | T71 | T72 | 1988 | T16 | T15 | 2158 | JB4/3 | T34 | 6691 | T26 | T25 | 2001 | JB6/3 | T48 | 2533 |
| T67 | T68 | 1599 | T72 | T73 | 1648 | T15 | JB3/4 | 1376 | T34 | T33 | 1379 | T25 | T24 | 1425 | T48 | T49 | 1451 |
| JB1/1 | T43 | 8569 | T73 | T74 | 1705 | JB3/4 | T14 | 356 | JB4/3 | T20 | 931 | T24 | T23 | 2482 | JB6/3 | T50 | 2396 |
| T43 | T42 | 1541 | T74 | T75 | 1626 | T14 | T13 | 1950 | T20 | T19 | 1619 | T23 | T22 | 5692 | T50 | T51 | 2245 |
| T42 | T41 | 1680 | JB2/5 | JB2/6 | 5135 | T13 | T12 | 2541 | T19 | T18 | 2786 | JB5/2 | JB5/3 | 6692 | T51 | T52 | 2239 |
| T41 | T40 | 2638 | JB2/6 | T76 | 583 | JB3/4 | JB3/5 | 5828 | T18 | T17 | 7739 | JB5/3 | T1 | 1498 | T52 | T53 | 1516 |
| T40 | T39 | 3509 | T76 | T77 | 1092 | JB3/5 | JB3/6 | 5828 | T17 | T16 | 1127 | T1 | T2 | 381 | T53 | T54 | 1540 |
| T39 | T38 | 1589 | T77 | T78 | 1485 | JB3/6 | T4 | 1525 | T16 | T15 | 1127 | T2 | T3 | 1453 | | | |
| T38 | T37 | 1589 | T78 | T79 | 1917 | JB3/6 | T5 | 305 | T15 | T14 | 1605 | | | | | | |
| T37 | T36 | 1589 | T79 | T80 | 1697 | T5 | T6 | 1608 | T14 | T13 | 2573 | | | | | | |



PREPARED BY: **RES AMERICAS**
 RES AMERICA CONSTRUCTION INC.
 11001 W 24TH AVE, SUITE 400, BROOMFIELD, CO 80021
 TELEPHONE: (303) 439-4200, FAX: (303) 439-4299

INFORMATION SHOWN IS SUBJECT TO CHANGE. NOT FOR CONSTRUCTION

PROJECT NO: 23053
 WTG LAYOUT NO: PUSAbw077

BORDER WINDS - WIND ENERGY PROJECT
MV CABLE LAYOUT
(VESTAS 2.0MW - 150MW)
 ROLETTE COUNTY, NORTH DAKOTA

DRAWING NUMBER:
23053D4308

LEGEND:
 ⊕ T75 PROPOSED WTG LOCATION (75 of)
 — PROPOSED ROAD ☑
 - - - PROJECT BOUNDARY
 [shaded] WETLAND AREA
 — PROPOSED OVERHEAD LINE
 — MV UNDERGROUND CIRCUIT 1
 — MV UNDERGROUND CIRCUIT 2
 — MV UNDERGROUND CIRCUIT 3
 — MV UNDERGROUND CIRCUIT 4
 — MV UNDERGROUND CIRCUIT 5
 — MV UNDERGROUND CIRCUIT 6
 [square] JUNCTION BOX

NOTES:
 1. CABLE ROUTES ARE NOT TO SCALE; THEY HAVE BEEN ENLARGED FOR VISIBILITY.
 2. THE TURBINE LOCATIONS MAY CHANGE DUE TO MICROSITING AND SITE CONDITIONS. THIS MAY IN TURN IMPACT THE ACCESS ROAD AND CABLE ROUTE LAYOUTS.

THIS DRAWING IS THE PROPERTY OF RES AMERICAS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RES AMERICAS.

J 104074 REVISED TURBINE LAYOUT (PUSAbw077)
 I 011514 ISSUED FOR 30% DESIGN REVIEW
 H 122013 UPDATED ROAD TO T5; UPDATE CABLE LAYOUT
 G 120513 REVISED TURBINE LAYOUT (PUSAbw069)
 F 110113 REVISED PROPOSED ROADS ROUTING
 E 092813 REVISED TURBINE LAYOUT (PUSAbw050)
 D 081913 REVISED LAYOUT FOR MV CABLE ENTRY INTO NORTH SS
 C 081913 REVISED LAYOUT FOR MV CABLE ENTRY INTO NORTH SS
 B 081913 REVISED LAYOUT FOR MV CABLE ENTRY INTO NORTH SS
 A 081913 REVISED LAYOUT FOR MV CABLE ENTRY INTO NORTH SS
 ISSUE DATE DESCRIPTION
 PREPARED BY: [blank]
 CHECKED BY: [blank]
 COORD. SYSTEM: NAD83 (HARN) NORTH DAKOTA, NORTH ZONE, INTERNATIONAL FEET

5) Rolette County – Border Winds Project Approvals
letter pertaining to various Border Winds permits

May 16, 2014

Rolette County
P.O. Box 939
Rolla, ND 58367

Re: Border Winds Project Approvals

Dear Valerie:

As you know, we are completing financing and other arrangements to commence construction of the Border Winds Project. For this purpose, it is necessary for us to confirm that all of the necessary governmental approvals for the construction and operation of the project are in place.

We request confirmation by Rolette County of the following matters with respect to approvals listed below:

1. Road Use and Approach Agreement (Border Winds Project), Agreement No. 1, dated April 15, 2014, between Rolette County and Res America Construction, Inc.
 - a. Please confirm that RES America Construction, Inc. may assign the Agreement to Border Winds Energy, LLC.
 - b. Please confirm that Border Winds Energy, LLC may continue to use the Approach roads authorized by the Agreement after the construction of the Wind Project for the operation of the Wind Project.
2. County Permit (highway utility crossing), dated May 6, 2014, issued by Rolette County to Res America Construction, Inc.
 - a. Please confirm that RES America Construction, Inc. may assign the Permit to Border Winds Energy, LLC.
3. Rolette County Building Permit No. 18, dated November 1, 2013
 - a. Please confirm that, notwithstanding anything in the Building Permit to the contrary, construction may commence in 2014.
 - b. Please confirm that, notwithstanding anything in the Building Permit to the contrary, the Building Permit will remain in effect for the period necessary to allow the completion of construction, tentatively anticipated in 2015.

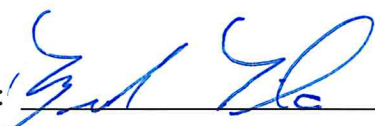
Rolette County
May 16, 2014
Page 2

It would be sufficient for our purposes if you could simply sign and return the extra copy of this letter that is enclosed.

Thank you very much.

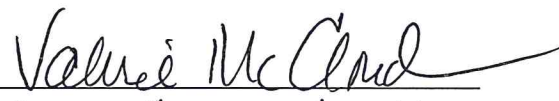
Sincerely,

RES AMERICA DEVELOPMENTS INC.

By: 
Its: Development Director

CONFIRMED:

ROLETTE COUNTY

By: 
Its: Rolette County Auditor

6) North Dakota Department of Transportation –
Driveway and Utility Crossing Permits

DRIVEWAY APPLICATION & PERMIT

North Dakota Department of Transportation, Maintenance Division
SFN 5918 (Rev. 9-2013)

Permit Number 661

Application to Modify Existing Drive

District Number 63

| | | | |
|---|--------------------|----------------------------------|-------------------|
| Applicant Border Winds Energy, LLC (Sean Flannery, RES Americas - Agent for) | | Telephone Number 612-455-8449 | |
| Address 11101 West 120th Avenue, Suite 400 | City Broomfield | State CO | ZIP Code 80021 |

Driveway Information on State Highway Right of Way

| | | |
|--|---|--|
| Number of Driveways 2 (2 separate applications) | <input checked="" type="checkbox"/> Private <input type="checkbox"/> Commercial | Direction <input type="checkbox"/> N <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W side of Route <u>30</u> |
| Location ND Hwy 30 in Rolette, County North Dakota | | |
| Town Rolla, ND | Highway 30 | Junction 108th Street NE |
| Mile Marker Number Near 203.46 Rt | | |
| Description of proposed work on state right of way and type of business served. The project is a proposed wind development that will modify 2 existing approaches off of ND State Highway 30. This application is for Driveway "H1", shown on the attached location map (Figure 1). A separate application was also filed for the second driveway from Hwy 30, (Driveway "E1"). Driveway H1 is located approximately 3,067 feet south of 108th Street NE (measured centerline to centerline), to the east side of ND HWY 30. Driveway H1 will be modified as shown in the attached engineering design sheet (Figure 3). Extend or replace existing 18" metal culvert and end sections. Driveway H1 will be modified prior to November 2014. After construction is complete in 2015, the driveway apron will be narrowed and the ROW will be restored as depicted in Figure 5, by November 2015. | | |

Applicant agrees that any permit issued and any entrance built or work done shall be in accordance with plans attached hereto and made a part hereof, and Permit Specifications printed on the reverse side of this sheet. If the applicant fails to construct the drive to the specified dimensions, including the proper culvert length and inslopes, the Department of Transportation, hereinafter referred to as NDDOT, will either cancel this permit and remove the drive or make the necessary corrections and the Applicant will reimburse NDDOT for such work.

APPLICANT:

Sean Flannery
Name (Type or Print)
[Signature]
Signature
RES Americas, Sr. Permitting Specialist (Agent for BWE)
Title
05/01/14
Date

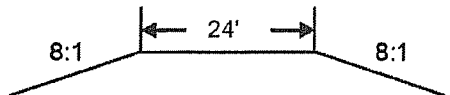
Permit granted:
5-2-14
Date

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

Greg Semenko
District Engineer (Type or Print)
[Signature]
Signature
5/2/14
Date

Construction shall be completed by:
11-1-2015
Date

Sketch:



DRIVEWAY PERMIT SPECIFICATIONS

1. The total cost of all construction and maintenance of the work specified shall be borne by the Applicant, his grantees, successors, and assigns; except that the state will maintain the shoulder of the roadway.
2. The applicant shall be required to wear an ANSI/ISEA 107-2004 Class II high visibility garment while within the highway right-of-way as per the requirements of 23 CFR 634.
3. It is understood by the Applicant that the state does not assume any responsibility for the removal or clearance of snow, ice, or sleet, or the opening of windrows of such materials, upon any portion of the driveway even though snow, ice, or sleet is deposited or windrowed on said drive by its authorized representative engaged in normal winter maintenance operation.
4. No driveway shall be considered as completed until checked and approved by NDDOT. Surfacing may be omitted on field entrances if so specified in the application.
5. A driveway, as referred to in this permit, shall be the traveled area between the highway roadway surface and the adjacent right-of-way line. Said driveway shall be used only for the purpose of providing entrance to and exit from the Applicants property.
6. No driveway, or improvement constructed on the highway right of way shall be altered or relocated without permission of the district engineer of NDDOT.
7. The Applicant agrees to perform all work in accordance with this permit, and to indemnify and hold harmless NDDOT, its officers, and employees from any and all liability, judgments, costs, expenses, and claims growing out of damages, or alleged damages, of any nature whatsoever, to any person or property arising out of performance or nonperformance of said work, or the existence of said driveways.
8. It is understood by the Applicant that the location, construction, and maintenance of driveways are under the supervision of NDDOT at all times, and that in granting this permit NDDOT waives none of its powers or rights to direct the removal, relocation, or proper maintenance in the future of any driveways within the right of way of the state highway.
9. The granting of this permit does not vest the Applicant with the exclusive use of the driveway. NDDOT retains the right to diminish and expand the use of the driveway as required in the interest of the safety of highway traffic.
10. Wetlands: The applicant shall certify that no wetlands will be impacted by the installation of the driveway. If wetlands are impacted, the applicant shall coordinate with the US Army Corps of Engineers (USACE), North Dakota Regulatory Office to determine if a permit is required or mitigation is needed. Certification of avoidance, a wetland delineation, or a permit (if required) from the USACE shall be attached to the application.
11. The Applicant, for him or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that (1) no person, on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person, on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, (3) that the Applicant shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the NDDOT shall have the right to terminate this Permit and to re-enter and repossess said land and the facilities thereon and hold the same as if said Permit had never been made or issued.

**The Act governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability/handicap, 29 U.S.C. 790; and low income, E.O. 12898.

12. Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.

Risk Management Appendix

Small, Low-Risk Leases, Easements, Licenses, and Permits with Private Individuals, Companies, Corporations, Etc. (referred to as Recipient):

Recipient agrees to defend, indemnify, and hold harmless the state of North Dakota, its agencies, officers and employees (State), from and against claims based on the vicarious liability of the State or its agents, but not against claims based on the State's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by the Recipient to the State under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the State is necessary. Recipient also agrees to defend, indemnify, and hold the State harmless for all costs, expenses and attorneys' fees incurred if the State prevails in an action against the Recipient in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this agreement.

Recipient shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools, or government self-retention funds authorized to do business in North Dakota, the following insurance coverages:

- 1) **Commercial general liability** insurance – minimum limits of liability required are **\$250,000 per person** and **\$1,000,000 per occurrence**. If it is not practical for Recipient to carry commercial general liability insurance, Recipient may substitute **farm liability insurance, renters insurance, or home owners insurance** in the amount of **at least \$300,000**.
- 2) If Recipient may use an automobile in relation to the attached agreement, Recipient must secure **automobile liability** insurance with a minimum limit of liability of **at least \$250,000**. The above limits may be satisfied through a policy or policies of insurance, primary and excess, including the so called umbrella or catastrophe form.
- 3) The State of North Dakota, its agencies, officers, and employees (State) shall be endorsed as an **additional insured** on the above policies.

The Recipient shall furnish a certificate of insurance coverage evidencing the requirements in 1 through 3 above to the undersigned State representative prior to commencement of this agreement.

Recipients' insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance, or self-retention maintained by the State.

The insolvency or bankruptcy of the insured Recipient shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Recipient from meeting the retention limit under the policy.

The Recipient must secure any necessary Workers Compensation coverage that may be required by State law.

When a portion of a Contract is sublet, the Recipient shall obtain insurance protection (as outlined above) to provide liability coverage to protect the Recipient and the State as a result of work undertaken by the Subcontractor or Sublessor. In addition, the Recipient shall ensure that any and all parties performing work under the Contract are covered by public liability insurance as outlined above. All Subcontractors or Sublessors performing work under the Contract are required to maintain the same scope of insurance required of the Recipient. The Recipient shall be held responsible for ensuring compliance with those requirements by all Subcontractors or Sublessors.

RM Consulted 2007
Revised 5-09





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/01/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | |
|--|---|
| PRODUCER Willis of Colorado, Inc. c/o 26 Century Blvd. P.O. Box 305191 Nashville, TN 37230-5191 | CONTACT NAME: PHONE (A/C, NO, EXT): 877-945-7378 FAX (A/C, NO): 888-467-2378 E-MAIL ADDRESS: certificates@willis.com INSURER(S) AFFORDING COVERAGE NAIC # INSURER A: Zurich American Insurance Company 16535-001 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F: |
| INSURED RES America Construction, Inc. 11101 W. 120th Avenue Suite 400 Broomfield, CO 80021 | |

COVERAGES CERTIFICATE NUMBER: 21397772 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADD'L INSRD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-------------|----------|---------------|-------------------------|-------------------------|--|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | Y | | GLO9826971-02 | 10/31/2013 | 10/31/2014 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| A | AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS | Y | | BAP9263177-06 | 10/31/2013 | 10/31/2014 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$ |
| | UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED \$ RETENTION \$ | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below | | N/A | | | | WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach Acord 101, Additional Remarks Schedule, if more space is required)
RE: Border Winds Project

 Additional Insured applies as required by written contract.

| | |
|---|--|
| CERTIFICATE HOLDER North Dakota Dept. of Transportation 608 East Boulevard Ave. Bismarck, ND 58505-0700 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE |
|---|--|

DRIVEWAY APPLICATION & PERMIT

North Dakota Department of Transportation, Maintenance Division
SFN 5918 (Rev. 9-2013)

Permit Number 662

Application to Modify Existing Drive

District Number 63

| | | | |
|---|--------------------|----------------------------------|-------------------|
| Applicant Border Winds Energy, LLC (Sean Flannery, RES Americas - Agent for) | | Telephone Number 612-455-8449 | |
| Address 11101 West 120th Avenue, Suite 400 | City Broomfield | State CO | ZIP Code 80021 |

Driveway Information on State Highway Right of Way

| | | |
|---|---|--|
| Number of Driveways 2 (2 separate applications) | <input checked="" type="checkbox"/> Private <input type="checkbox"/> Commercial | Direction <input type="checkbox"/> N <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W side of Route <u>30</u> |
| Location ND Hwy 30 in Rolette, County North Dakota | | |
| Town Rolla, ND | Highway 30 | Junction 108th Street NE |
| | | Mile Marker Number Near 204.74 Rt |
| Description of proposed work on state right of way and type of business served. The project is a proposed wind energy development that will modify two (2) existing approaches off of ND State Highway 30. This application is for Driveway "E1", which is shown on the attached location map (Figure 1). A separate application was filed for the second driveway from Hwy 30, (Driveway "H1"). Driveway E1 is located approximately 3,648 feet north of 108th Street NE (measured centerline to centerline), to the east side of ND HWY 30. Driveway E1 will be modified as shown in the attached engineering design sheet (Figure 2). Extend or replace existing 18" metal culvert and end sections. Driveway E1 will be modified before November 2014. After construction is complete in 2015, the driveway apron will be narrowed and the ROW will be restored as depicted in Figure 5, by November 2015. | | |

Applicant agrees that any permit issued and any entrance built or work done shall be in accordance with plans attached hereto and made a part hereof, and Permit Specifications printed on the reverse side of this sheet. If the applicant fails to construct the drive to the specified dimensions, including the proper culvert length and inslopes, the Department of Transportation, hereinafter referred to as NDDOT, will either cancel this permit and remove the drive or make the necessary corrections and the Applicant will reimburse NDDOT for such work.

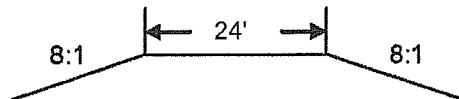
APPLICANT:

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

Sean Flannery
Name (Type or Print)
[Signature]
Signature
RES Americas, Sr. Permitting Specialist (Agent for BWE)
Title
~~04/02/14~~ 5/1/2014
Date
Permit granted:
5-2-14
Date

[Signature]
District Engineer (Type or Print)
[Signature]
Signature
5/2/14
Date
Construction shall be completed by:
11-1-2015
Date

Sketch:



DRIVEWAY PERMIT SPECIFICATIONS

1. The total cost of all construction and maintenance of the work specified shall be borne by the Applicant, his grantees, successors, and assigns; except that the state will maintain the shoulder of the roadway.
2. The applicant shall be required to wear an ANSI/ISEA 107-2004 Class II high visibility garment while within the highway right-of-way as per the requirements of 23 CFR 634.
3. It is understood by the Applicant that the state does not assume any responsibility for the removal or clearance of snow, ice, or sleet, or the opening of windrows of such materials, upon any portion of the driveway even though snow, ice, or sleet is deposited or windrowed on said drive by its authorized representative engaged in normal winter maintenance operation.
4. No driveway shall be considered as completed until checked and approved by NDDOT. Surfacing may be omitted on field entrances if so specified in the application.
5. A driveway, as referred to in this permit, shall be the traveled area between the highway roadway surface and the adjacent right-of-way line. Said driveway shall be used only for the purpose of providing entrance to and exit from the Applicants property.
6. No driveway, or improvement constructed on the highway right of way shall be altered or relocated without permission of the district engineer of NDDOT.
7. The Applicant agrees to perform all work in accordance with this permit, and to indemnify and hold harmless NDDOT, its officers, and employees from any and all liability, judgments, costs, expenses, and claims growing out of damages, or alleged damages, of any nature whatsoever, to any person or property arising out of performance or nonperformance of said work, or the existence of said driveways.
8. It is understood by the Applicant that the location, construction, and maintenance of driveways are under the supervision of NDDOT at all times, and that in granting this permit NDDOT waives none of its powers or rights to direct the removal, relocation, or proper maintenance in the future of any driveways within the right of way of the state highway.
9. The granting of this permit does not vest the Applicant with the exclusive use of the driveway. NDDOT retains the right to diminish and expand the use of the driveway as required in the interest of the safety of highway traffic.
10. Wetlands: The applicant shall certify that no wetlands will be impacted by the installation of the driveway. If wetlands are impacted, the applicant shall coordinate with the US Army Corps of Engineers (USACE), North Dakota Regulatory Office to determine if a permit is required or mitigation is needed. Certification of avoidance, a wetland delineation, or a permit (if required) from the USACE shall be attached to the application.
11. The Applicant, for him or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that (1) no person, on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person, on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, (3) that the Applicant shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the NDDOT shall have the right to terminate this Permit and to re-enter and repossess said land and the facilities thereon and hold the same as if said Permit had never been made or issued.

**The Act governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability/handicap, 29 U.S.C. 790; and low income, E.O. 12898.

12. Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/01/2014

Page 1 of 1

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|--|---|--|
| PRODUCER Willis of Colorado, Inc. c/o 26 Century Blvd. P.O. Box 305191 Nashville, TN 37230-5191 | CONTACT NAME: PHONE (A/C. NO. EXT): 877-945-7378 FAX (A/C. NO.): 888-467-2378 E-MAIL ADDRESS: certificates@willis.com | |
| | INSURER(S) AFFORDING COVERAGE INSURER A: Zurich American Insurance Company NAIC# 16535-001 | |
| INSURED RES America Construction, Inc. 11101 W. 120th Avenue Suite 400 Broomfield, CO 80021 | INSURER B: | |
| | INSURER C: | |
| | INSURER D: | |
| | INSURER E: | |
| | INSURER F: | |
| | | |

COVERAGES CERTIFICATE NUMBER: 21397772 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADD'L INSRD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-------------|----------|---------------|-------------------------|-------------------------|--|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | Y | | GLO9826971-02 | 10/31/2013 | 10/31/2014 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| A | AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS | Y | | BAP9263177-06 | 10/31/2013 | 10/31/2014 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$ |
| | UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$ | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | N/A | | | | WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach Acord 101, Additional Remarks Schedule, if more space is required)

RE: Border Winds Project

Additional Insured applies as required by written contract.

CERTIFICATE HOLDER

CANCELLATION

| | |
|--|---|
| North Dakota Dept. of Transportation 608 East Boulevard Ave. Bismarck, ND 58505-0700 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE |
|--|---|

Risk Management Appendix

Small, Low-Risk Leases, Easements, Licenses, and Permits with Private Individuals, Companies, Corporations, Etc. (referred to as Recipient):

Recipient agrees to defend, indemnify, and hold harmless the state of North Dakota, its agencies, officers and employees (State), from and against claims based on the vicarious liability of the State or its agents, but not against claims based on the State's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by the Recipient to the State under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the State is necessary. Recipient also agrees to defend, indemnify, and hold the State harmless for all costs, expenses and attorneys' fees incurred if the State prevails in an action against the Recipient in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this agreement.

Recipient shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools, or government self-retention funds authorized to do business in North Dakota, the following insurance coverages:

- 1) **Commercial general liability** insurance – minimum limits of liability required are **\$250,000 per person** and **\$1,000,000 per occurrence**. If it is not practical for Recipient to carry commercial general liability insurance, Recipient **may substitute farm liability insurance, renters insurance, or home owners insurance** in the amount of **at least \$300,000**.
- 2) If Recipient may use an automobile in relation to the attached agreement, Recipient must secure **automobile liability** insurance with a minimum limit of liability of **at least \$250,000**. The above limits may be satisfied through a policy or policies of insurance, primary and excess, including the so called umbrella or catastrophe form.
- 3) The State of North Dakota, its agencies, officers, and employees (State) shall be endorsed as an **additional insured** on the above policies.

The Recipient shall furnish a certificate of insurance coverage evidencing the requirements in 1 through 3 above to the undersigned State representative prior to commencement of this agreement.

Recipients' insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance, or self-retention maintained by the State.

The insolvency or bankruptcy of the insured Recipient shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Recipient from meeting the retention limit under the policy.

The Recipient must secure any necessary Workers Compensation coverage that may be required by State law.

When a portion of a Contract is sublet, the Recipient shall obtain insurance protection (as outlined above) to provide liability coverage to protect the Recipient and the State as a result of work undertaken by the Subcontractor or Sublessor. In addition, the Recipient shall ensure that any and all parties performing work under the Contract are covered by public liability insurance as outlined above. All Subcontractors or Sublessors performing work under the Contract are required to maintain the same scope of insurance required of the Recipient. The Recipient shall be held responsible for ensuring compliance with those requirements by all Subcontractors or Sublessors.

RM Consulted 2007
Revised 5-09



UTILITY OCCUPANCY APPLICATION AND PERMIT

North Dakota Department of Transportation, Design Division
SFN 7995 (Rev. 11-2012)

| | | |
|-----------------|----------------------|------------------------------------|
| Document Number | (FOR STATE USE ONLY) | Permit Number <u>3030-203.3616</u> |
|-----------------|----------------------|------------------------------------|

APPLICANT INFORMATION

| | | | |
|---|--------------------|------------------------------|------------------------------------|
| Prepared Company Name RES America Construction, Inc. | | Prepared by Sean Flannery | |
| Owner of Facility Border Winds Energy, LLC | City Rolla | State ND | Zip Code 58367 |
| Mailing Address 11101 West 120th Avenue, Suite 400, Broomfield, CO 80021 | | | Telephone Number (303) 439-4200 |
| Owner's Agent Sean Flannery | City Broomfield | State CO | Zip Code 80021 |
| Owner's Contractor RES America Construction, Inc. | City Broomfield | State CO | Telephone Number (303) 439-4200 |

TYPE OF FACILITY (Complete appropriate spaces only.)

| | | |
|---|---|--|
| Description of Proposed Facility <u>Wind energy facility, including underground medium voltage cabling to connect up to 75 wind turbine generators(150MW).</u> <u>The underground cabling will cross under ND State Highway 30 at two locations in Rolette County, North Dakota. (1 of 2)</u> | | |
| Size of Facility Cable carrying 12 MW , 350 kcmil cable | Number of Cables See Fig 2 (2 borings, 5 total cables) | Length of Down Guys NA |
| Pipeline Pressure NA | Size of Casing 4" conduit and adjacent 6" | Length of Casing 210' |
| Location of Pole(s) NA | Location of Appurtenances NA | Location - Others See attached engineering sheets |

TERMS AND CONDITIONS: Installation and maintenance of said facilities on highway right of way shall be subject to the North Dakota Department of Transportation's (NDDOT's) "A Policy for Accommodation of Utilities on State Highway Right of Way", current edition, and the following terms and conditions, attached hereto and made a part hereof.

- (A) Installation/maintenance of said facilities shall be done in a manner satisfactory to the NDDOT district engineer,
- (B) Owner shall notify the NDDOT district engineer forty-eight (48) hours prior to installing, maintaining, relocating, or removing said facilities. All disturbed areas shall be restored to their original condition in a manner satisfactory to the NDDOT district engineer.
- (C) The owner shall be required to wear an ANSI/ISEA 107-2004 Class II height visibility garment while within the highway right-of-way as per the requirements of 23 CFR 634.
- (D) Owner shall repair or replace highway structures and appurtenances, and any existing facilities located on, over, or under highway right of way, which may be damaged as a result of the installation and maintenance of said facilities on highway right of way.
- (E) The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.
- (F) Owner shall promptly remove said facilities from highway right of way, or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by NDDOT.
- (G) NDDOT specifically reserves the right to revoke, or change the terms and conditions of, this Permit with or without cause and upon notice to the Owner.
- (H) The Owner, for him or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that (1) no person, on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person, on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, (3) that the Owner shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the NDDOT shall have the right to terminate this Permit and to re-enter and repossess said land and the facilities thereon and hold the same as if said Permit had never been made or issued.


**The Act governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability/handicap, 29 U.S.C. 790; and low income, E.O. 12898.

(I) The installation shall be completed on or before December 1, 20 14

| | |
|--|---|
| Company Name RES America Construction, Inc. | Owner's Name (Please Print) Sean Flannery, Sr. Permitting Specialist |
|--|---|



4/11/2014

DATE


OWNER'S SIGNATURE

The Owner is hereby granted permission to install and maintain the facilities applied for, as shown on the plans attached hereto and made a part hereof. Approved by NDDOT this 16th day of April, 20 14.

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION


DISTRICT ENGINEER (TYPE OR PRINT)

SIGNATURE

Fee = \$100.00

LOCATION NO. 1 (FOR STATE USE ONLY) Begin Ref. Point 203.3616 End Ref. Point _____

| | | |
|---|--|---|
| Highway No. <u>30</u> | <input type="checkbox"/> Along or <input checked="" type="checkbox"/> Across | Lanes of traffic <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin <u>1909</u> feet from reference marker <u>203</u> | |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of <u>1669 feet N of 107 St NE</u> or <u>0.3</u> miles from junction highway <u>107 ST</u> | | |

LOCATION NO. _____ (FOR STATE USE ONLY) Begin Ref. Point _____ End Ref. Point _____

| | | |
|---|---|--|
| Highway No. _____ | <input type="checkbox"/> Along or <input type="checkbox"/> Across | Lanes of traffic <input type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin _____ feet from reference marker _____ | |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of _____ or _____ miles from junction highway _____ | | |

LOCATION NO. _____ (FOR STATE USE ONLY) Begin Ref. Point _____ End Ref. Point _____

| | | |
|---|---|--|
| Highway No. _____ | <input type="checkbox"/> Along or <input type="checkbox"/> Across | Lanes of traffic <input type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin _____ feet from reference marker _____ | |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of _____ or _____ miles from junction highway _____ | | |

LOCATION NO. _____ (FOR STATE USE ONLY) Begin Ref. Point _____ End Ref. Point _____

| | | |
|---|---|--|
| Highway No. _____ | <input type="checkbox"/> Along or <input type="checkbox"/> Across | Lanes of traffic <input type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin _____ feet from reference marker _____ | |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of _____ or _____ miles from junction highway _____ | | |

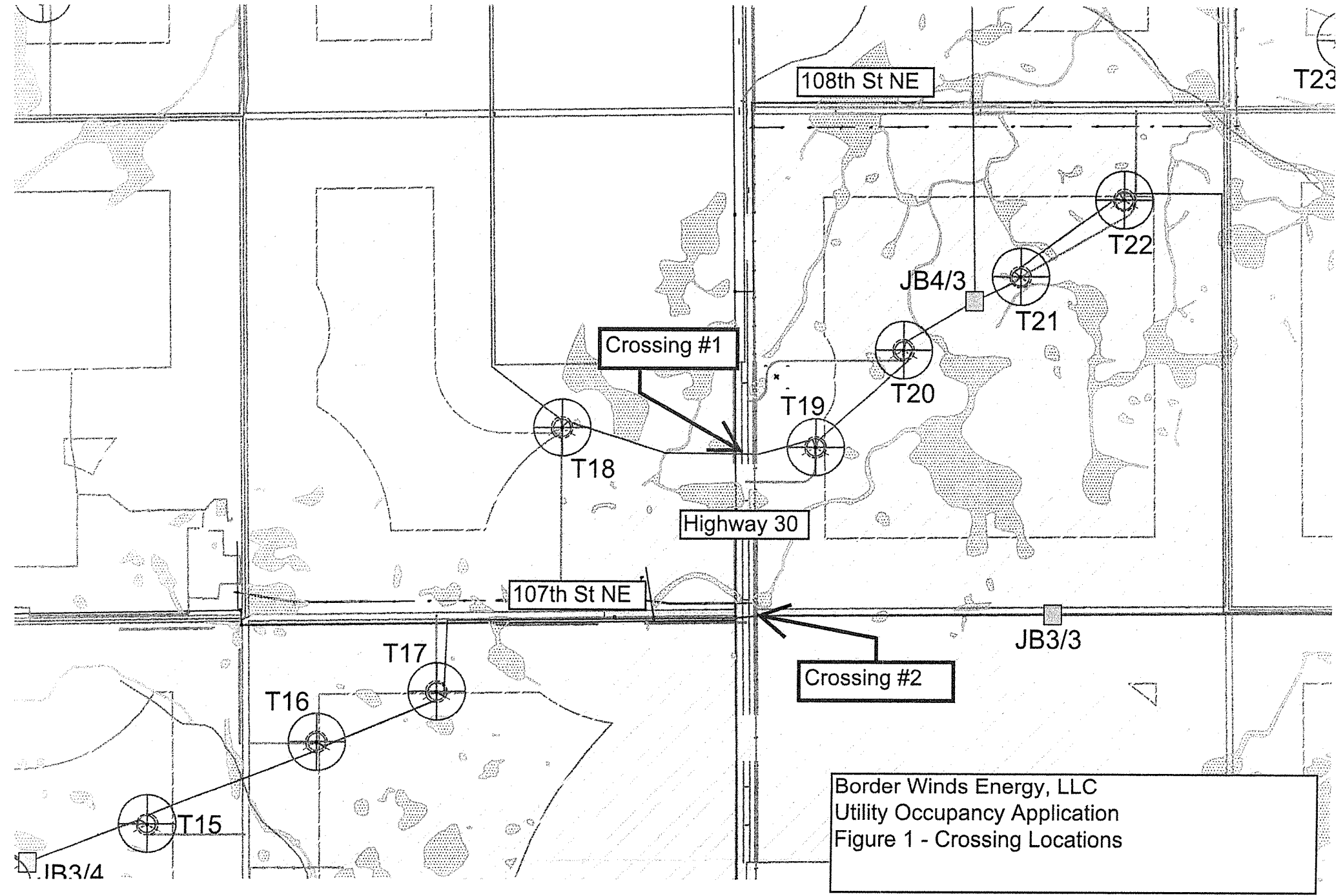
LOCATION NO. _____ (FOR STATE USE ONLY) Begin Ref. Point _____ End Ref. Point _____

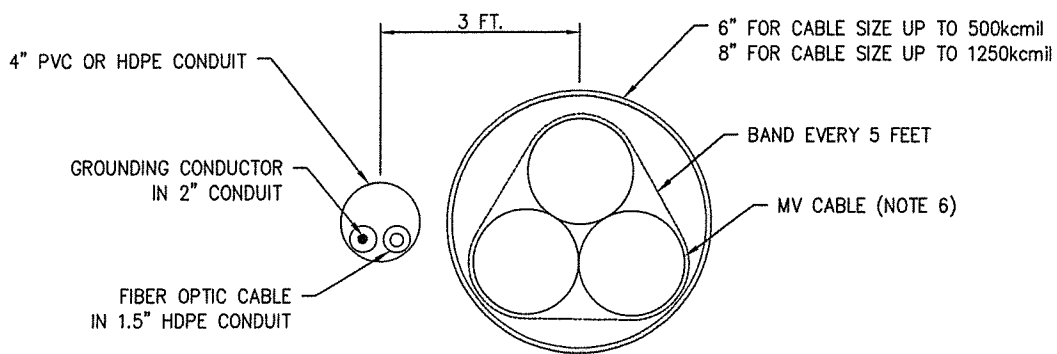
| | | |
|---|---|--|
| Highway No. _____ | <input type="checkbox"/> Along or <input type="checkbox"/> Across | Lanes of traffic <input type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin _____ feet from reference marker _____ | |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of _____ or _____ miles from junction highway _____ | | |

LOCATION NO. _____ (FOR STATE USE ONLY) Begin Ref. Point _____ End Ref. Point _____

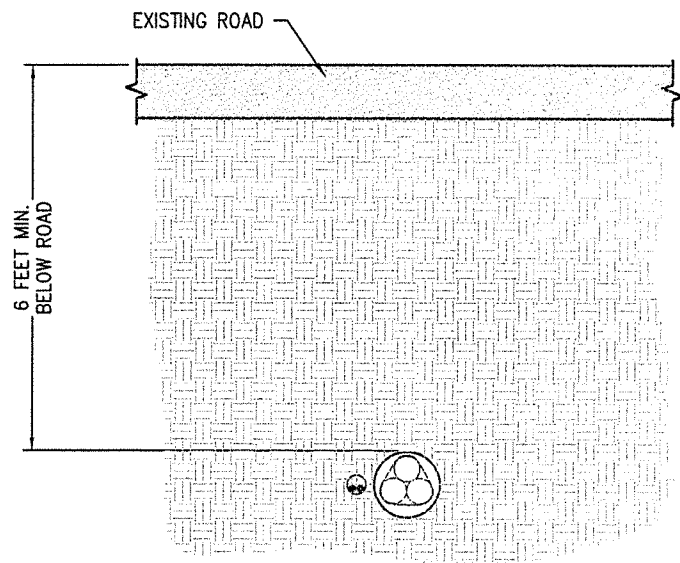
| | | |
|---|---|--|
| Highway No. _____ | <input type="checkbox"/> Along or <input type="checkbox"/> Across | Lanes of traffic <input type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin _____ feet from reference marker _____ | |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of _____ or _____ miles from junction highway _____ | | |

INTERSTATE HIGHWAYS - Applicant's description of the proposed method of ingress and egress to and from interstate right of way, as attached to the plan.





D DIRECTIONAL DRILL SECTION VIEW
Scale: N.T.S.



E DIRECTIONAL BORE UNDER EXISTING ROAD
Scale: N.T.S.

Border Winds Energy, LLC
Utility Occupancy Application
Figure 2 - Directional Boring Typical Detail

NOTICE: The Recipient must comply with ALL applicable Federal, State and local laws, rules, regulations, codes, ordinances, etc., including, but not limited to North Dakota Century Code, Chapter 49-23. (ONE-CALL EXCAVATION NOTICE SYSTEM)

INSTALLATION AND MAINTENANCE: Installation and maintenance of said facilities on highway right of way shall conform to the following provisions:

1. Within thirty (30) days after construction, maintenance, relocation, or removal of said facilities, any right of way scars shall be removed and disturbed areas restored to original condition. Existing topsoil shall be removed prior to excavation and stockpiled until all disturbed areas are restored to original grade. The stockpiled topsoil shall be evenly and smoothly replaced over the areas disturbed by the trenches or pits.
2. Vehicles and other work equipment used to install or maintain said facilities within highway right of way shall, where possible, use established access points, service roads, driveways and approaches to enter or leave the outer portion of the right of way for the performance of necessary work operations. Such vehicles and work equipment shall not be parked on the through-traffic lanes or shoulders of the highway during installation or maintenance of said facilities.
3. Protection to the free and safe flow of the highway traffic shall be as required in accordance with the "Manual on Uniform Traffic Control Devices", current edition.
4. The Recipient will notify the District Engineer of the Department of Transportation forty-eight (48) hours prior to beginning this installation. Immediately following the final clean up of the area, the Recipient shall again notify the District Engineer of the Department of Transportation.
5. The Department of Transportation may not be the total fee owner and does not warrant the title to the highway right of way covered by the terms of this permit. The Recipient shall be responsible for reviewing the public records to determine ownerships and any encumbrances to the title of the properties covered by the terms of this permit.
6. Trenches and pits opened within the right of way shall be cut to O.S.H.A. Standards and shall be of minimum width necessary to accommodate installation of said facilities. Open trenches and pits shall be barricaded if left unattended.
7. Trenches and pits opened within the right of way shall be backfilled with the same material originally in place, compacted to a density equal to that of the adjacent undisturbed soil and restored to the original grade. The backfill shall be tamped in

layers not exceeding six (6) inches in compacted thickness. Consolidation of the backfill by saturation or ponding is not permissible.

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Risk Management Appendix

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Recipient agrees to defend, indemnify, and hold harmless the state of North Dakota, its agencies, officers and employees (State), from and against claims based on the vicarious liability of the State or its agents, but not against claims based on the State's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by the Recipient to the State under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the State is necessary. Recipient also agrees to defend, indemnify, and hold the State harmless for all costs, expenses and attorneys' fees incurred if the State prevails in an action against the Recipient in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this agreement.

Recipient shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota, the following insurance coverages:

- 1) **Commercial general liability and automobile liability** insurance – minimum limits of liability required are **\$250,000 per person and \$1,000,000 per occurrence.**
- 2) **Workers compensation** insurance meeting all statutory limits.
- 3) The State of North Dakota and its agencies, officers, and employees (State) shall be endorsed as an **additional** insured on the commercial general liability and automobile liability policies.
- 4) Said endorsements shall contain a **“Waiver of Subrogation”** in favor of the state of North Dakota.
- 5) The policies and endorsements may not be canceled or modified without **thirty (30) days prior written notice** to the undersigned State representative.

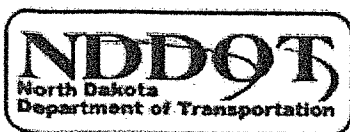
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Recipient's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the State. Any insurance, self-insurance or self-retention maintained by the State shall be excess of the Recipient's insurance and shall not contribute with it. The insolvency or bankruptcy of the insured Recipient shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Recipient from meeting the retention limit under the policy. Any deductible amount or other obligations under the policy(ies) shall be the sole responsibility of the Recipient. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. The State will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Recipient in excess of the minimum requirements set forth above.

RM Consulted 2007
Revised 5-09





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/01/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|---|--|-----------------------------|-----------|
| PRODUCER Willis of Colorado, Inc. c/o 26 Century Blvd. P.O. Box 305191 Nashville, TN 37230-5191 | CONTACT NAME: | | |
| | PHONE (A/C, NO, EXT): 877-945-7378 | FAX (A/C, NO): 888-467-2378 | |
| | E-MAIL ADDRESS: certificates@willis.com | | |
| | INSURER(S) AFFORDING COVERAGE | NAIC # | |
| INSURED RES America Construction, Inc. 11101 W. 120th Avenue Suite 400 Broomfield, CO 80021 | INSURER A: Zurich American Insurance Company | | 16535-001 |
| | INSURER B: | | |
| | INSURER C: | | |
| | INSURER D: | | |
| | INSURER E: | | |
| | INSURER F: | | |

COVERAGES **CERTIFICATE NUMBER: 21397772** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADD'L INSRD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-------------|----------|---------------|-------------------------|-------------------------|--|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC | Y | | GLO9826971-02 | 10/31/2013 | 10/31/2014 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| A | AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS | Y | | BAP9263177-06 | 10/31/2013 | 10/31/2014 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ |
| | UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$ | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) (If yes, describe under DESCRIPTION OF OPERATIONS below) | | N/A | | | | WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach Acord 101, Additional Remarks Schedule, if more space is required)

RE: Border Winds Project

Additional Insured applies as required by written contract.


CERTIFICATE HOLDER

North Dakota Dept. of Transportation
608 East Boulevard Ave.
Bismarck, ND 58505-0700

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



UTILITY OCCUPANCY APPLICATION AND PERMIT

North Dakota Department of Transportation, Design Division
SFN 7995 (Rev. 11-2012)

| | | |
|-----------------|----------------------|-------------------------------------|
| Document Number | (FOR STATE USE ONLY) | Permit Number <u>3-030-203,0218</u> |
|-----------------|----------------------|-------------------------------------|

APPLICANT INFORMATION

| | | | |
|--|---------------------------|-------------------------------------|---|
| Prepared Company Name RES America Construction, Inc. | | Prepared by Sean Flannery | |
| Owner of Facility Border Winds Energy, LLC | City Rolla | State ND | Zip Code 58367 |
| Mailing Address 11101 West 120th Avenue, Suite 400, Broomfield, CO 80021 | | | Telephone Number (303) 439-4200 |
| Owner's Agent Sean Flannery | City Broomfield | State CO | Zip Code 80021 |
| Owner's Contractor | | City | State Telephone Number |

TYPE OF FACILITY (Complete appropriate spaces only.)

| | | |
|---|--|---|
| Description of Proposed Facility <u>Wind energy facility, including underground medium voltage cabling to connect up to 75 wind turbine generators(150MW).</u> <u>The underground cabling will cross under ND State Highway 30 at two locations in Rolette County, North Dakota. (2 of 2)</u> | | |
| Size of Facility Cables carrying 18 MW, 750 kcmil cable | Number of Cables See Fig 2 (2 borings, 5 total cables) | Length of Down Guys NA |
| Pipeline Pressure NA | Size of Casing 4" conduit and adjacent 8" conduit | Length of Casing 210' |
| Location of Pole(s) NA | Location of Appurtenances NA | Location - Others See attached engineering sheets |

TERMS AND CONDITIONS: Installation and maintenance of said facilities on highway right of way shall be subject to the North Dakota Department of Transportation's (NDDOT's) "A Policy for Accommodation of Utilities on State Highway Right of Way", current edition, and the following terms and conditions, attached hereto and made a part hereof.

- (A) Installation/maintenance of said facilities shall be done in a manner satisfactory to the NDDOT district engineer,
- (B) Owner shall notify the NDDOT district engineer forty-eight (48) hours prior to installing, maintaining, relocating, or removing said facilities. All disturbed areas shall be restored to their original condition in a manner satisfactory to the NDDOT district engineer.
- (C) The owner shall be required to wear an ANSI/ISEA 107-2004 Class II height visibility garment while within the highway right-of-way as per the requirements of 23 CFR 634.
- (D) Owner shall repair or replace highway structures and appurtenances, and any existing facilities located on, over, or under highway right of way, which may be damaged as a result of the installation and maintenance of said facilities on highway right of way.
- (E) The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.
- (F) Owner shall promptly remove said facilities from highway right of way, or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by NDDOT.
- (G) NDDOT specifically reserves the right to revoke, or change the terms and conditions of, this Permit with or without cause and upon notice to the Owner.
- (H) The Owner, for him or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that (1) no person, on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person, on the grounds of race, color, national origin, sex, age, disability/handicap, or income status**, shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, (3) that the Owner shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the NDDOT shall have the right to terminate this Permit and to re-enter and repossess said land and the facilities thereon and hold the same as if said Permit had never been made or issued.

**The Act governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability/handicap, 29 U.S.C. 790; and low income, E.O. 12898.

(I) The installation shall be completed on or before December 1, 2014

| | |
|---|--|
| Company Name RES America Construction, Inc. | Owner's Name (Please Print) Sean Flannery, Sr. Permitting Specialist |
|---|--|

4/11/2014

DATE


OWNER'S SIGNATURE

The Owner is hereby granted permission to install and maintain the facilities applied for, as shown on the plans attached hereto and made a part hereof. Approved by NDDOT this 16th day of April, 2014.

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

Greg Semenko
DISTRICT ENGINEER (TYPE OR PRINT)


SIGNATURE

Fee = \$100.00

LOCATION NO. 1 (FOR STATE USE ONLY) Begin Ref. Point 203.0218 End Ref. Point _____

| | | |
|---|--|---|
| Highway No. <u>30</u> | <input type="checkbox"/> Along or <input checked="" type="checkbox"/> Across | Lanes of traffic <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin <u>115</u> feet from reference marker <u>203</u> | |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input type="checkbox"/> N <input checked="" type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of <u>125 feet S of 107th St NE</u> ^{From Centerline} or <u>1.0</u> miles from junction highway <u>43</u> | | |

LOCATION NO. _____ (FOR STATE USE ONLY) Begin Ref. Point _____ End Ref. Point _____

| | | |
|---|---|--|
| Highway No. _____ | <input type="checkbox"/> Along or <input type="checkbox"/> Across | Lanes of traffic <input type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin _____ feet from reference marker _____ | |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of _____ or _____ miles from junction highway _____ | | |

LOCATION NO. _____ (FOR STATE USE ONLY) Begin Ref. Point _____ End Ref. Point _____

| | | |
|---|---|--|
| Highway No. _____ | <input type="checkbox"/> Along or <input type="checkbox"/> Across | Lanes of traffic <input type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin _____ feet from reference marker _____ | |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of _____ or _____ miles from junction highway _____ | | |

LOCATION NO. _____ (FOR STATE USE ONLY) Begin Ref. Point _____ End Ref. Point _____

| | | |
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| Highway No. _____ | <input type="checkbox"/> Along or <input type="checkbox"/> Across | Lanes of traffic <input type="checkbox"/> 2 <input type="checkbox"/> 4 |
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| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | End _____ feet from reference marker _____ | |
| <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from city of _____ or _____ miles from junction highway _____ | | |

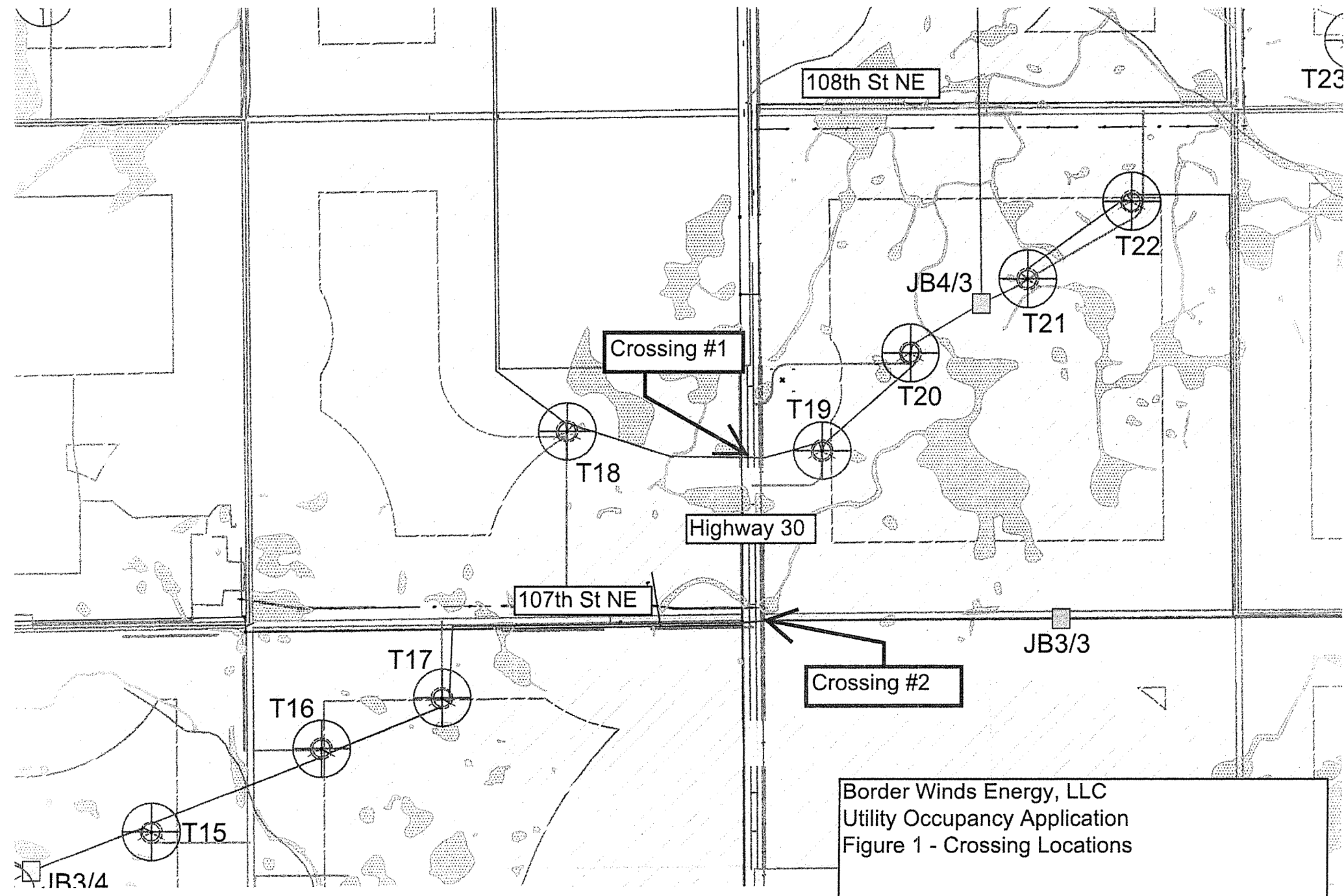
LOCATION NO. _____ (FOR STATE USE ONLY) Begin Ref. Point _____ End Ref. Point _____

| | | |
|---|---|--|
| Highway No. _____ | <input type="checkbox"/> Along or <input type="checkbox"/> Across | Lanes of traffic <input type="checkbox"/> 2 <input type="checkbox"/> 4 |
| Direction <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W | Begin _____ feet from reference marker _____ | |
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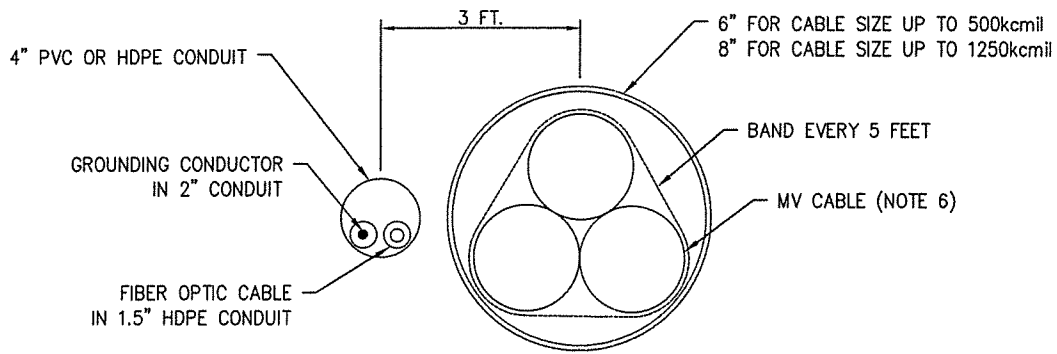
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| | | |
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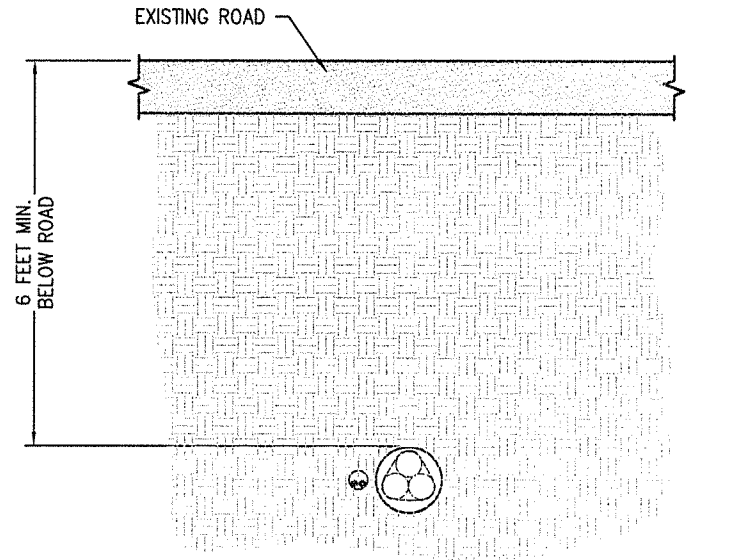
INTERSTATE HIGHWAYS - Applicant's description of the proposed method of ingress and egress to and from interstate right of way, as attached to the plan.



Border Winds Energy, LLC
Utility Occupancy Application
Figure 1 - Crossing Locations



D DIRECTIONAL DRILL SECTION VIEW
Scale: N.T.S.



E DIRECTIONAL BORE UNDER EXISTING ROAD
Scale: N.T.S.

Border Winds Energy, LLC
Utility Occupancy Application
Figure 2 - Directional Boring Typical Detail

NOTICE: The Recipient must comply with ALL applicable Federal, State and local laws, rules, regulations, codes, ordinances, etc., including, but not limited to North Dakota Century Code, Chapter 49-23. (ONE-CALL EXCAVATION NOTICE SYSTEM)

INSTALLATION AND MAINTENANCE: Installation and maintenance of said facilities on highway right of way shall conform to the following provisions:

1. Within thirty (30) days after construction, maintenance, relocation, or removal of said facilities, any right of way scars shall be removed and disturbed areas restored to original condition. Existing topsoil shall be removed prior to excavation and stockpiled until all disturbed areas are restored to original grade. The stockpiled topsoil shall be evenly and smoothly replaced over the areas disturbed by the trenches or pits.
2. Vehicles and other work equipment used to install or maintain said facilities within highway right of way shall, where possible, use established access points, service roads, driveways and approaches to enter or leave the outer portion of the right of way for the performance of necessary work operations. Such vehicles and work equipment shall not be parked on the through-traffic lanes or shoulders of the highway during installation or maintenance of said facilities.
3. Protection to the free and safe flow of the highway traffic shall be as required in accordance with the "Manual on Uniform Traffic Control Devices", current edition.
4. The Recipient will notify the District Engineer of the Department of Transportation forty-eight (48) hours prior to beginning this installation. Immediately following the final clean up of the area, the Recipient shall again notify the District Engineer of the Department of Transportation.
5. The Department of Transportation may not be the total fee owner and does not warrant the title to the highway right of way covered by the terms of this permit. The Recipient shall be responsible for reviewing the public records to determine ownerships and any encumbrances to the title of the properties covered by the terms of this permit.
6. Trenches and pits opened within the right of way shall be cut to O.S.H.A. Standards and shall be of minimum width necessary to accommodate installation of said facilities. Open trenches and pits shall be barricaded if left unattended.
7. Trenches and pits opened within the right of way shall be backfilled with the same material originally in place, compacted to a density equal to that of the adjacent undisturbed soil and restored to the original grade. The backfill shall be tamped in

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Recipient shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota, the following insurance coverages:

- 1) **Commercial general liability and automobile liability** insurance – minimum limits of liability required are **\$250,000 per person and \$1,000,000 per occurrence.**
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RM Consulted 2007
Revised 5-09





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/01/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|---|--|-------------------------|-----------------------------|
| PRODUCER Willis of Colorado, Inc. c/o 26 Century Blvd. P.O. Box 305191 Nashville, TN 37230-5191 | CONTACT NAME: | | |
| | PHONE (A/C, NO, EXT): | 877-945-7378 | FAX (A/C, NO): 888-467-2378 |
| | E-MAIL ADDRESS: | certificates@willis.com | |
| | INSURER(S) AFFORDING COVERAGE | | NAIC # |
| | INSURER A: Zurich American Insurance Company | | 16535-001 |
| INSURED RES America Construction, Inc. 11101 W. 120th Avenue Suite 400 Broomfield, CO 80021 | INSURER B: | | |
| | INSURER C: | | |
| | INSURER D: | | |
| | INSURER E: | | |
| | INSURER F: | | |
| | | | |

COVERAGES

CERTIFICATE NUMBER: 21397772

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADD'L INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|------------|----------|---------------|-------------------------|-------------------------|--|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | Y | | GLO9826971-02 | 10/31/2013 | 10/31/2014 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | | |
| A | AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS | Y | | BAP9263177-06 | 10/31/2013 | 10/31/2014 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ |
| | UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ |
| | DED <input type="checkbox"/> RETENTION \$ | | | | | | \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N | N/A | | | | WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.I. EACH ACCIDENT \$ E.I. DISEASE - EA EMPLOYEE \$ E.I. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach Acord 101, Additional Remarks Schedule, if more space is required)

RE: Border Winds Project

Additional Insured applies as required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

| | |
|--|--|
| North Dakota Dept. of Transportation 608 East Boulevard Ave. Bismarck, ND 58505-0700 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE |

Coll:4377065 Tpl:1795002 Cert:21397772 ©1988-2010 ACORD CORPORATION. All rights reserved.

7) North Dakota Department of Health – National Pollution Discharge Elimination System, Notice of Intent to obtain coverage and NPDES coverage statement (email)



**APPLICATION (NOTICE OF INTENT) TO OBTAIN
OVERAGE UNDER NDPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES ASSOCIATED
WITH CONSTRUCTION ACTIVITY (NDR10-0000)**
NORTH DAKOTA DEPARTMENT OF HEALTH
DIVISION OF WATER QUALITY
SFN 19145 (12/13)

FOR DEPT. USE ONLY

| |
|-----------------|
| Application No. |
| Date Received |

GENERAL INFORMATION

| | | | | | | | |
|---|--|---------------------------------|--|----------------------------------|--|--|-----------------------|
| 1. Name of Owner of Construction Project Border Winds Energy, LLC | | 2. Contact First Name Robert | | 3. Contact Last Name Tepp | | 4. Contact Phone No. (303) 439-4200 | |
| 5. Contact E-mail Address Bob.Tepp@res-americas.com | | | | | | | |
| 6. Mailing Address 11101 W. 120th Avenue, Suite 400 | | | | 7. City Broomfield | | 8. State/Province CO | 9. Zip Code 80021 |
| 10. Name of Operator Working at Site RES America Construction Inc. | | | | 11. Contact First Name Robert | | 12. Contact Last Name Tepp | |
| 13. Contact Phone No. (303) 439-4200 | | | | | | | |
| 14. Contact E-mail Address Bob.Tepp@res-americas.com | | | | | | | |
| 15. Mailing Address 11101 W. 120th Avenue, Suite 400 | | | | 16. City Broomfield | | 17. State/Province CO | 18. Zip Code 80021 |

PROJECT INFORMATION

| | | | | | | | |
|---|---|---|-----------------|--|---|--|-----------------------|
| 19. Name of Construction Project Border Winds Energy Project | | | | | | | |
| 20. Brief Description of Construction Activity Construction of a wind energy conversion facility including grading for roads, wind turbine pads, excavations for pads, temporary crane paths, underground electrical trenching, laydown yard, substation and operations facility | | | | | | | |
| 21. Project Start Date 06/09/2014 | | 22. Estimated Completion Date 10/30/2015 | | 23. Estimated Total Area of Site (acres) 43,375 | | 24. Estimated Area of Disturbance (acres) 459.5 | |
| Project Location | 25. Physical Address | | | | | 26. City Near Rolla and St. John | |
| | OR | 27. Township 162 | 28. Range 69 | 29. Section 1 | 30. Quarter Section (ABCD Format) Mult | | 31. County Rollete |
| | | 32. Latitude (Decimal Degrees) 48.96 | | | 33. Longitude (Decimal Degrees) -99.61 | | |
| Receiving Waters | 34. Name of Municipal Storm Sewer System or Description of Receiving Water Unnamed tributaries to: Gimby Creek, Badger Creek, Upper Big Coulee, Hidden Island Coulee | | | | | | |

35. A SWPPP must be prepared and available for review at the time of application. A copy of the SWPPP must be submitted with this application if the project is 50 or more acres or is within 2000 feet of, and flows to a water body listed as impaired under section 303(d) of the Federal Clean Water Act due to sediment, suspended solids or turbidity. See Part I.D.2 of NDR10-0000 for more detail.

| | | |
|---|---|------------------------------------|
| RETURN COMPLETED APPLICATION TO: North Dakota Department of Health Division of Water Quality, 4 th Floor 918 East Divide Avenue Bismarck, ND 58501-1947 Telephone: (701) 328-5210 Fax: (701) 328-5200 | I certify under penalty of law that I have personally examined and am familiar with the information submitted herein. Based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment. | |
| | 36. Printed Name of Owner(s) Tom Hiester | 37. Title Senior Vice President |
| | 38. Signature of Owner(s) <i>Tom Hiester</i> | 39. Date 5-20-14 |
| | 40. Printed Name of Operator(s) Robert Tepp | 41. Title Project Manager |
| | 42. Signature of Operator(s) <i>Robert Tepp</i> | 43. Date 5-20-14 |



Submission of this application is notice that the owner(s) and operator(s) identified on the application intend to discharge stormwater associated from construction activity to waters of the state in accordance with conditions set forth in North Dakota Pollution Discharge Elimination System general permit NDR10-0000.

Permit coverage becomes effective seven days after a complete application is submitted (based on the department receipt date) unless otherwise notified by the department.

General Information

1. **Name of Owner of Construction Project.** Enter the individual, company, organization or state who owns the property where the construction project is to take place. "Owner" means the person or party possessing the title of the land on which the construction activities will occur; or . . . for a lease holder, the party or individual identified as the lease holder; or the contracting government agency responsible for the construction activity.

2-3. **Contact Person.** Provide the contact person for the owner. If the contact person is an agent of the owner, such as a consultant, provide this information on a separate page.

4. **Contact Phone No.** Provide a valid phone number for the contact person.

5. **E-mail Address.** Provide a valid e-mail address for the contact.

6-9. **Mailing Address.** Provide a valid mailing address for the owner.

10. **Name of Operator Working at Site (attach additional, if needed).** List the operator(s) who will be responsible for the construction activities at the site. The operator is someone who has day to day supervision of construction activities and is jointly responsible with the owner for compliance with the permit conditions as they pertain to the construction activities delegated to the operator.

11-12. **Contact Person Name.** State the contact person who will be responsible for overseeing construction activities at the site for the operator.

13. **Contact Phone No.** Provide a valid phone number for the contact person.

14. **E-mail Address.** Provide a valid e-mail address for the contact.

15-18. **Mailing Address.** Provide a valid mailing address for the operator.

Project Information

19. **Name of Construction Project.** Provide a descriptive, but brief, name of the construction project. Limit the name to 75 characters.

20. **Brief Description of Construction Activity.** Provide a brief description of the scope of work for the construction project.

21. **Project Start Date.** Provide the estimated project start date.

22. **Project end date.** Provide the estimated project end date, if known. The date provided does not imply that the permit will expire on the projected end date. The permit will be terminated only after a notice of termination is submitted to the department.

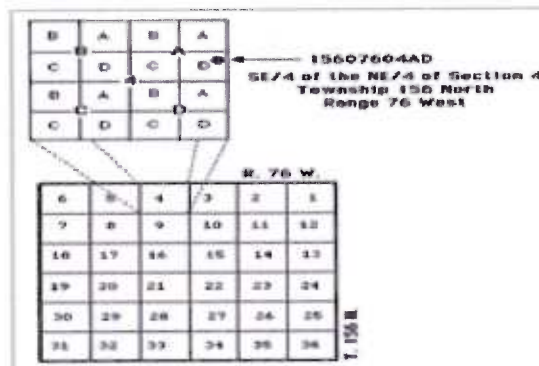
23. **Estimated Total Area of Site.** Enter the estimated acreage of the site/property in acres.

24. **Estimated Area of Disturbance.** Enter the estimated total acreage of land to be disturbed by construction activity.

25. **Physical Address.** Enter a physical address if one is available. For residential construction, avoid using a recorded plat survey, such as lot and block number. If a street addresses it not available, please use an alternative project location description (boxes 23 through 26).

26. **City.** Enter city in which project is located. If the project is located in a rural area, enter the nearest city.

numerical township, range and section of the construction project. Provide the quarter section in the ABCD format. See below.



31. **County.** Provide the county in which the project is occurring.

32-33. **Latitude and Longitude.** Provide the latitude and longitude in decimal degrees at the center of the site.

34. **Municipal Storm Sewer System or Description of Receiving Water.** If the project is located within city limits, enter the name of the city along with receiving water of the city storm sewer. Provide the name of the receiving body of water if outside city limits (i.e. Red River, unnamed tributary to Cherry Creek, wetlands, etc.).

Stormwater Pollution Prevention Plan (SWPPP) Requirements

35. As part of the permit, a SWPPP must be developed and available for review at the time of application. If the project is 50 or more acres, or is within 2000 feet of, and flows to, a body listed as impaired under section 303(d) of the Federal Clean Water Act due to sediment, suspended solids or turbidity, a copy of the SWPPP must be submitted with this application. A list of the Department's 303(d) list may be found at the following website in the most recent Integrated Report:

www.ndhealth.gov/WQ/SW/72_TMDL/Integrated_Reports/B_Integrated_Reports.htm

Signature Information

36-39. **Owner Information.** The signatory must be a responsible corporate officer, general partner, principal executive officer, or ranking elected official as required in Part IV.6.a of the permit number NDR10-0000.

40-43. **Operator Information.** The signatory must be a responsible corporate officer, general partner, principal executive officer, or ranking elected official as required in Part IV.6.a of the permit number NDR10-0000.

6. Signatory Requirements

All applications, reports or information submitted to the Department shall be signed and certified.

e. All permit applications shall be signed by a responsible corporate officer, a general partner, or a principal executive officer or ranking elected official.

b. All reports required by the permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described above and submitted to the Department; and

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.

Sean Flannery

From: Aaron Mlynek <Aaron.Mlynek@westwoodps.com>
Sent: Monday, June 02, 2014 1:34 PM
To: David Weetman; Al Jensen; Bob Tepp; Sean Flannery; Brad Lila
Subject: Fwd: Border Winds NOI

All: please see the response from The state regarding permit coverage at border winds.

Call me at 612-363-6146 with questions. Please save this email for your records.

This email has been sent from my mobile device. Please excuse short responses and/or typographical errors.

Begin forwarded message:

From: "Snowden, Lucille B." <lsnowden@nd.gov>
Date: June 2, 2014 at 1:29:10 PM CDT
To: Aaron Mlynek <Aaron.Mlynek@westwoodps.com>
Subject: FW: Border Winds NOI

Aaron,

We received the completed application for Border Winds Energy Project on May 21, 2014. This project has coverage under NDR10-0000 as of May 28, 2014. A coverage letter will be sent but due to a backlog it will likely be a few months until the owner and operator receive the letter.

Please let me know if you need anything else.

Luci Snowden
Division of Water Quality
North Dakota Department of Health
701-328-5239

From: Snowden, Lucille B.
Sent: Tuesday, May 27, 2014 11:54 AM
To: 'Aaron Mlynek'
Subject: RE: Border Winds NOI

Thanks Aaron. We were able to get the SWPPP off the site.

Luci Snowden
Division of Water Quality
North Dakota Department of Health
701-328-5239

From: Aaron Mlynek [<mailto:Aaron.Mlynek@westwoodps.com>]
Sent: Friday, May 23, 2014 9:44 AM
To: Snowden, Lucille B.; Schuett, Patrick J.; Weber, Daniel A.
Cc: David Weetman; Bob Tepp; Brad Lila; Sean Flannery
Subject: Border Winds NOI

Luci,

Attached is the NOI for Border Winds.

The SWPPP submittal is via FTP site due to file size.

Please go to <ftp://ftp.westwoodps.com/ftp/BorderwindsSWPPP>, and use the username and password supplied below to access the ftp site.

Username - BorderwindsSWPPP

Password – cwHkZKc

This is a temporary FTP which will expire in 24 days.

NOTE: please supply written confirmation of the receipt of the NOI and SWPPP. Provide a written authorization of permit confirmation which the permittee needs for records within 7 days.

Call me on my cell phone should you have questions or need additional information.

Thank you,

Aaron Mlynek, CPESC, CESSWI
Sr. Environmental Compliance Specialist, NPDES / SWPPP Compliance

Westwood Professional Services
Serving clients across the Nation

| | |
|--------|--|
| DIRECT | 952-697-5710 |
| CELL | 612-363-6146 |
| EMAIL | aaron.mlynek@westwoodps.com |
| MAIN | 952-937-5150 |
| FAX | 952-937-5822 |
| WEB | www.westwoodps.com |

Confidentiality Statement:

This message and any attachments may contain confidential, proprietary or legally privileged information. Any unauthorized dissemination, use, or disclosure of this information, either in whole or in part, is strictly prohibited. The contents of this e-mail are for the intended recipient and are not meant to be relied upon by anyone else. If you have received this message in error, please advise the sender by reply e-mail, and delete this message and any attachments. Thank you.

8) North Dakota State Water Commission –
Temporary Water Permit for construction water

Permit Number - ND2014-15810

**State of North Dakota
Temporary Water Permit
SWC Project No. 1400A**

In response to an application for a temporary water permit dated May 21, 2014 as received in this office May 21, 2014, authority is hereby granted to:

Border Winds Energy, LLC
11101 W 120th Ave, Suite 400

Broomfield, CO 80021

Contact Person: Bob Tepp

Telephone (303) 517-7995

A Temporary Water Permit as follows:

Source: Unnamed Slough

Point of Diversion: SW1/4 SW1/4 NW1/4 Sec. 11 Twp. 163 Rng. 070

Nature of Use: Construction

Total Quantity of Water: 6.0 Acre-Feet

Maximum Withdrawal Rate: 40.0 gpm

Period of authorized useage: Jun 15, 2014 through Jun 14, 2015


Conditions

This temporary water permit is granted subject to use from the source by senior appropriators. Permission for access to the source must be obtained from all affected landowners. Failure to comply with any order of the State Engineer may result in forfeiture of this permit. The granting of a temporary water permit does not create a water right.

Temporary Water Permits are limited to less than twelve months by law (North Dakota Century Code 61-04-02.1) and are limited to one-time use from surface water sources for Industrial uses. Future water use from this source for this purpose could require a Conditional Water Permit.

The permit holder is hereby notified that development of an industrial project with only a temporary permit is completely at his or her own risk.

Dated: May 23, 2014



Todd Sando, P.E.
State Engineer
ND State Water Commission
900 East Boulevard
Bismarck, ND 58505



Jon C. Patch, P.E.
Director, Water Appropriation Division

cc: Rolette WRD

Permit Number - ND2014-15810

**State of North Dakota
Temporary Water Permit
SWC Project No. 1400A**

This temporary water permit is issued subject to water use from the source by senior appropriators. Failure to comply with any order of the State Engineer may result in forfeiture of this temporary water permit. This includes the withdrawal of water that is not authorized.

The State Engineer reserves the right to cancel this temporary water permit at any time.

The amount of water withdrawn daily from this source under this temporary water permit must be provided to the State Engineers Office on a weekly basis throughout the life of the Temporary Water Permit. The date and the amount of water withdrawn can either be faxed to 701.328.3696 or e-mailed to dfarrell@nd.gov once every week.

The use of the water authorized by this Temporary Water Permit shall be limited to construction activities. All other uses are unauthorized and can result in the forfeiture of this temporary water permit. A weatherproof copy of this Temporary Water Permit must be attached the equipment withdrawing water and must be available for inspection by representatives of the State Engineers Office or the State Water Commission.

Dated: May 23, 2014

Todd Sando, P.E.
State Engineer
ND State Water Commission
900 East Boulevard
Bismarck, ND 58505

for 
Jon C. Patch, P.E.
Director, Water Appropriation Division

cc: Rolette WRD



APPLICATION FOR A TEMPORARY WATER PERMIT
NORTH DAKOTA STATE WATER COMMISSION
WATER APPROPRIATIONS
 SFN 60158 (04/2012)

MAIL THE COMPLETED APPLICATION TO:

State Engineer • ND State Water Commission • State Office Building • 900 East Boulevard • Bismarck, ND 58505-0850
 BY FAX - (701) 328-3696 • BY EMAIL - swc@nd.gov

(SIGNATURE MUST BE PROVIDED)

NOTE: Use one application for each type of source (surface water or ground water). Use one application for each different surface water source. Complete all lines. If this application is not satisfactorily completed, it will be returned. If more space is necessary, attach additional sheets. Please type or print in ink. There is no filing fee and no map is required.

| | | | | | | | |
|---|----|----------------|------------------------------------|--|------------|--|--|
| Name of Applicant | | | | Border Winds Energy, LLC | | | |
| Mailing Address | | | | 11101 W 120th Ave, Suite 400 | | | |
| City | | State | | Zip Code | | | |
| Broomfield | | CO | | 80021 | | | |
| Home Telephone Number | | | Work Telephone Number | | | | |
| | | | 303-439-4200 | | | | |
| Cell Phone Number | | | E-Mail | | | | |
| | | | bob.tepp@res-americas.com | | | | |
| Contact Person (if applicant is not an individual) | | | Contact Person Telephone Number | | | | |
| Bob Tepp | | | 303-517-7995 | | | | |
| Source of Water Supply (check one) | | | | <input checked="" type="checkbox"/> Surface Water Source | | <input type="checkbox"/> Ground Water Source | |
| Name of Source (if surface water): | | | | Unnamed-Isolated pothole | | | |
| Location of Proposed Point of Diversion: | | | County | | | | |
| | | | Rolette | | | | |
| 1/4 1/4 (if needed) | NW | 1/4 | Section | Township | Range | | |
| SW - SW | | | 11 | 163N | 70W | | |
| Purpose for Which Water Will be Used: | | | | Construction | | | |
| Total Quantity of Water Requested: (complete one) | | Acre-Feet | | Gallons | | Barrels | |
| | | 6 | | | | | |
| Withdrawal rate at which water is proposed to be diverted at the location listed above: | | GPM | | | | | |
| | | 40 | | | | | |
| Period of Usage: (up to 12 months) | | From | | Through | | | |
| | | 6/15/14 | | 6/14/15 | | | |
| Signature: | | | Date: | | | | |
| | | | 5/21/14 | | | | |
| Printed Name: | | | | Sean Flannery, Sr. Permitting Specialist | | | |

Upon receipt of this form, the State Engineer will forward a written response to the applicant within approximately ten days. If the application is approved, the granting of temporary water permit does not create a water right. If you have any questions, call (701) 328-2754.

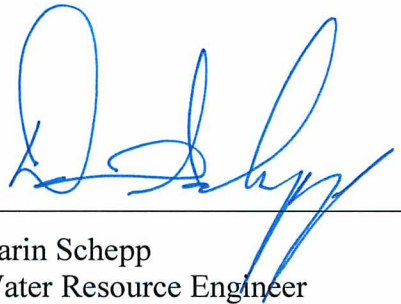
OFFICE OF THE NORTH DAKOTA STATE ENGINEER
MEMORANDUM

MEMO TO: Jon C. Patch, P.E., Director, Appropriations Division through: Robert
White, Hydrologist Manager – Surface Water
FROM: Darin Schepp, Water Resource Engineer
SUBJECT: Temporary Water Permit Application – Border Winds Energy, LLC
DATE: May 23, 2014

JP 6-2-14

The State Engineers Office received an application for a temporary water permit from Bob Tepp, representing Border Winds Energy, LLC, on May 21st, 2014. The application requested authorization to use 6.0 Acre-Feet of water from an Unnamed Slough at a maximum rate of withdrawal of 40 gallons per minute. The requested point of diversion is located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 163 North, Range 70 West, of Rolette County. The use requested is Construction.

A hydrologic review was completed as a part of the review process for the temporary water permit application. The review determined that there would be no adverse impacts to any senior water rights.



Darin Schepp
Water Resource Engineer

2014 Temporary Permit Annual Water Use Report
(Return all pages of this form even if no water was used)

ND2014-15810

Permit Number:ND2014-15810

Make Name and/or Address corrections below:

Border Winds Energy, LLC
11101 W 120th Ave, Suite 400

Broomfield, CO 80021

Phone: (303) 517-7995

Report the total in : Gallons or Barrels or Acre-Feet Please circle the units used (gallons, barrels, acre-feet)

Report the total amount of water per month if applicable:

| | | | |
|----------|-------|-----------|-------|
| JANUARY | _____ | JULY | _____ |
| FEBRUARY | _____ | AUGUST | _____ |
| MARCH | _____ | SEPTEMBER | _____ |
| APRIL | _____ | OCTOBER | _____ |
| MAY | _____ | NOVEMBER | _____ |
| JUNE | _____ | DECEMBER | _____ |

TOTAL ANNUAL USE _____

I. INFORMATION ABOUT WELLS, PUMPS, OR POINTS OF DIVERSION

Report the following information for the Point of Diversion SW1/4 SW1/4 NW1/4 Sec. 11 Twp. 163 Rng. 070

Water Source: Ground Water or Surface Water (Circle one)

Pumping Rate: _____ (Circle: Barrels, Acre-Feet, Gallons) PER (Circle : Second, Minute, Hour, Day)

Total Water Use from this Point of Diversion : _____ (Circle: Barrels, Acre-Feet, Gallons)

WATER PERMIT CRITERIA:

Source: Unnamed Slough

Nature of Use: Construction

Total Quantity of Water: 6.0 Acre-Feet

Maximum Withdrawal Rate: 40.0 gpm

Period of authorized useage: Jun 15, 2014 through Jun 14, 2015

II. MAKE ANY ADDITIONAL REMARKS BELOW:

Please return to:

North Dakota State Water Commission
State Office Building
900 East Boulevard
Bismarck, ND 58505
Phone (701) 328-2754

Signature _____

Date : _____

9) U.S. Department of the Army-Corps of Engineers –
Nationwide Permit coverage letter



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640

February 24, 2014

North Dakota Regulatory Office

[NWO-2010-1184-BIS]

Mr. David Weetman
Westwood Professional Services
7699 Anagram Drive
Eden Prairie, Minnesota 55344

Dear Mr. Weetman:

We have reviewed your request for Department of the Army (DA) authorization, on behalf of Border Winds Energy, LLC, for the proposed placement of fill material in waters of the United States, in conjunction with the construction of the 150 megawatt Border Winds Project. The project includes construction of access roads, widening of existing roads at select sites and installation of electrical collection cable(s). The project would include both temporary fills and permanent fills. Permanent fills would not exceed 1/10-acre and the temporary fill areas will be restored to pre-project conditions and grades. This project is located in several Sections, Townships 163 and 164 North, Ranges 70 and 69 West, Rolette County, North Dakota.

Based on the information you recently provided, including the updated wetland delineation report, it has been determined that this project and associated work is authorized by Department of the Army Nationwide Permit No. 12 found in the February 21, 2012 Federal Register (77 FR 10184), Reissuance of Nationwide Permits. Enclosed is a fact sheet that fully describes this Nationwide Permit and lists the General and Water Quality Conditions that must be adhered to for this authorization to remain valid.

This determination is applicable only to the permit program administered by the US Army Corps of Engineers. It does not eliminate the need to obtain other applicable Federal, Tribal, State and local permits as required. Please note that deviations from the original plans and specifications of your project could require additional authorization from this office.

Border Winds Energy is responsible for all work accomplished in accordance with the terms and conditions of this nationwide permit. If a contractor or other authorized representative will be accomplishing the work authorized by this nationwide permit, it is recommended that they be provided a copy of this letter and the attached conditions so that they are aware of the limitations of the nationwide permit. Failure to comply with all the terms and conditions of this authorization may result in an enforcement action.

In compliance with General Condition 30, you are required to submit the following project compliance certification within thirty (30) days of project completion. [Please check all applicable statements.]

- I certify that I have completed the project as permitted.
- I certify that I have completed a modified version of the project.
- I certify that I have completed all required mitigation.

Permittee's Signature: _____ **Date:** _____

This verification will be valid until **March 18, 2017**. If the nationwide permit is modified, suspended, or revoked prior to this date, but is reissued without modification or the activity complies with any subsequent modification, this authorization remains valid until the expiration date. All of the existing nationwide permits are scheduled to be modified, reissued, or revoked prior to March 18, 2017. It is incumbent upon you to remain informed of changes to the nationwide permits. We will issue a public notice when the nationwide permits are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation to complete the activity under the present terms and conditions.

The Omaha District, North Dakota Regulatory Office is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete out Customer Service Survey found on our website at <http://per2.nwp.usace.army.mil/survey.html>. If you do not have Internet access, you may call and request a paper copy of the survey that you can complete and return to us by mail or fax.

If you have any questions concerning this determination, please contact Mr. Jason Renschler of this office by letter or telephone at (701) 255-0015 and reference Nationwide Permit number **NWO-2010-1184-BIS**.

Sincerely,



Matthew Mikulecky
Acting Regulatory Program Manager
North Dakota

Enclosure
- Fact Sheet #12

**FACT SHEET
NATIONWIDE PERMIT 12
(2012)**

UTILITY LINE ACTIVITIES.

Activities required for the construction, maintenance, repair, and removal of utility lines and associated facilities in waters of the United States, provided the activity does not result in the loss of greater than 1/2-acre of waters of the United States for each single and complete project.

Utility lines: This NWP authorizes the construction, maintenance, or repair of utility lines, including outfall and intake structures, and the associated excavation, backfill, or bedding for the utility lines, in all waters of the United States, provided there is no change in pre-construction contours. A "utility line" is defined as any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone, and telegraph messages, and radio and television communication. The term "utility line" does not include activities that drain a water of the United States, such as drainage tile or french drains, but it does apply to pipes conveying drainage from another area.

Material resulting from trench excavation may be temporarily sidecast into waters of the United States for no more than three months, provided the material is not placed in such a manner that it is dispersed by currents or other forces. The district engineer may extend the period of temporary side casting for no more than a total of 180 days, where appropriate. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. The trench cannot be constructed or backfilled in such a manner as to drain waters of the United States (e.g., backfilling with extensive gravel layers, creating a french drain effect). Any exposed slopes and stream banks must be stabilized immediately upon completion of the utility line crossing of each waterbody.

Utility line substations: This NWP authorizes the construction, maintenance, or expansion of substation facilities associated with a power line or utility line in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not result in the loss of greater than 1/2-acre of waters of the United States. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters of the United States to construct, maintain, or expand substation facilities.

Foundations for overhead utility line towers, poles, and anchors: This NWP authorizes the construction or maintenance of foundations for overhead utility line towers, poles, and anchors in all waters of the United States, provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where feasible.

Access roads: This NWP authorizes the construction of access roads for the construction and maintenance of utility lines, including overhead power lines and utility line substations, in non-tidal waters of the United States, provided the activity, in combination with all other activities included in one single and complete project, does not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters for access roads. Access roads must be the minimum width necessary (see Note 2, below). Access roads must be constructed so that the length of the road minimizes any adverse effects on waters of the United States and must be as

near as possible to pre-construction contours and elevations (e.g., at grade corduroy roads or geotextile/gravel roads). Access roads constructed above pre-construction contours and elevations in waters of the United States must be properly bridged or culverted to maintain surface flows.

This NWP may authorize utility lines in or affecting navigable waters of the United States even if there is no associated discharge of dredged or fill material (See 33 CFR Part 322). Overhead utility lines constructed over section 10 waters and utility lines that are routed in or under section 10 waters without a discharge of dredged or fill material require a section 10 permit.

This NWP also authorizes temporary structures, fills, and work necessary to conduct the utility line activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate. (Sections 10 and 404)

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if any of the following criteria are met: (1) The activity involves mechanized land clearing in a forested wetland for the utility line right-of-way; (2) a section 10 permit is required; (3) the utility line in waters of the United States, excluding overhead lines, exceeds 500 feet; (4) the utility line is placed within a jurisdictional area (i.e. water of the United States), and it runs parallel to or along a stream bed that is within that jurisdictional area; (5) discharges that result in the loss of greater than 1/10-acre of waters of the United States; (6) permanent access roads are constructed above grade in waters of the United States for a distance of more than 500 feet; or (7) permanent access roads are constructed in waters of the United States with impervious materials. (See general condition 31.)

Note 1: Where the proposed utility line is constructed or installed in navigable waters of the United States (i.e., section 10 waters) within the coastal United States, the Great Lakes, and United States territories, copies of the pre-construction notification and NWP verification will be sent by the Corps to the National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), for charting the utility line to protect navigation.

Note 2: Access roads used for both construction and maintenance may be authorized, provided they meet the terms and conditions of this NWP. Access roads used solely for construction of the utility line must be removed upon completion of the work, in accordance with the requirements for temporary fills.

Note 3: Pipes or pipelines used to transport gaseous, liquid, liquescent, or slurry substances over navigable waters of the United States are considered to be bridges, not utility lines, and may require a permit from the U.S. Coast Guard pursuant to Section 9 of the Rivers and Harbors Act of 1899. However, any discharges of dredged or fill material into waters of the United States associated with such pipelines will require a section 404 permit (see NWP 15).

Note 4: For overhead utility lines authorized by this NWP, a copy of the PCN and NWP verification will be provided to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer.

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

17. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical

habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address ESA compliance for the NWP activity, or whether additional ESA consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed work or that utilize the designated critical habitat that might be affected by the proposed work. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have "no effect" on listed species or critical habitat, or until Section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NWPs.

(e) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. FWS or the NMFS, The Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.noaa.gov/fisheries.html> respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.

20. Historic Properties. (a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address section 106 compliance for the NWP activity, or whether additional section 106 consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of Section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties on which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR §800.3(a)). If NHPA section 106 consultation is required and will occur, the district engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those

tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWP 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 31, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse effects of the proposed activity are minimal, and provides a project-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in minimal adverse effects on the aquatic environment.

(2) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.

(3) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) – (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(4) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(5) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream rehabilitation, enhancement, or preservation, to ensure that the activity results in minimal adverse effects on the aquatic environment.

(e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any project resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWPs.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the restoration or establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to establish a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or establishing a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(g) Permittees may propose the use of mitigation banks, in-lieu fee programs, or separate permittee-responsible mitigation. For activities resulting in the loss of marine or estuarine resources, permittee-responsible compensatory mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or

parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

(Transferee)

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

- (a) A statement that the authorized work was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;
- (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and
- (c) The signature of the permittee certifying the completion of the work and mitigation.

31. Pre-Construction Notification—(a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either: (1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or (2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition

20 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an

individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification:* The PCN must be in writing and include the following information: (1) Name, address and telephone numbers of the prospective permittee; (2) Location of the proposed project; (3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause, including the anticipated amount of loss of water of the United States expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans); (4) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate; (5) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse effects are minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan. (6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and (7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act. (c) *Form of Pre-Construction Notification:* The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs (b)(1) through (7) of this general condition. A letter containing the required information may also be used. (d) *Agency Coordination:* (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level. (2) For all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States, for NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction

notification and will result in the loss of greater than 300 linear feet of intermittent and ephemeral stream bed, and for all NWP 48 activities that require pre-construction notification, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site specific comments. The comments must explain why the agency believes the adverse effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the preconstruction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5. (3) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act. (4) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of preconstruction notifications to expedite agency coordination.

Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project.

**2012 Nationwide Permits
Regional Conditions
Omaha District
State of North Dakota**

The following Nationwide Permit regional conditions will be used in the State of North Dakota. Regional conditions are placed on Nationwide Permits to ensure projects result in less than minimal adverse impacts to the aquatic environment and to address local resources concerns.

Wetlands Classified as Peatlands – Revoked for Use

All Nationwide Permits, with the exception of 3, 5, 20, 32, 38 and 45, are revoked for use in peatlands in North Dakota.

Peatlands are saturated and inundated wetlands where conditions inhibit organic matter decomposition and allow for the accumulation of peat. Under cool, anaerobic, and acidic conditions, the rate of organic matter accumulation exceeds organic decay. Peatlands can be primarily classified into ombrotrophic bogs and minerotrophic fens; the latter subdivided into poor, moderate-rich, and extreme-rich fens, each with distinctive indicator species, community physiognomy, acidity, alkalinity, and base cation content.

Wetlands Classified as Peatlands – Pre-construction Notification Requirement

For Nationwide Permits 3, 5, 20, 32, 38, and 45 permittees must notify the Corps in accordance with General Condition 31 (Notification) prior to initiating any regulated activity impacting peatlands in North Dakota.

Waters Adjacent to Natural Springs – Pre-construction Notification Requirement

For all Nationwide Permits permittees must notify the Corps in accordance with General Condition No. 31 (Notification) for regulated activities located within 100 feet of the water source in natural spring areas in North Dakota. For purposes of this condition, a spring source is defined as any location where there is artesian flow emanating from a distinct point at any time during the growing season. Springs do not include seeps and other groundwater discharge areas where there is no distinct point source.

Missouri River, including Lake Sakakawea and Lake Oahe within the State of North Dakota – Pre-construction Notification Requirement

For all Nationwide Permits permittees must notify the Corps in accordance with General Condition No. 31 (Notification) prior to initiating any regulated activity in the Missouri River, including Lake Sakakawea and Lake Oahe, within the State of North Dakota.

Borrow Site Identification – All Nationwide Permits

The permittee is responsible for ensuring that the Corps is notified of the location of any borrow site that will be used in conjunction with the construction of the authorized activity so that the Corps may evaluate the site for potential impacts to aquatic resources, historic properties, and endangered species. For projects where there is another lead Federal agency, the permittee shall provide the Corps documentation indicating that the lead Federal agency has complied with the National Historic Preservation Act and Endangered Species Act for the borrow site. The permittee shall not initiate work at the borrow site in conjunction with the authorized activity until approval is received from the Corps.

Counter-sinking Culverts and Associated Riprap – All Nationwide Permits

That culverts and riprap proposed to be installed within waters of the United States listed as Class III or higher on the 1978 Stream Evaluation Map for the State of North Dakota shall be installed one foot below the natural streambed. The 1978 Stream Evaluation Map for the State of North Dakota can be accessed on the North Dakota Regulatory Office's website at: <http://www.nwo.usace.army.mil/html/od-rnd/ndhome.htm>.

REGIONAL CONDITIONS APPLICABLE TO SPECIFIC NATIONWIDE PERMITS

Nationwide Permit 7 – Outfall Structures and Associated Intake Structures and Nationwide Permit 12 – Utility Line Activities

Intake Structures - Intake screens with a maximum mesh opening of 1/4-inch must be provided, inspected annually, and maintained. Wire, Johnson-like, screens must have a maximum distance between wires of 1/8-inch. Water velocity at the intake screen shall not exceed 1/2-foot per second.

Pumping plant sound levels will not exceed 75 dB at 50 feet.

Intakes located in Lake Sakakawea, above river mile 1519, are subject to the following conditions:

- The intakes shall be floating.
- At the beginning of the pumping season, the intake shall be placed over water with a minimum depth of 20 feet.
- If the 20-foot depth is not attainable, then the intake shall be located over the deepest water available.
- If the water depth falls below six feet, the intake shall be moved to deeper water or the maximum intake velocity shall be limited to 1/4 foot per second.

Intakes located in Lake Sakakawea, below river mile 1519, and in the Missouri River below Garrison Dam are subject to the following conditions:

- The intakes shall be submerged.
- At the beginning of the pumping season, the intake will be placed at least 20 vertical feet below the existing water level.
- The intake shall be elevated 2 to 4 feet off the bottom of the river or reservoir bed.
- If the 20-foot depth is not attainable, then the intake velocity shall be limited to 1/4-foot per second with the intake placed at the maximum practicable attainable depth.

Nationwide Permit 11 – Temporary Recreational Structures - Boat Docks

- a. If future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- b. No boat dock shall be located on a sandbar or barren sand feature located in or along the banks of the Missouri River.
- c. The farthest point riverward on the dock located on the Missouri River proper shall not exceed a total length of 30 feet from the ordinary high water line found along the high bank out into the River. Information Note: Issuance of this permit does not supersede authorization required by the North Dakota State Engineer's Office.
- d. Any boat dock located on the Missouri River shall be anchored to the top of the high bank.
- e. Any boat dock located within an excavated bay or marina off the main river channel may be anchored to the bay or marina bottom with spuds.

Nationwide Permit 13 - Bank Stabilization

Permittees must notify the Corps in accordance with General Condition No. 31 (Notification) prior to initiating any regulated activity within the State of North Dakota.

Nationwide Permit 23 - Approved Categorical Exclusions

Permittees must notify the Corps in accordance with General Condition No. 31 (Notification) prior to initiating any regulated activity within the State of North Dakota. In addition to information required by General Condition 31, permittees must identify the approved categorical exclusion that applies and provide documentation that the project fits the categorical exclusion.

Nationwide Permit 27 - Aquatic Habitat Restoration, Establishment and Enhancement Activities

Permittees must notify the Corps in accordance with General Condition No. 31 (Notification) prior to initiating any regulated activity within the State of North Dakota.

GENERAL CONDITIONS (REGIONAL ADDITIONS)

General Condition 3- Spawning Areas

No regulated activity within waters of the United States listed as Class III or higher on the 1978 Stream Evaluation Map for the State of North Dakota or on the North Dakota Game and Fish Department's website as a North Dakota Public Fishing Water shall occur between 15 April and 1 June. No regulated activity within the Red River of the North shall occur between 15 April and 1 July. North Dakota Public Fishing Waters can be accessed at: <http://gf.nd.gov/fishing/nd-fish-wat.html>. The 1978 Stream Evaluation Map for the State of North Dakota can be accessed on the North Dakota Regulatory Office's website at: <http://www.nwo.usace.army.mil/html/od-rnd/ndhome.htm>.

General Condition 6 – Suitable Material

Permittees are reminded that General Condition No. 6 prohibits the use of unsuitable material. In addition, organic debris, some building waste, and materials excessive in fines are not suitable material. Specific verbiage on prohibited materials can be accessed on the North Dakota Regulatory Office's website at: <http://www.nwo.usace.army.mil/html/od-rnd/ndhome.htm>.

General Condition 9 - Management of Water Flows

Permittees are reminded that water flow management addressed in General Condition 9 is applicable to all aspects of a permitted project, including temporary features.

General Condition 31 – Pre-construction Notification

Prospective permittees should be aware that a **field delineation** may be required for applications where notification is required in accordance with General Condition 31 and/or mitigation may be required. The Corps 1987 Wetland Delineation Manual and applicable Regional Supplements to the Manual can be accessed on the North Dakota Regulatory Office's website at: <http://www.nwo.usace.army.mil/html/od-rnd/ndhome.htm>.

**U.S. Army Corps of Engineers
North Dakota Regulatory Office
1513 South 12th Street
Bismarck, North Dakota 58504
Telephone (701) 255-0015 Fax (701) 255-4917**

IMPORTANT INSTRUCTIONS FOR OUR PERMIT CUSTOMERS

Notice of the Reissuance of Nationwide Permits was published in the Federal Register [77 FR 10184] on February 21, 2012. The Nationwide Permits went into effect on March 19, 2012. Project compliance certification is required by General Condition 30. The following instructions are provided to clarify the information contained within the nationwide permit authorization letter and attachments.¹

STEP 1

Review the permit authorization and be sure you understand the terms and conditions for the authorization to remain valid. If you do not understand, or have any questions, please do not hesitate to contact this office at the above address.

STEP 2

Complete your project in accordance with the permit terms and conditions. [Remember that any deviation from the original plans and specifications of your project could require additional authorization from this office.]

STEP 3

Within thirty (30) days of project completion, please complete the permit compliance certification contained within your permit authorization letter. A photocopy of the first page (marked with a colored COPY stamp) has been provided for this purpose. Mark the applicable statements, sign and date where indicated, and forward the COPY to this office at the above address.

¹There is no charge associated with any aspect of this nationwide authorization or the follow-up compliance certification.

COPY

~~[NWO-2010-1184-BIS]~~

In compliance with General Condition 30, you are required to submit the following project compliance certification within thirty (30) days of project completion. [Please check all applicable statements.]

- I certify that I have completed the project as permitted.
- I certify that I have completed a modified version of the project.
- I certify that I have completed all required mitigation.

Permittee's Signature: _____ **Date:** _____

This verification will be valid until **March 18, 2017**. If the nationwide permit is modified, suspended, or revoked prior to this date, but is reissued without modification or the activity complies with any subsequent modification, this authorization remains valid until the expiration date. All of the existing nationwide permits are scheduled to be modified, reissued, or revoked prior to March 18, 2017. It is incumbent upon you to remain informed of changes to the nationwide permits. We will issue a public notice when the nationwide permits are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation to complete the activity under the present terms and conditions.

The Omaha District, North Dakota Regulatory Office is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete our Customer Service Survey found on our website at <http://per2.nwp.usace.army.mil/survey.html>. If you do not have Internet access, you may call and request a paper copy of the survey that you can complete and return to us by mail or fax.

If you have any questions concerning this determination, please contact Mr. Jason Renschler of this office by letter or telephone at (701) 255-0015 and reference Nationwide Permit number **NWO-2010-1184-BIS**.

Sincerely,

Matthew Mikulecky
Acting Regulatory Program Manager
North Dakota

Enclosure
- Fact Sheet #12

10) Federal Aviation Administration – Determinations of No Hazard for each proposed wind turbine location



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1227-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T1
 Location: St. John, ND
 Latitude: 48-58-13.90N NAD 83
 Longitude: 99-36-20.59W
 Heights: 1822 feet site elevation (SE)
 481 feet above ground level (AGL)
 2303 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1227-OE.

Signature Control No: 208917932-220232142

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1227-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

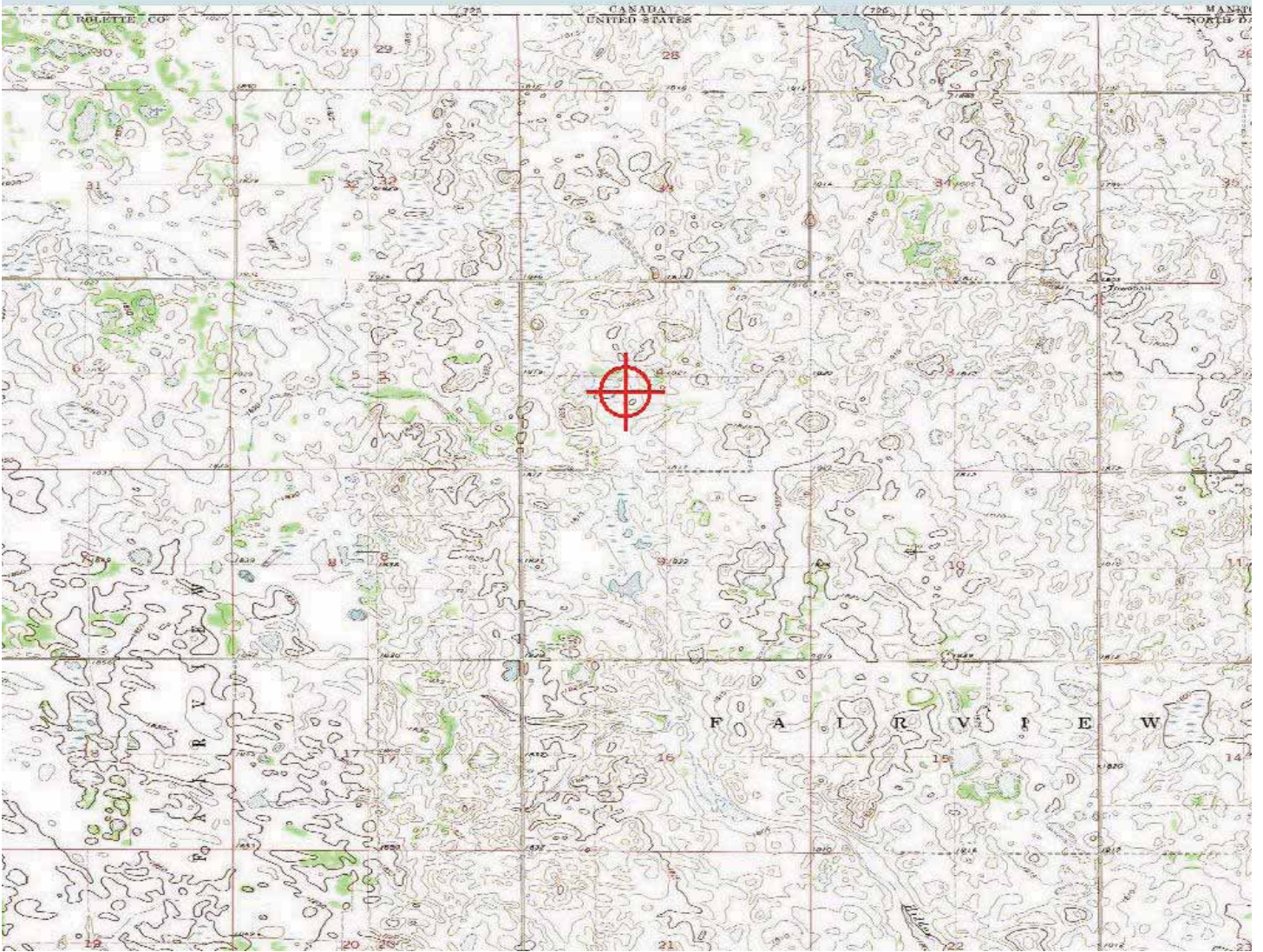
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

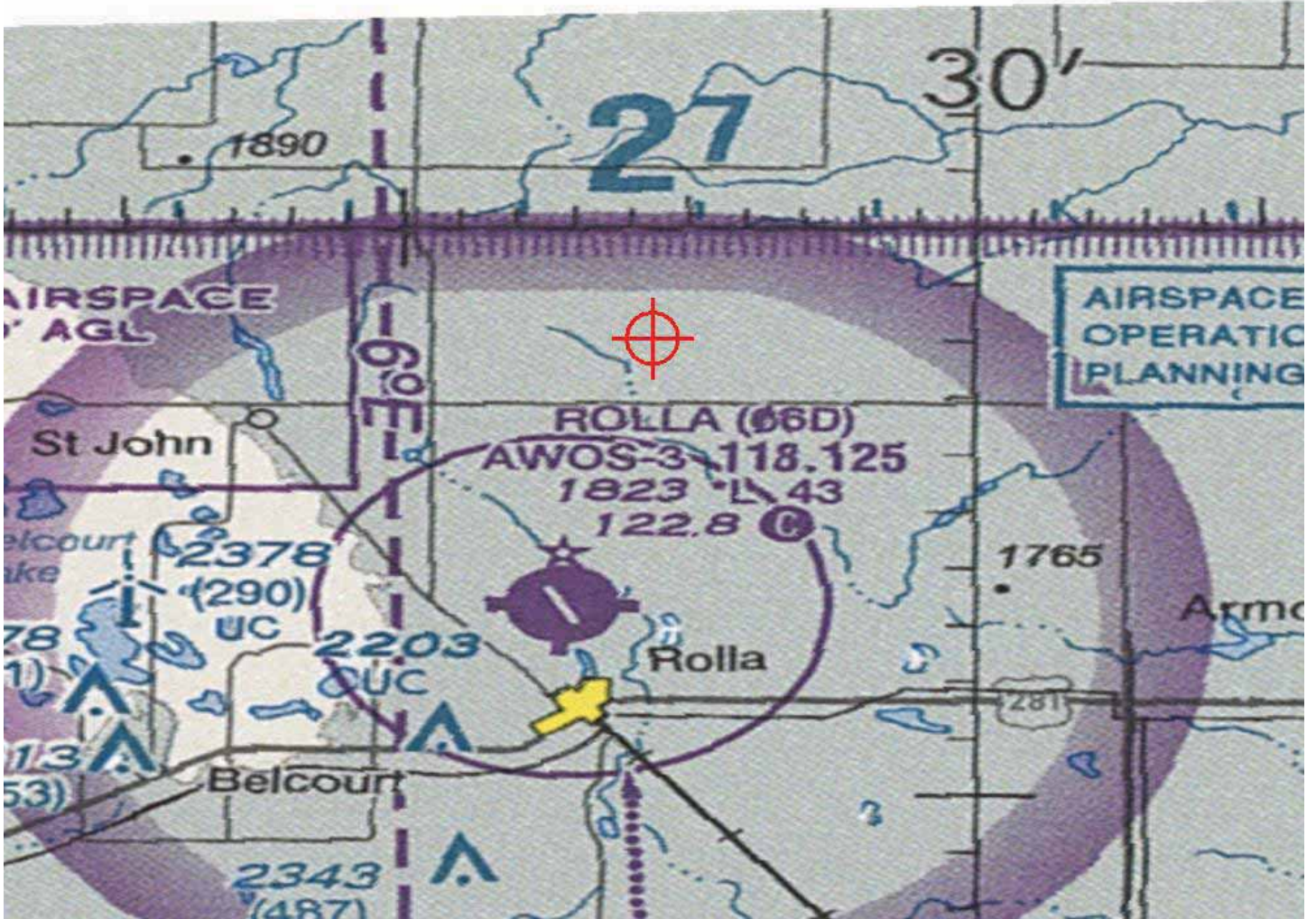
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1227-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1228-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T2
 Location: St. John, ND
 Latitude: 48-58-22.99N NAD 83
 Longitude: 99-36-04.74W
 Heights: 1825 feet site elevation (SE)
 481 feet above ground level (AGL)
 2306 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1228-OE.

Signature Control No: 208917933-220232147

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1228-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

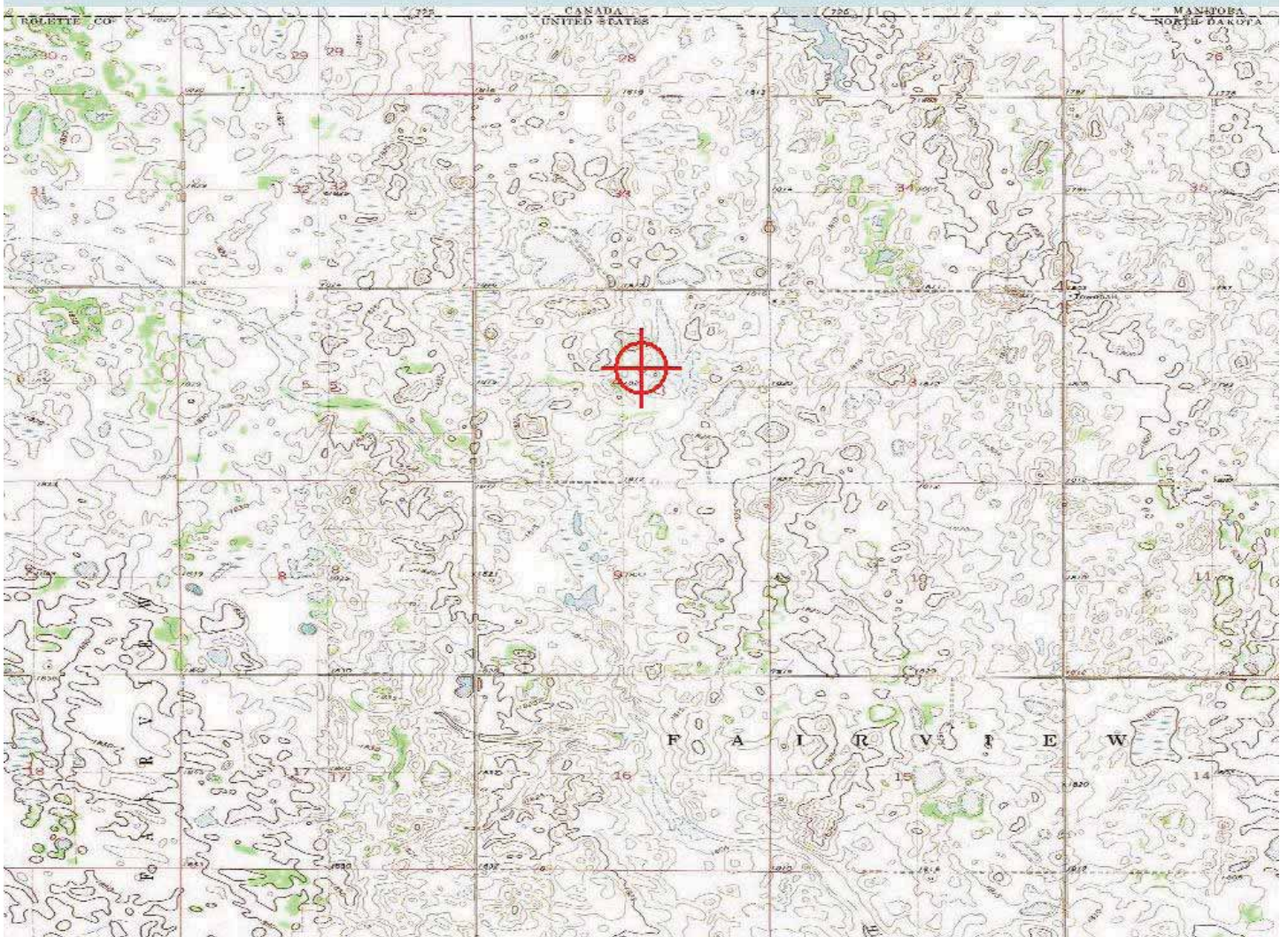
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1228-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1229-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T3
 Location: St. John, ND
 Latitude: 48-58-32.44N NAD 83
 Longitude: 99-35-50.98W
 Heights: 1830 feet site elevation (SE)
 481 feet above ground level (AGL)
 2311 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1229-OE.

Signature Control No: 208917934-220232148

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1229-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

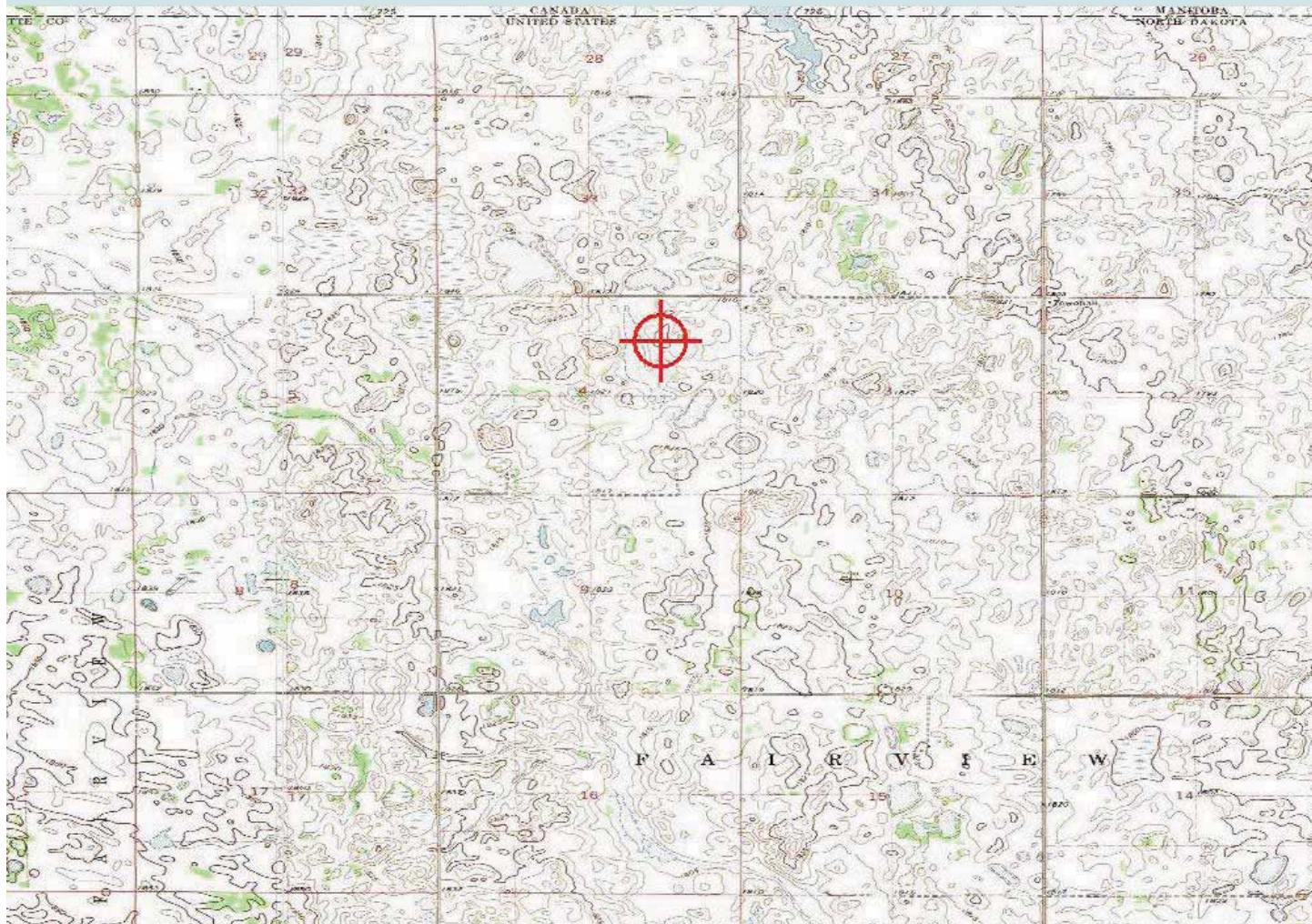
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

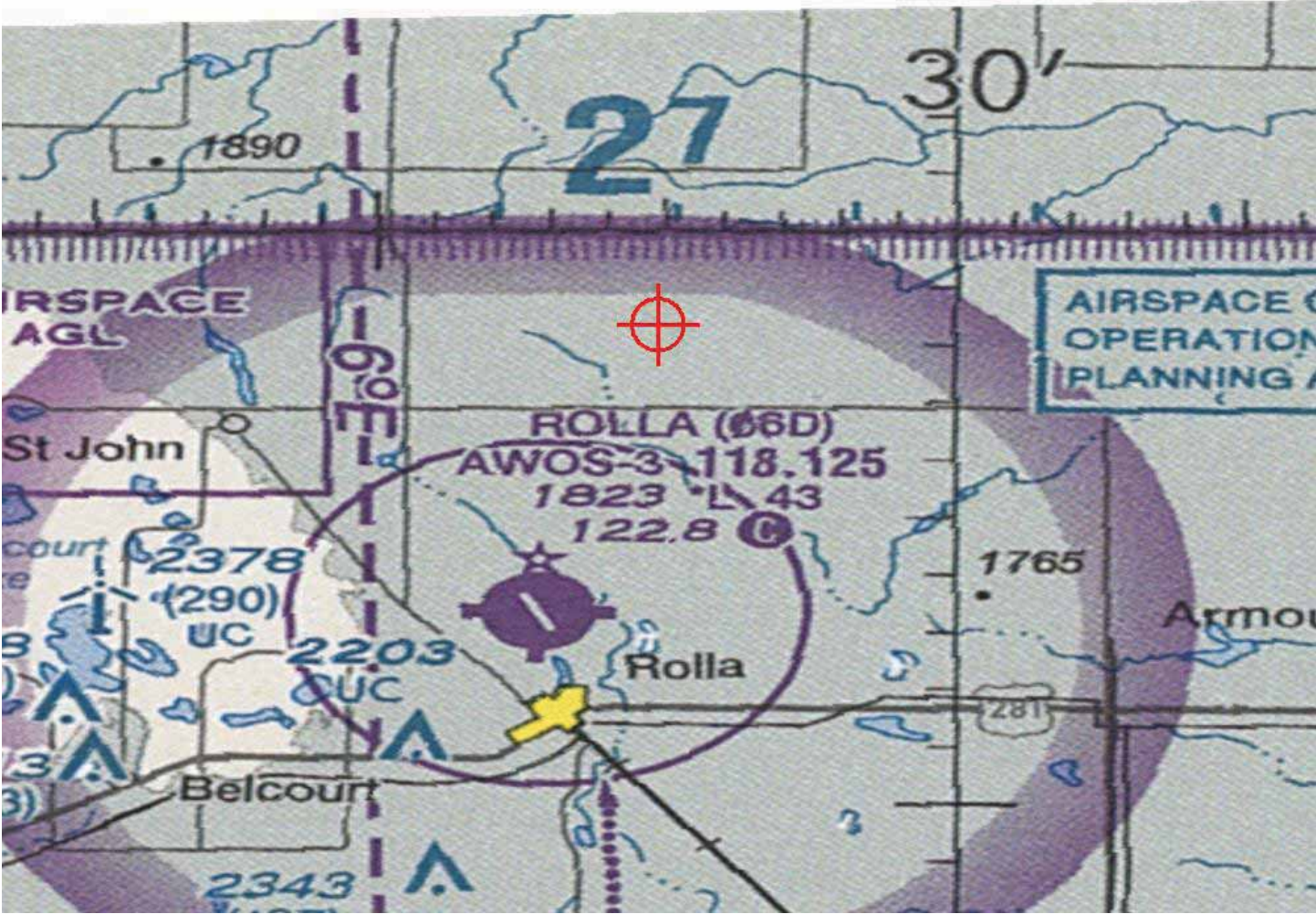
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1229-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1230-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T4
 Location: St. John, ND
 Latitude: 48-58-26.61N NAD 83
 Longitude: 99-43-05.78W
 Heights: 1899 feet site elevation (SE)
 481 feet above ground level (AGL)
 2380 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

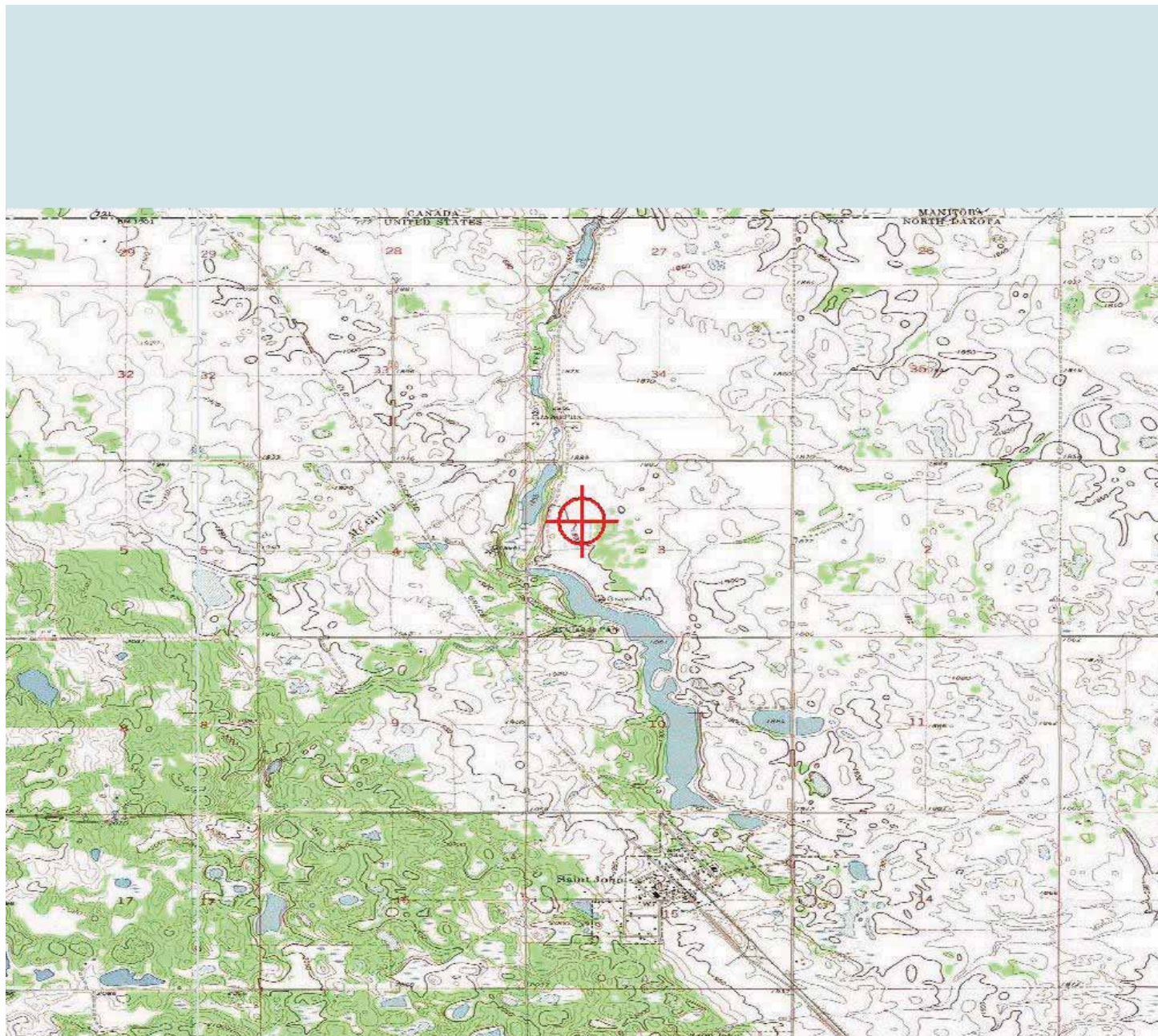
If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1230-OE.

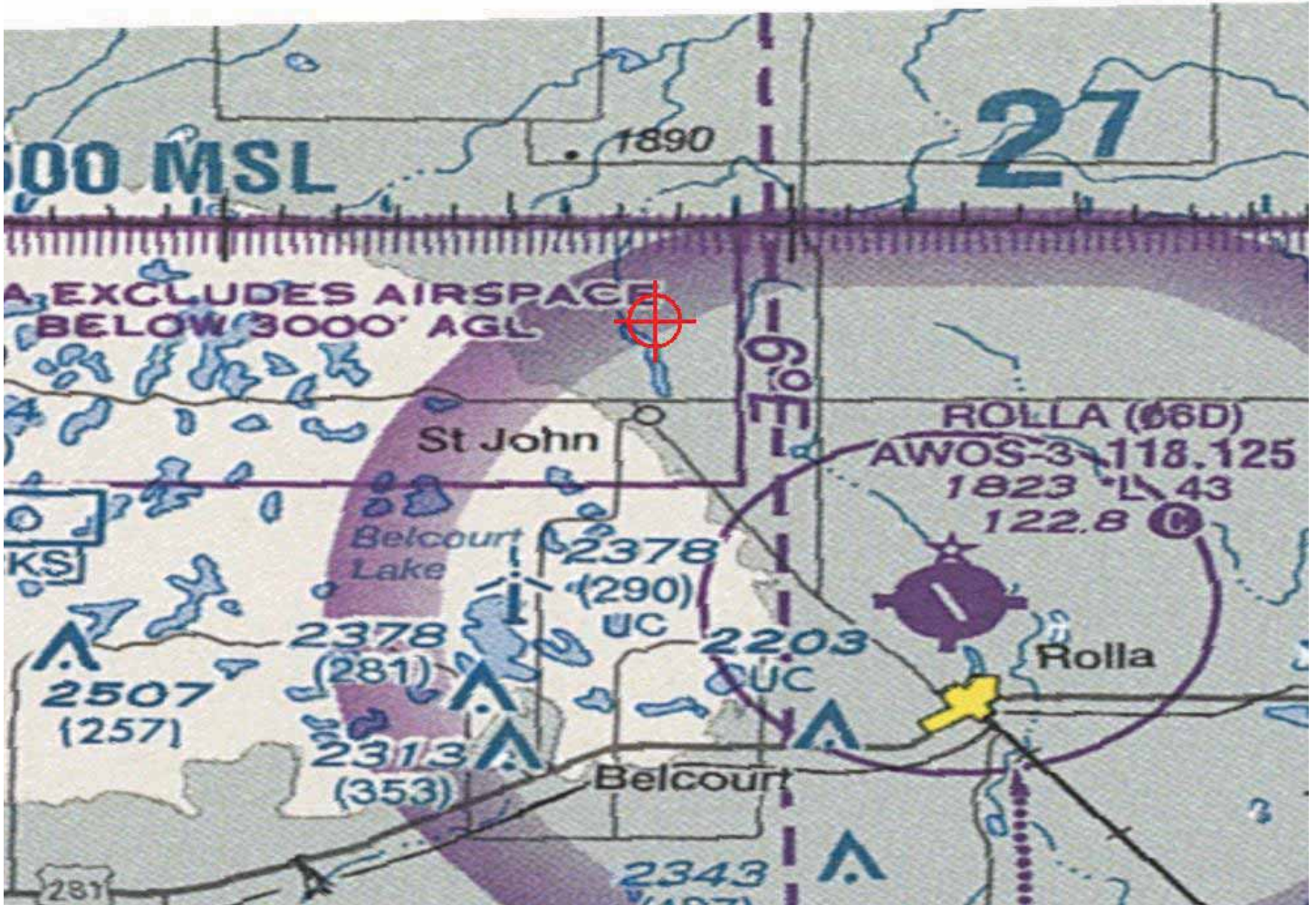
Signature Control No: 208917936-220233176

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1231-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T5
 Location: St. John, ND
 Latitude: 48-58-31.64N NAD 83
 Longitude: 99-42-41.78W
 Heights: 1898 feet site elevation (SE)
 481 feet above ground level (AGL)
 2379 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1231-OE.

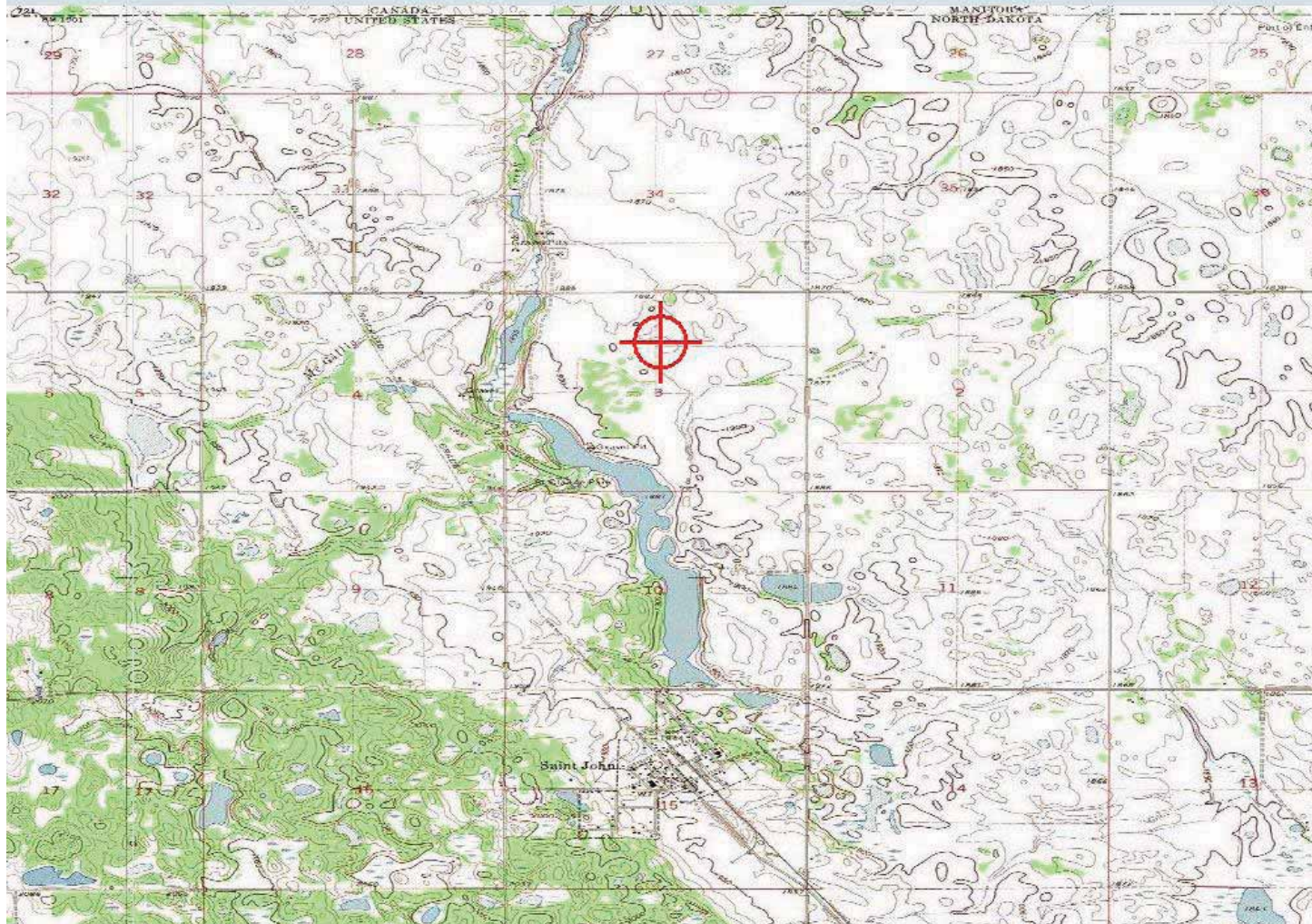
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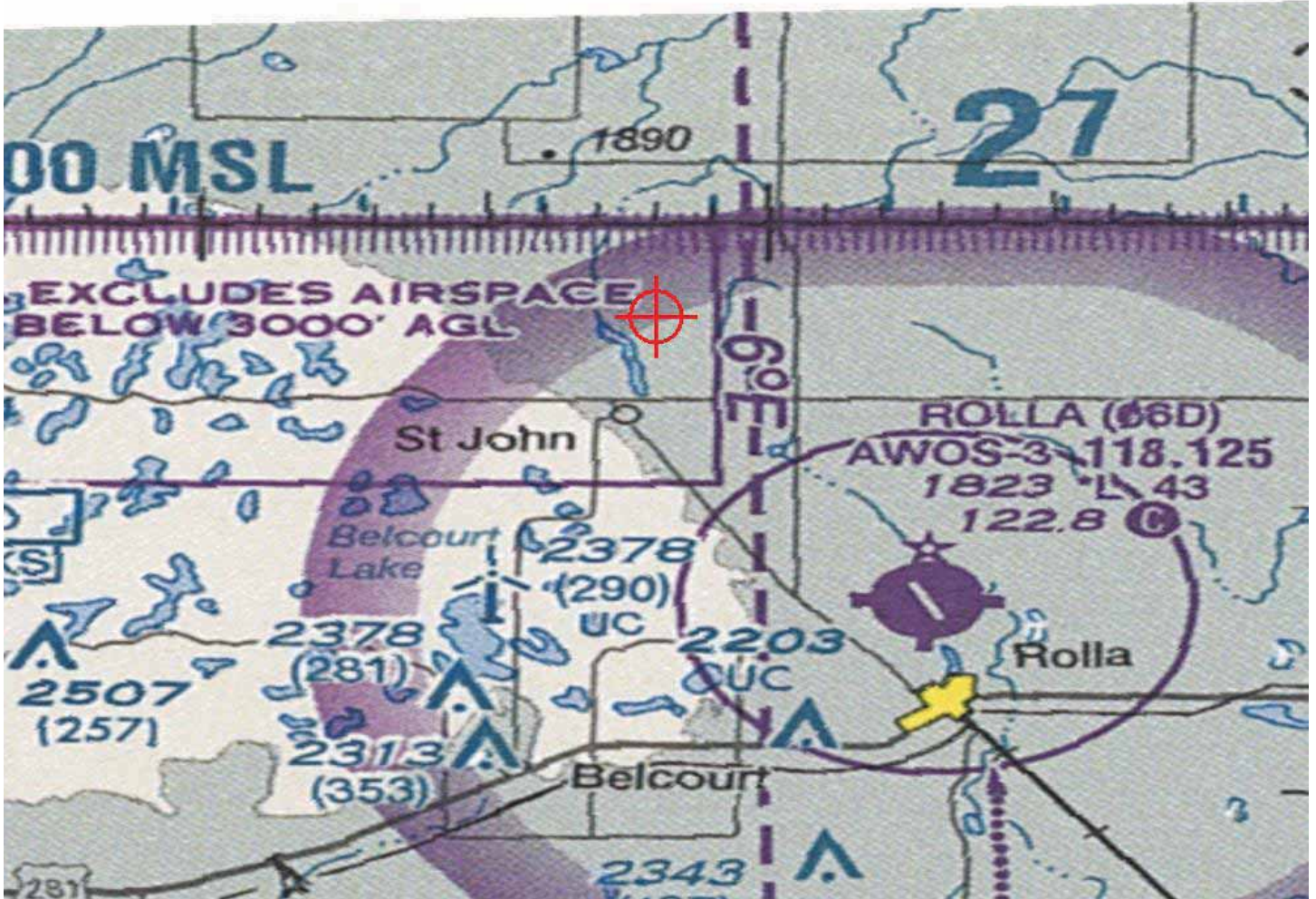
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1231-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1232-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T6
 Location: St. John, ND
 Latitude: 48-58-37.82N NAD 83
 Longitude: 99-42-19.92W
 Heights: 1878 feet site elevation (SE)
 481 feet above ground level (AGL)
 2359 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

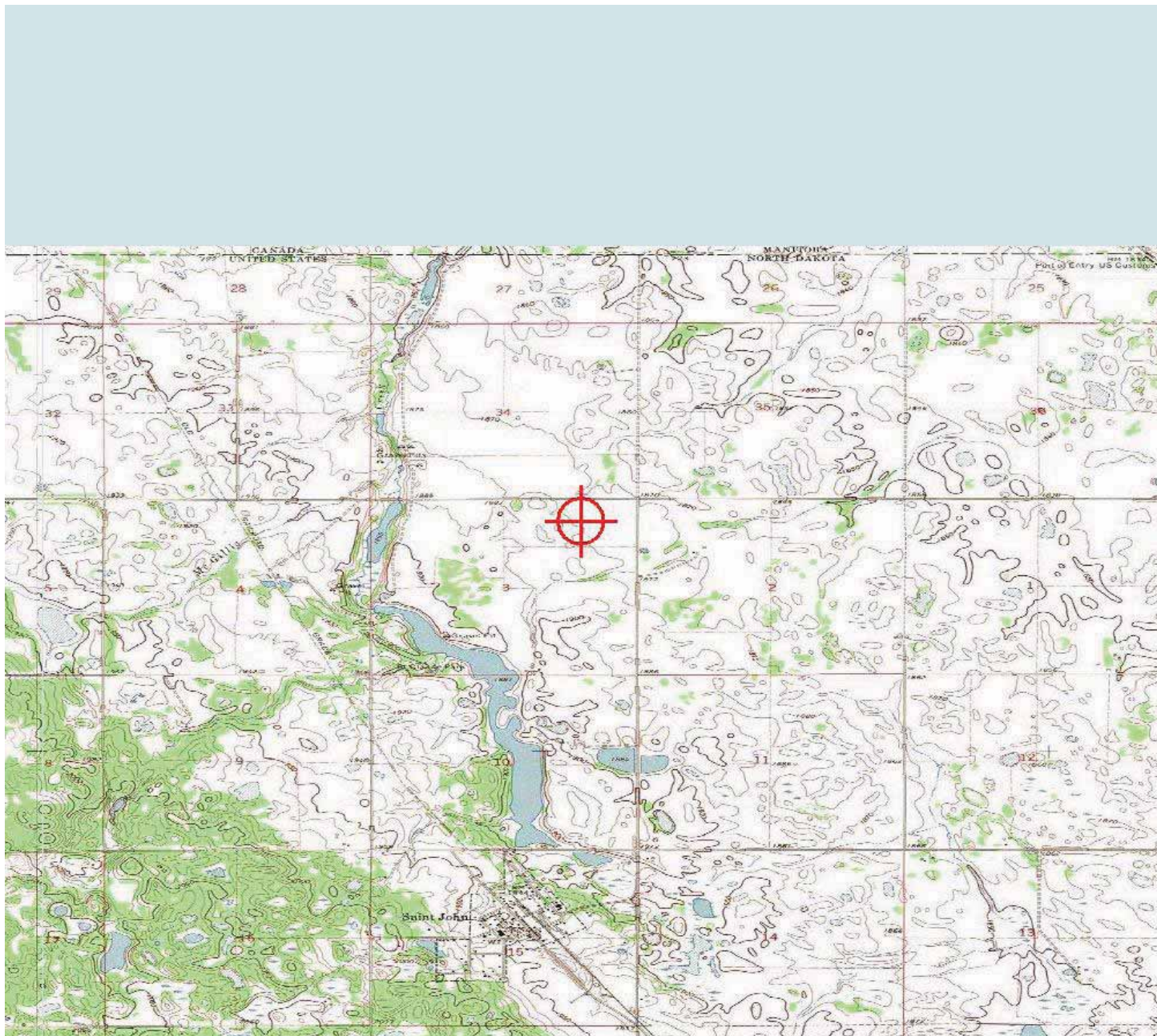
If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1232-OE.

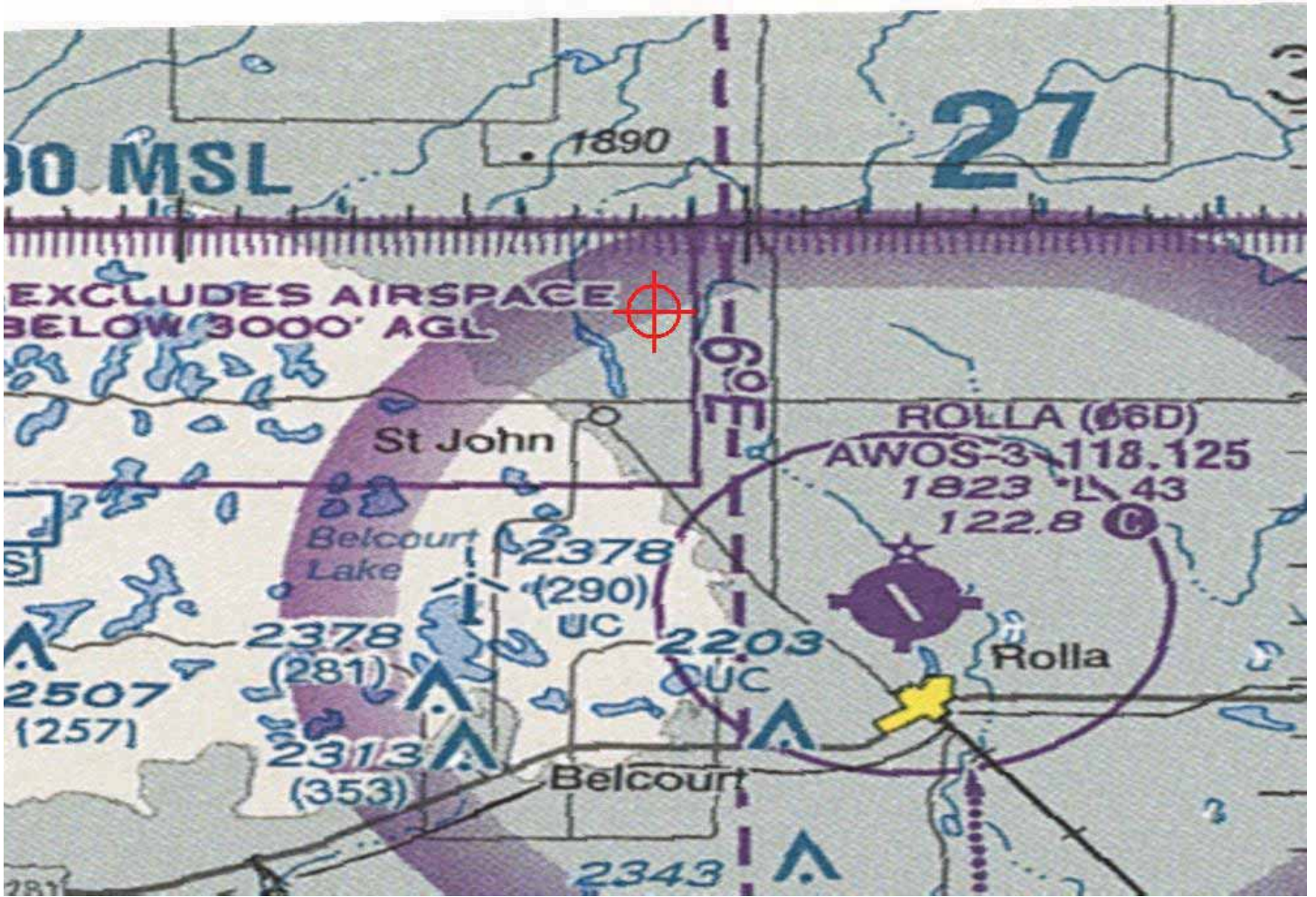
Signature Control No: 208917941-220233183

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1233-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T7
 Location: St. John, ND
 Latitude: 48-58-52.69N NAD 83
 Longitude: 99-41-52.48W
 Heights: 1867 feet site elevation (SE)
 481 feet above ground level (AGL)
 2348 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1233-OE.

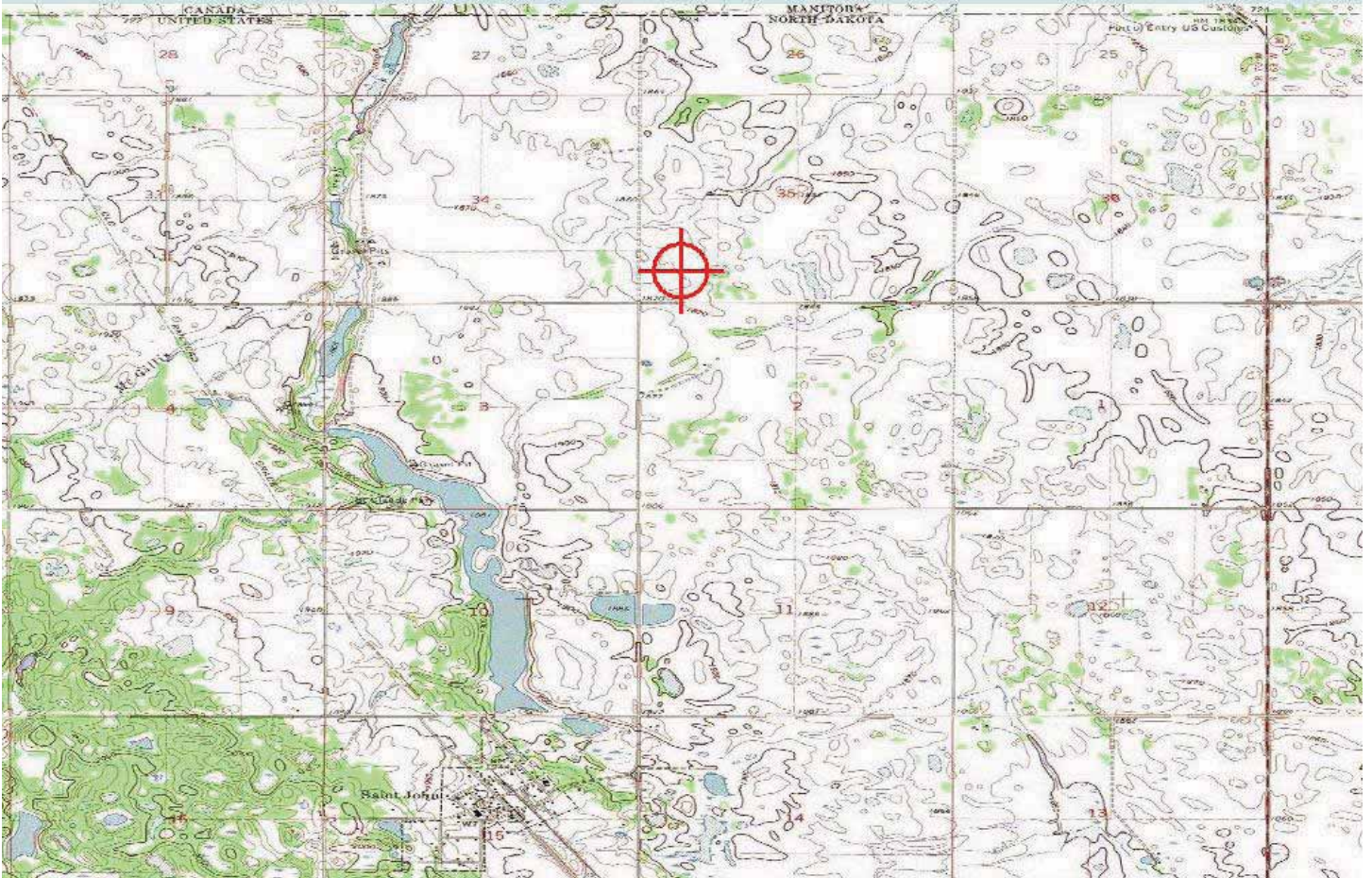
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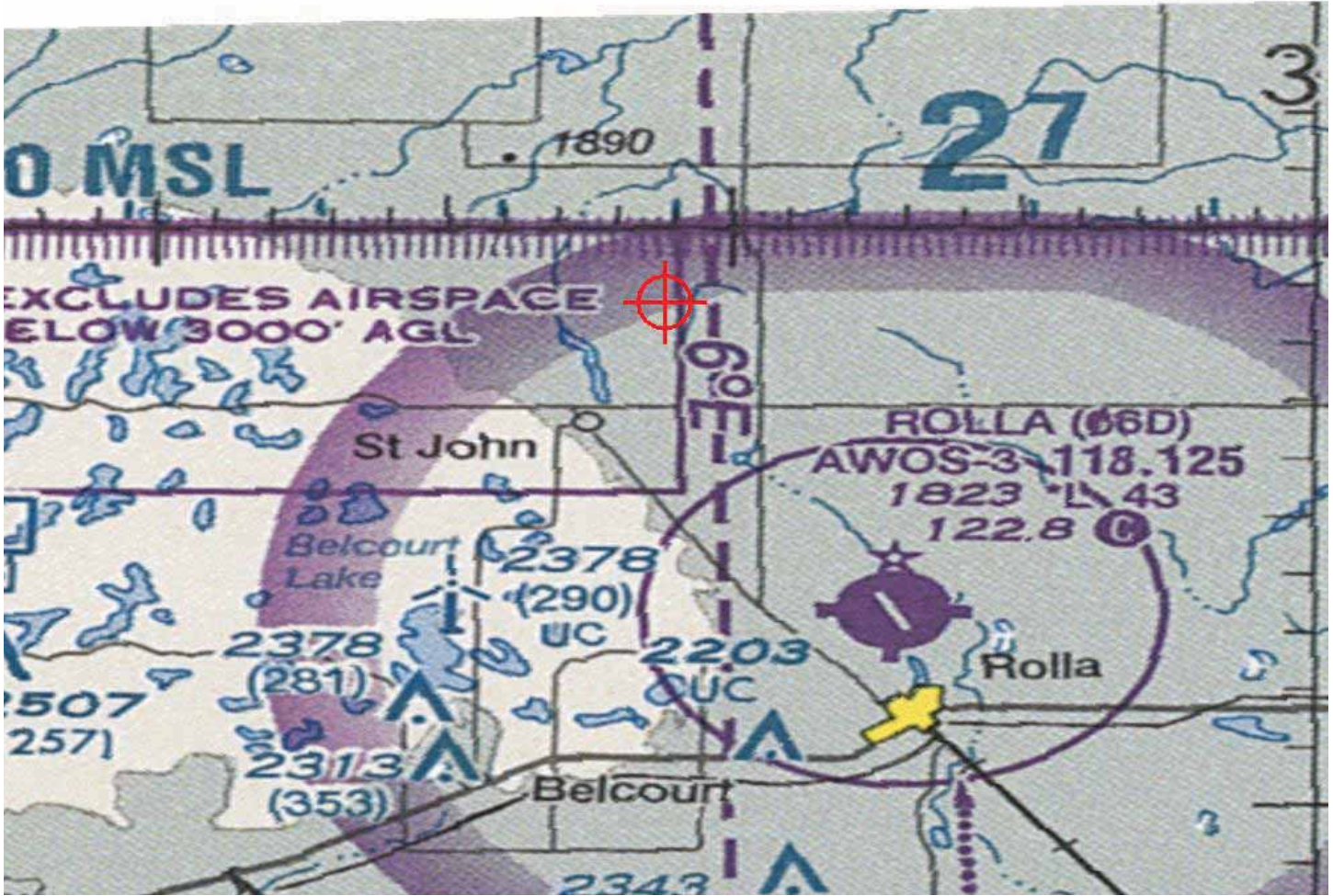
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)

Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1234-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T8
 Location: St. John, ND
 Latitude: 48-58-57.67N NAD 83
 Longitude: 99-41-15.77W
 Heights: 1870 feet site elevation (SE)
 481 feet above ground level (AGL)
 2351 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1234-OE.

Signature Control No: 208917944-220233192

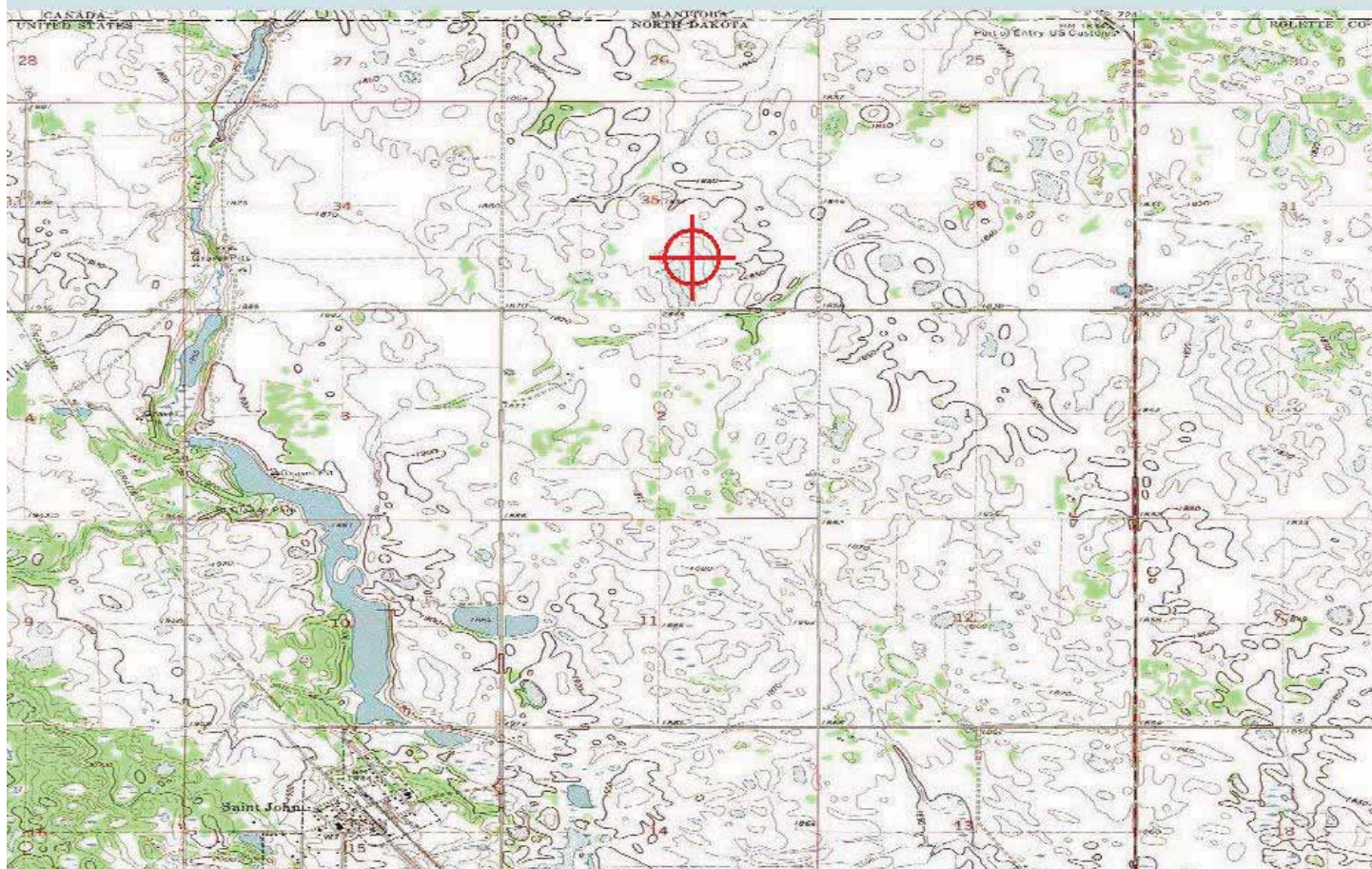
Donna O'Neill
Specialist

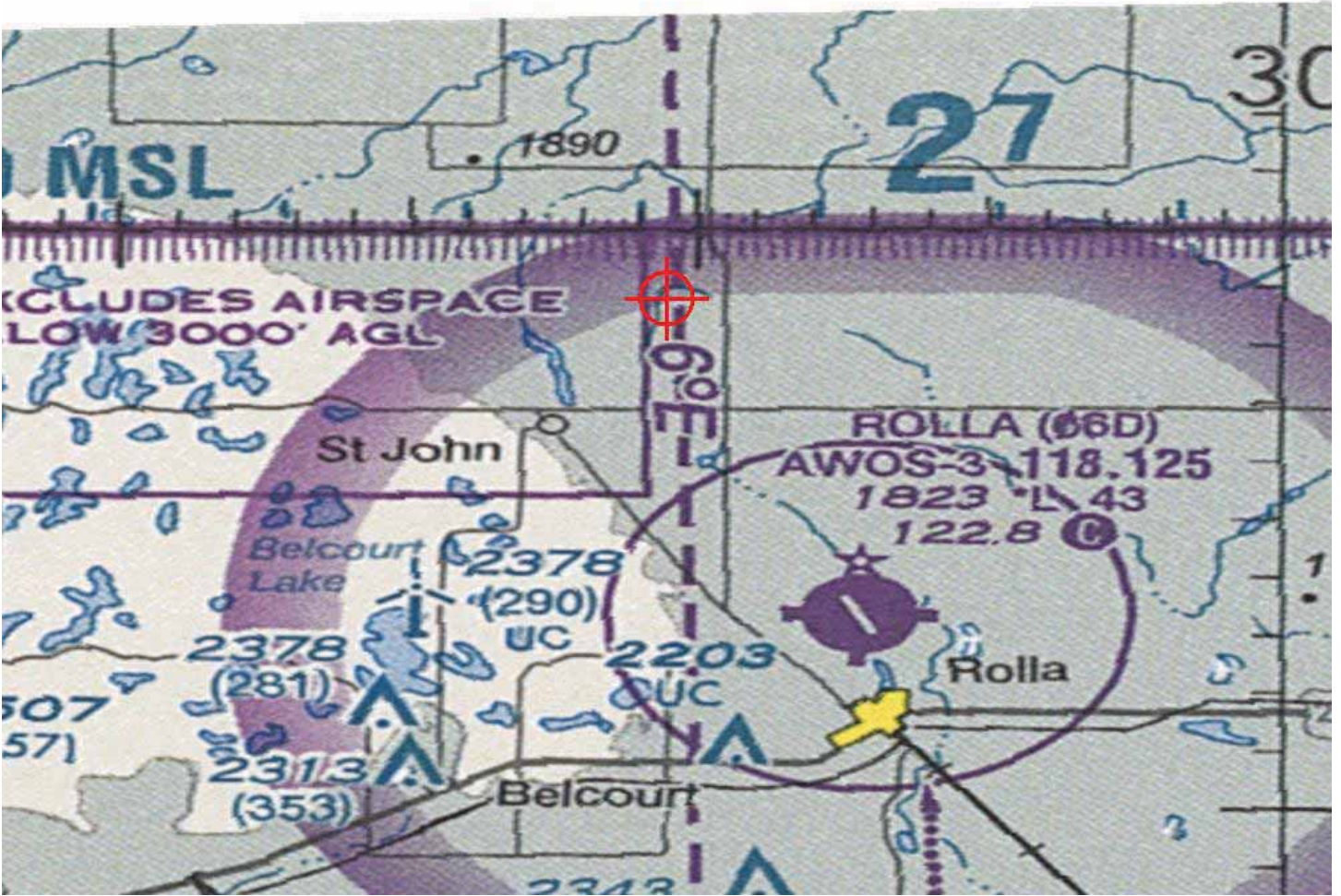
(DNE -WT)

Attachment(s)

Map(s)

TOPO Map for ASN 2014-WTE-1234-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1235-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T9
 Location: St. John, ND
 Latitude: 48-59-05.43N NAD 83
 Longitude: 99-40-55.57W
 Heights: 1845 feet site elevation (SE)
 481 feet above ground level (AGL)
 2326 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

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This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

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Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1235-OE.

Signature Control No: 208917948-220233184

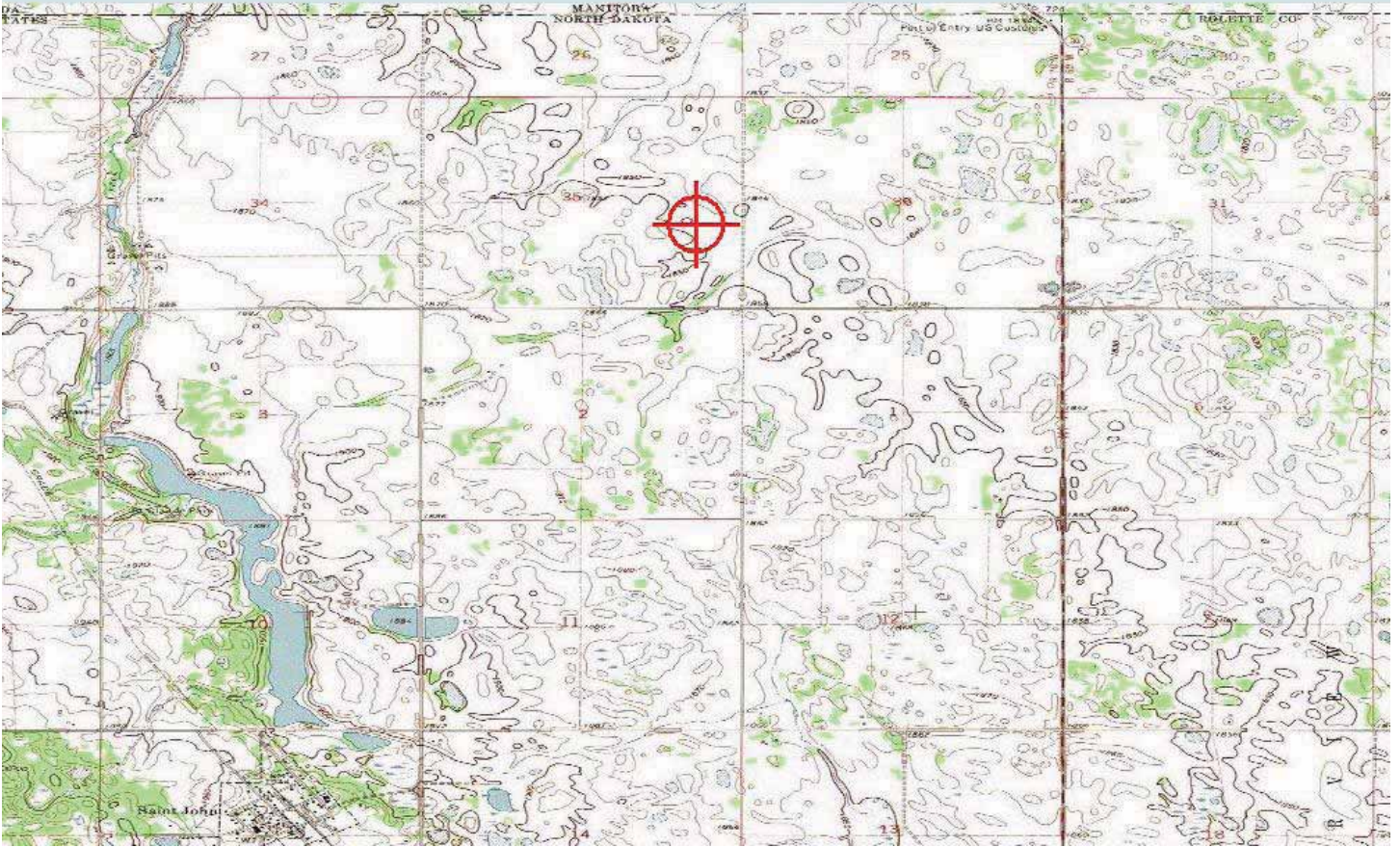
(DNE -WT)

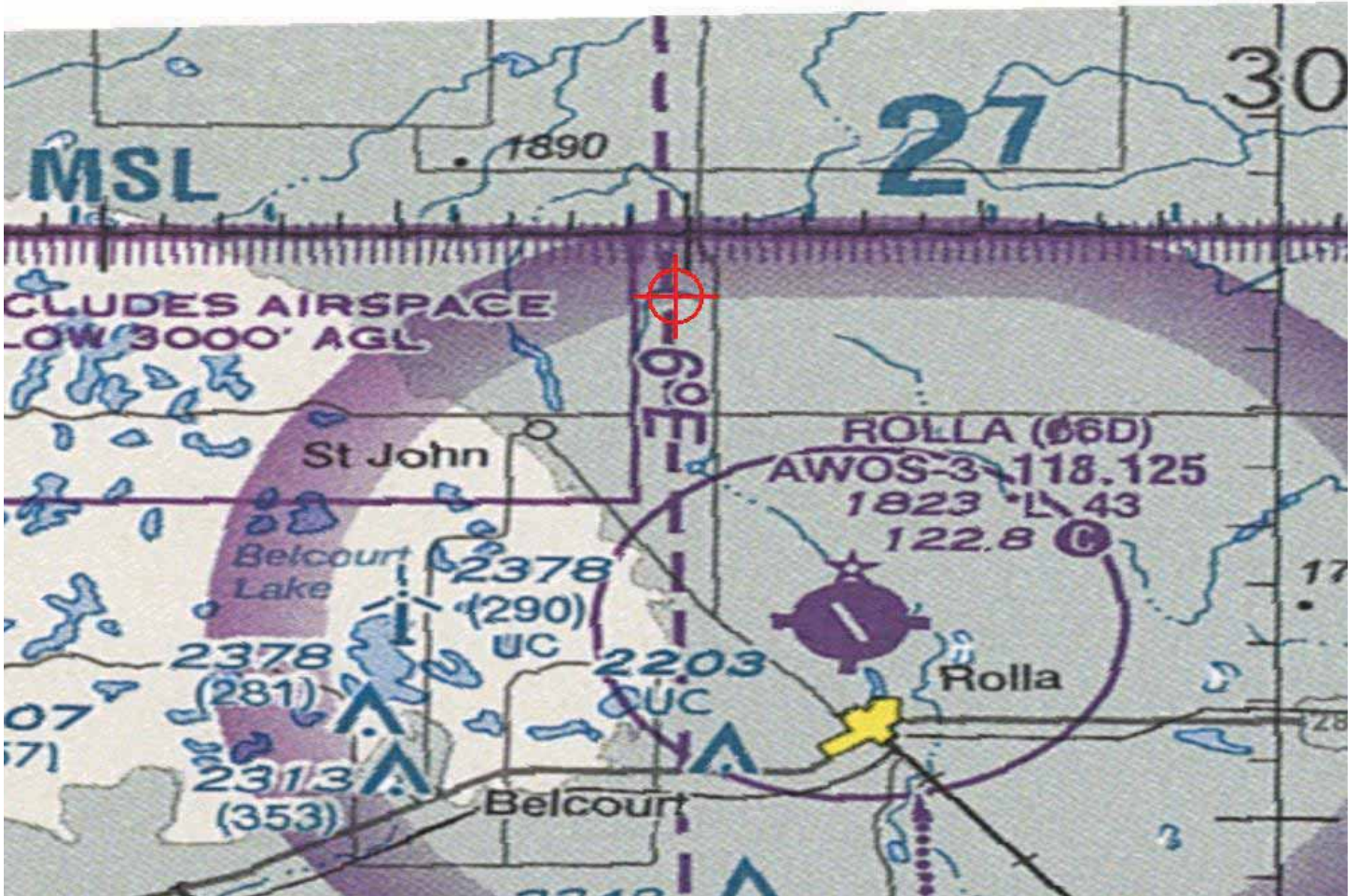
Donna O'Neill
Specialist

Attachment(s)

Map(s)

TOPO Map for ASN 2014-WTE-1235-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1236-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T10
 Location: St. John, ND
 Latitude: 48-59-13.91N NAD 83
 Longitude: 99-40-26.62W
 Heights: 1838 feet site elevation (SE)
 481 feet above ground level (AGL)
 2319 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

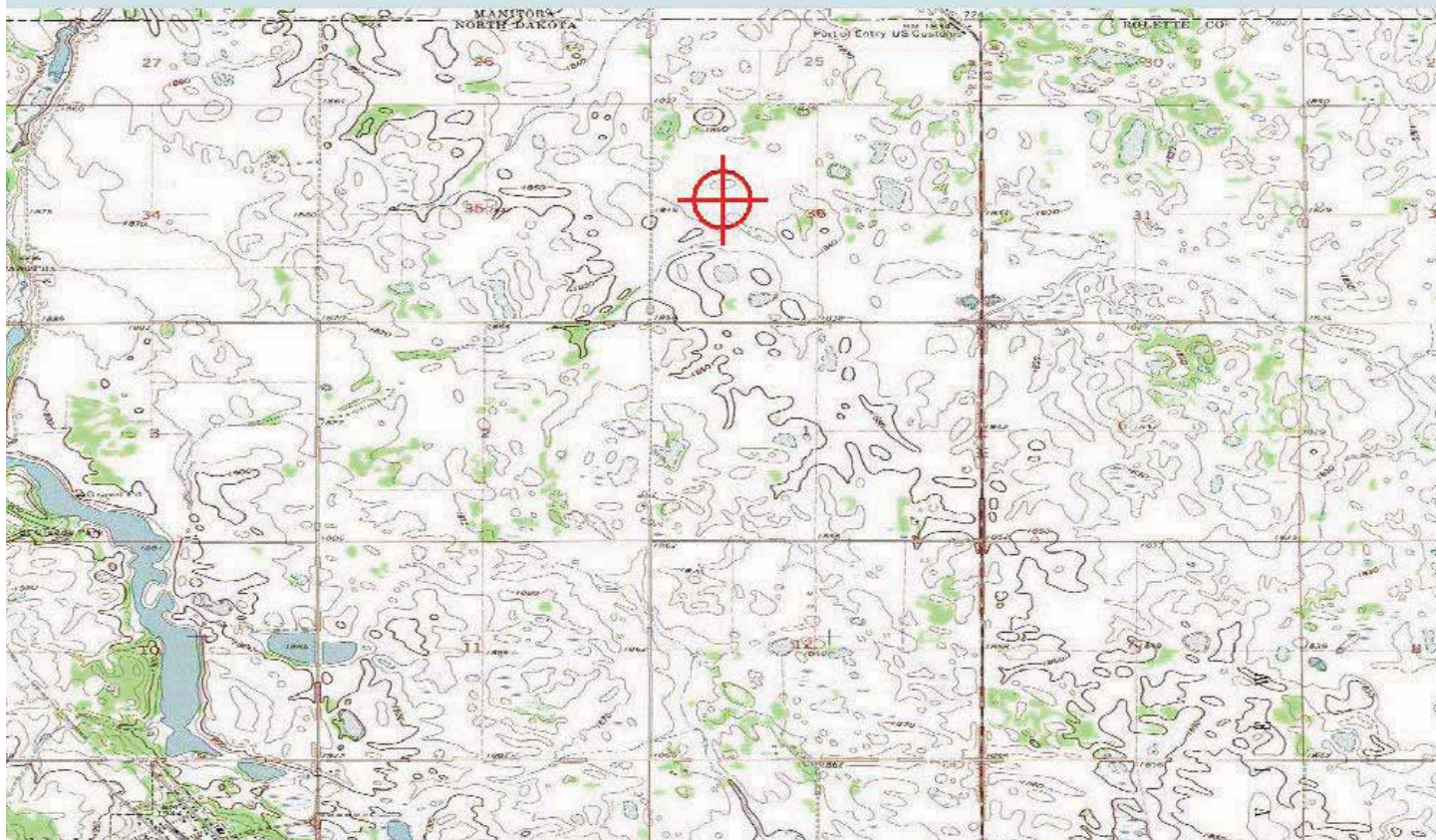
If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1236-OE.

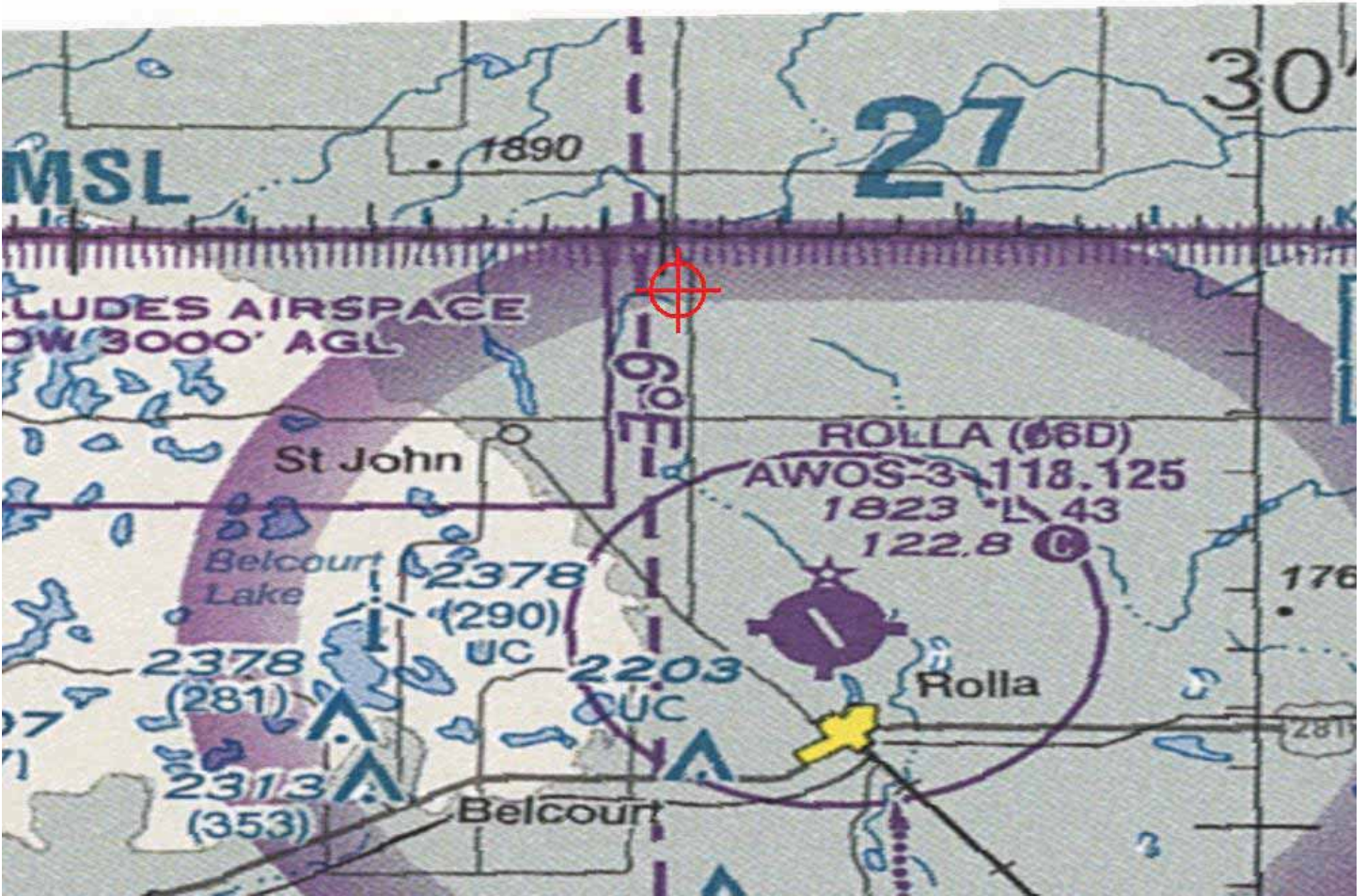
Signature Control No: 208917949-220233180

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1237-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T11
 Location: St. John, ND
 Latitude: 48-59-19.90N NAD 83
 Longitude: 99-40-12.11W
 Heights: 1835 feet site elevation (SE)
 481 feet above ground level (AGL)
 2316 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1237-OE.

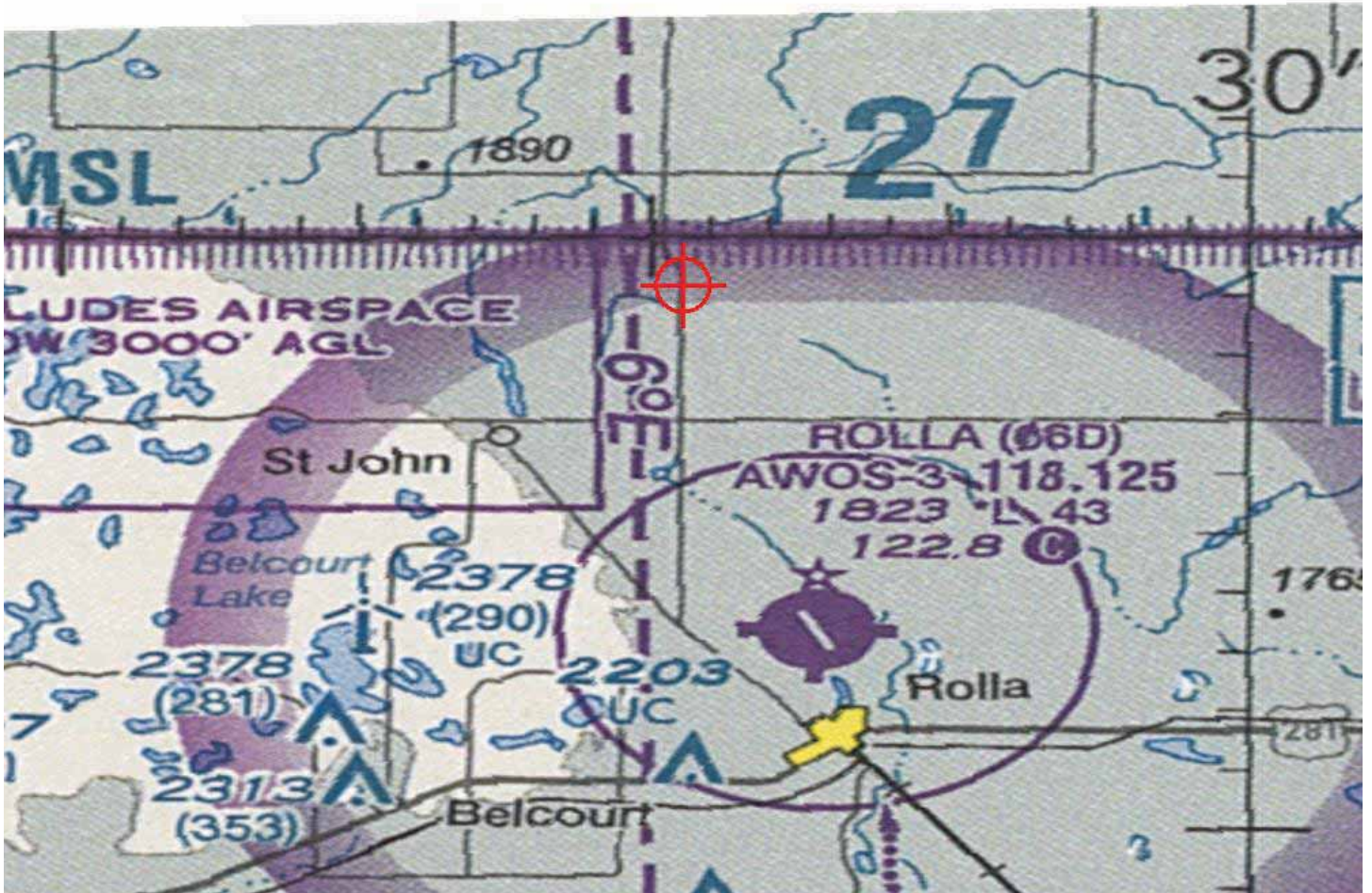
Signature Control No: 208917953-220233187

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1238-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T12
 Location: St. John, ND
 Latitude: 48-57-11.67N NAD 83
 Longitude: 99-42-14.46W
 Heights: 1909 feet site elevation (SE)
 481 feet above ground level (AGL)
 2390 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1238-OE.

Signature Control No: 208917962-220231820

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1238-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

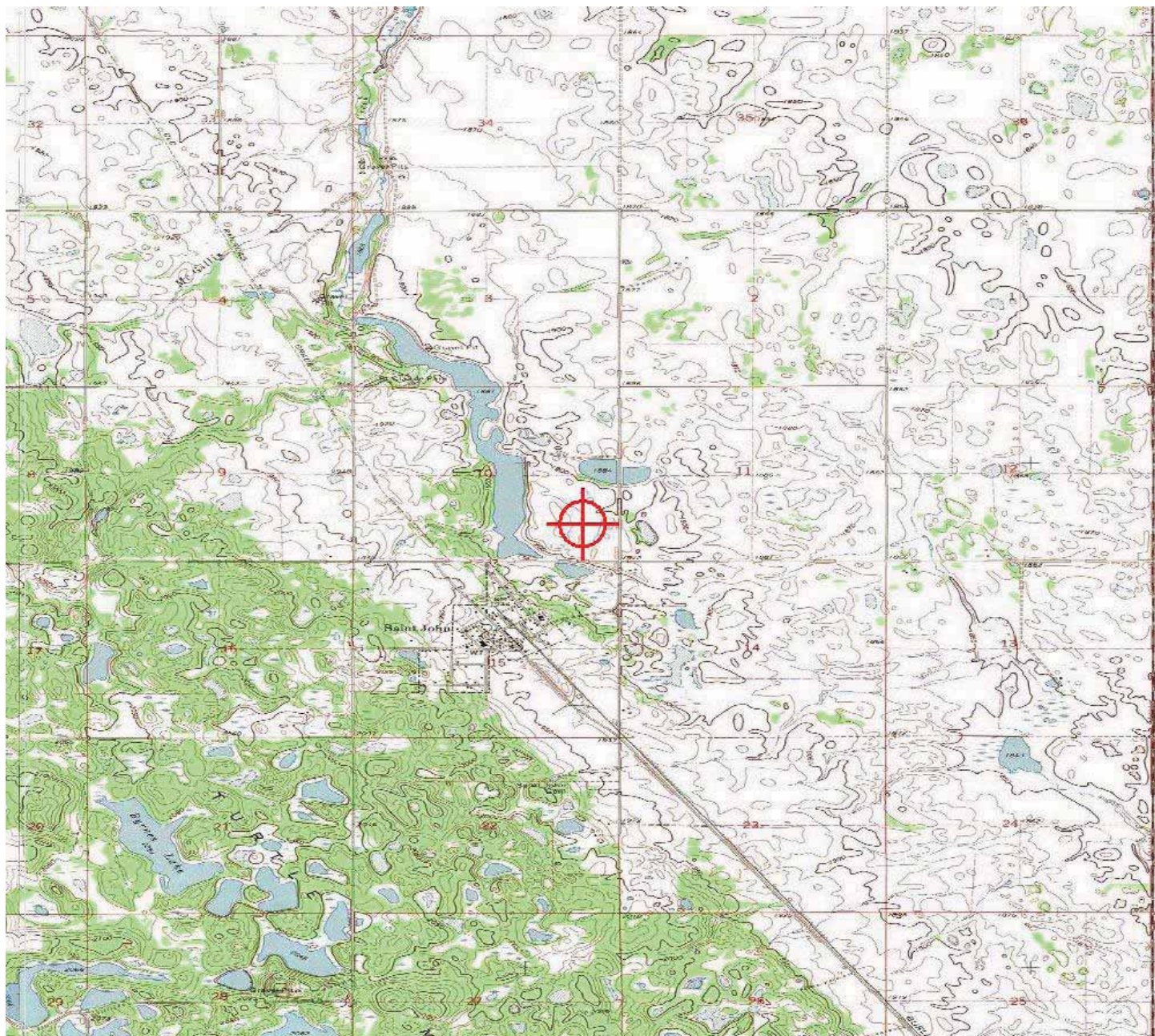
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

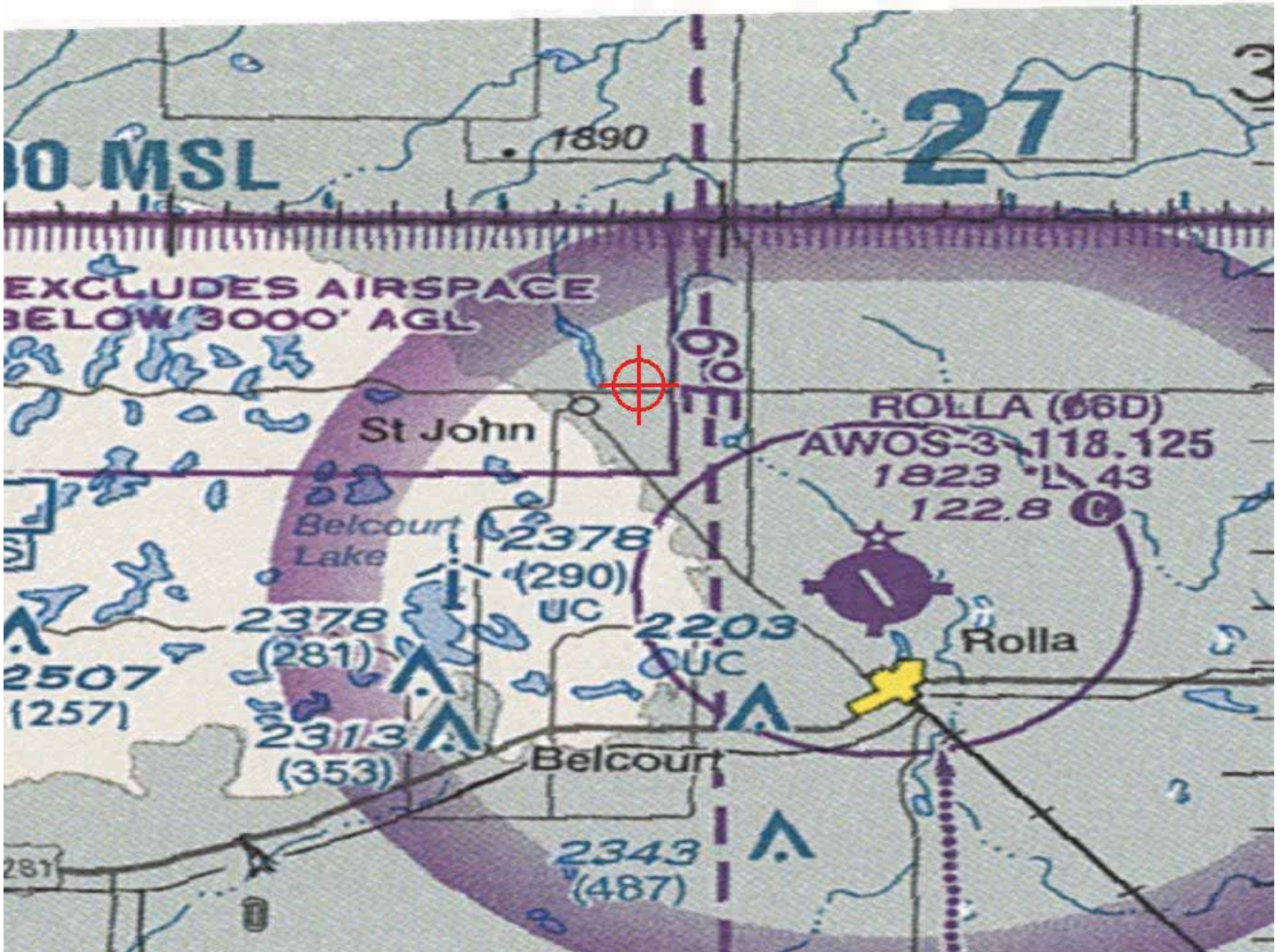
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1239-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T13
 Location: St. John, ND
 Latitude: 48-57-12.58N NAD 83
 Longitude: 99-41-39.11W
 Heights: 1891 feet site elevation (SE)
 481 feet above ground level (AGL)
 2372 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1239-OE.

Signature Control No: 208917963-220231818

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1239-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
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2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

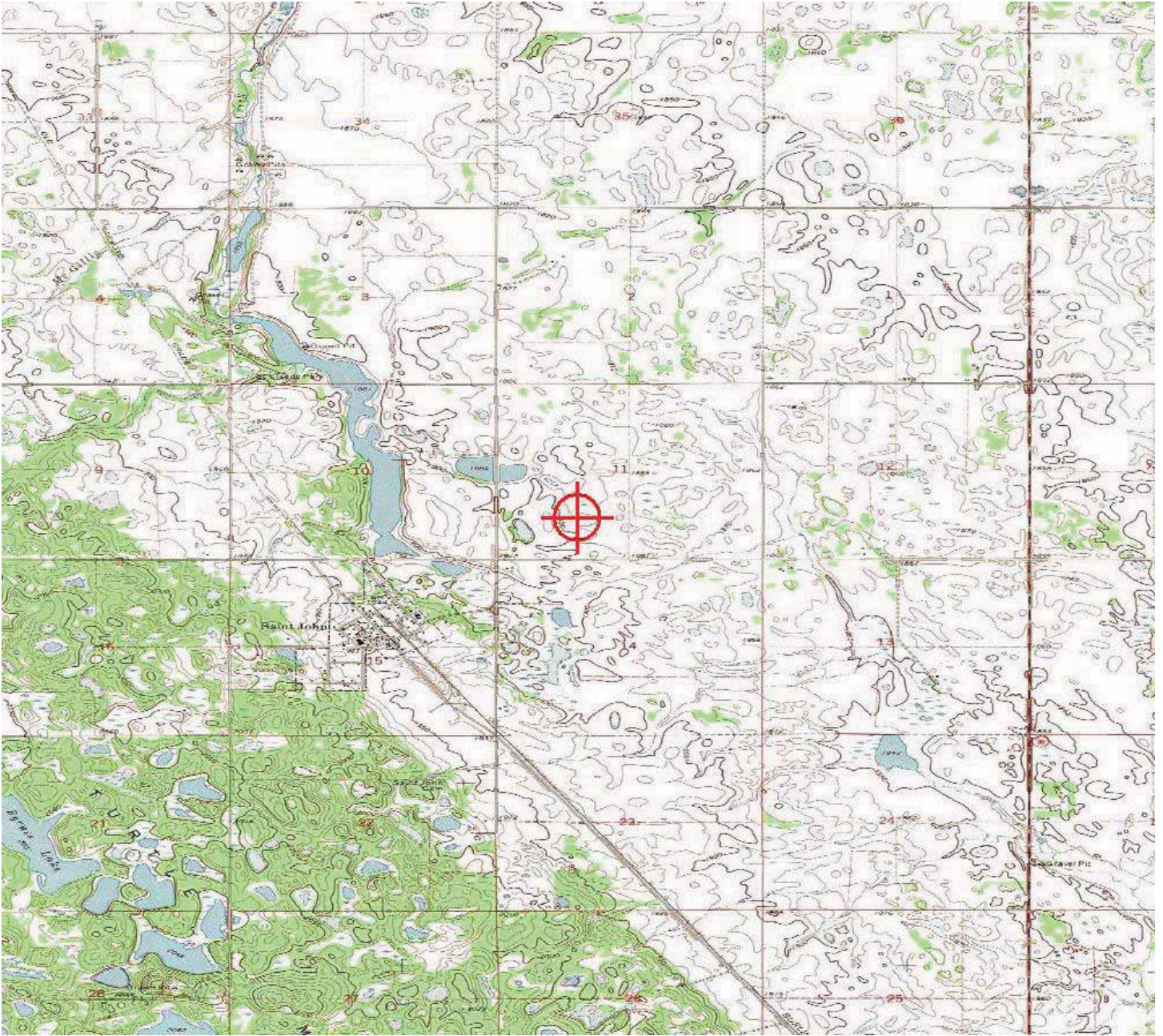
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

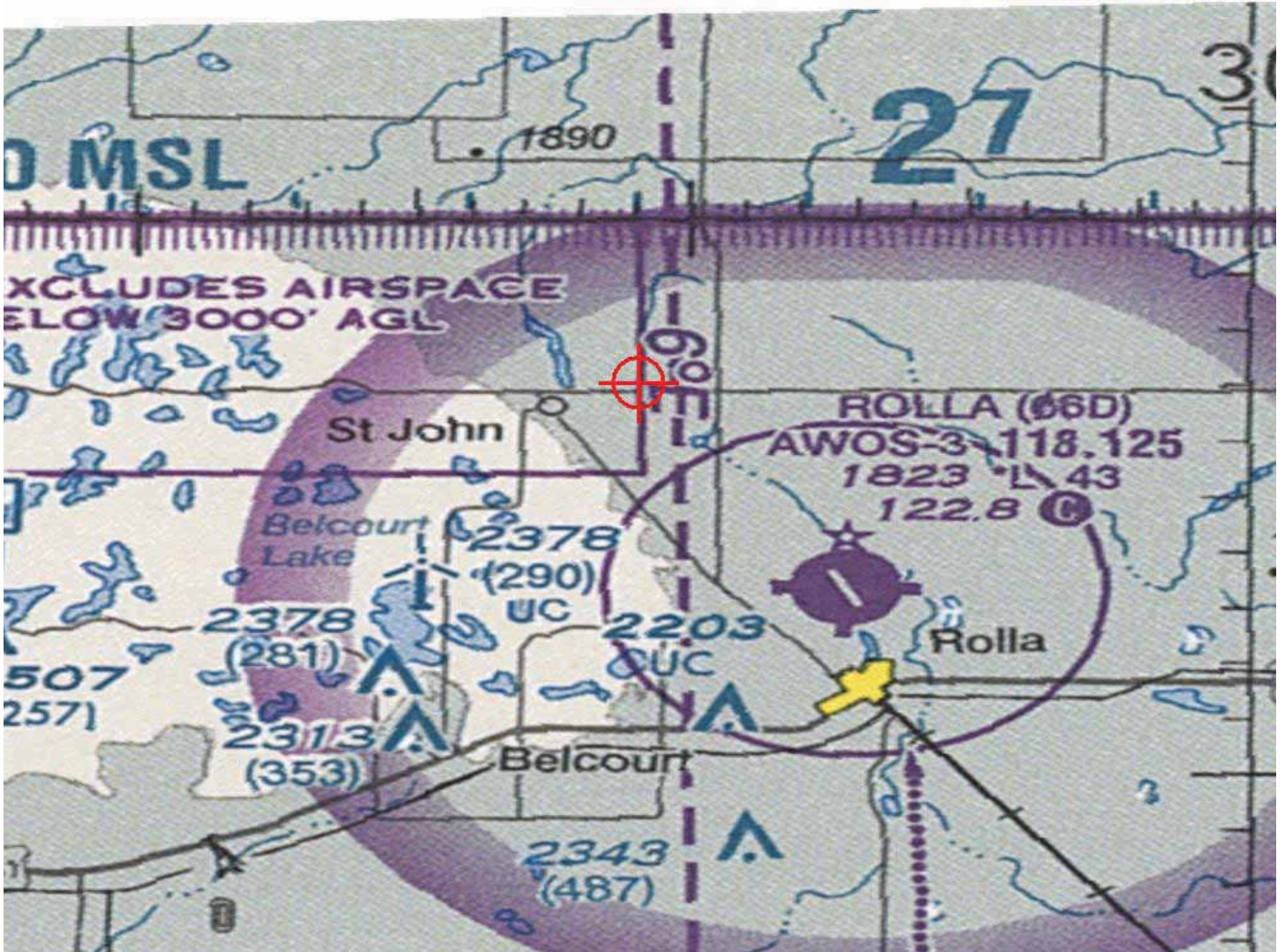
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1240-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T14
 Location: St. John, ND
 Latitude: 48-57-25.23N NAD 83
 Longitude: 99-41-22.82W
 Heights: 1885 feet site elevation (SE)
 481 feet above ground level (AGL)
 2366 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1240-OE.

Signature Control No: 208917964-220231828

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1240-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

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2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

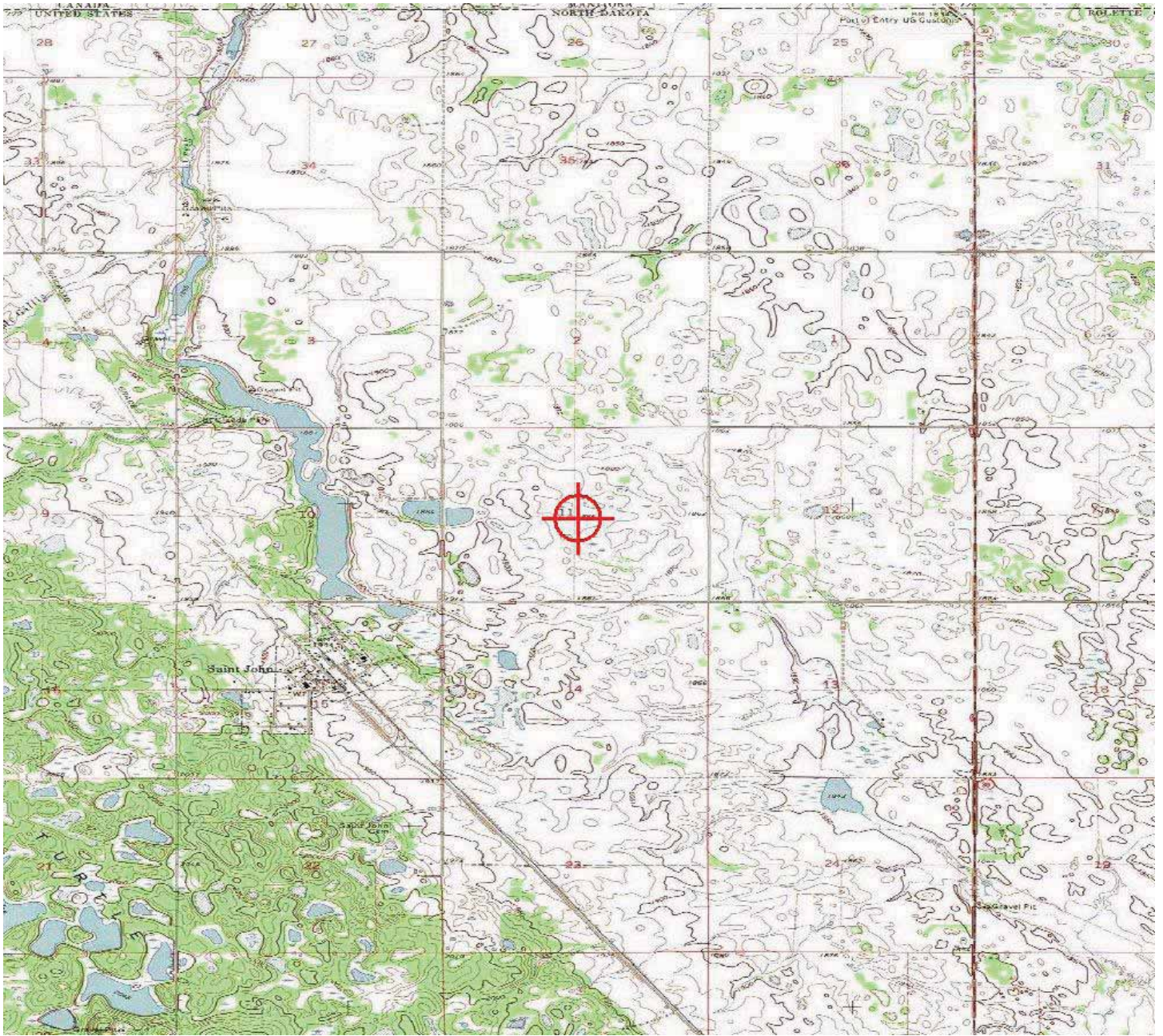
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

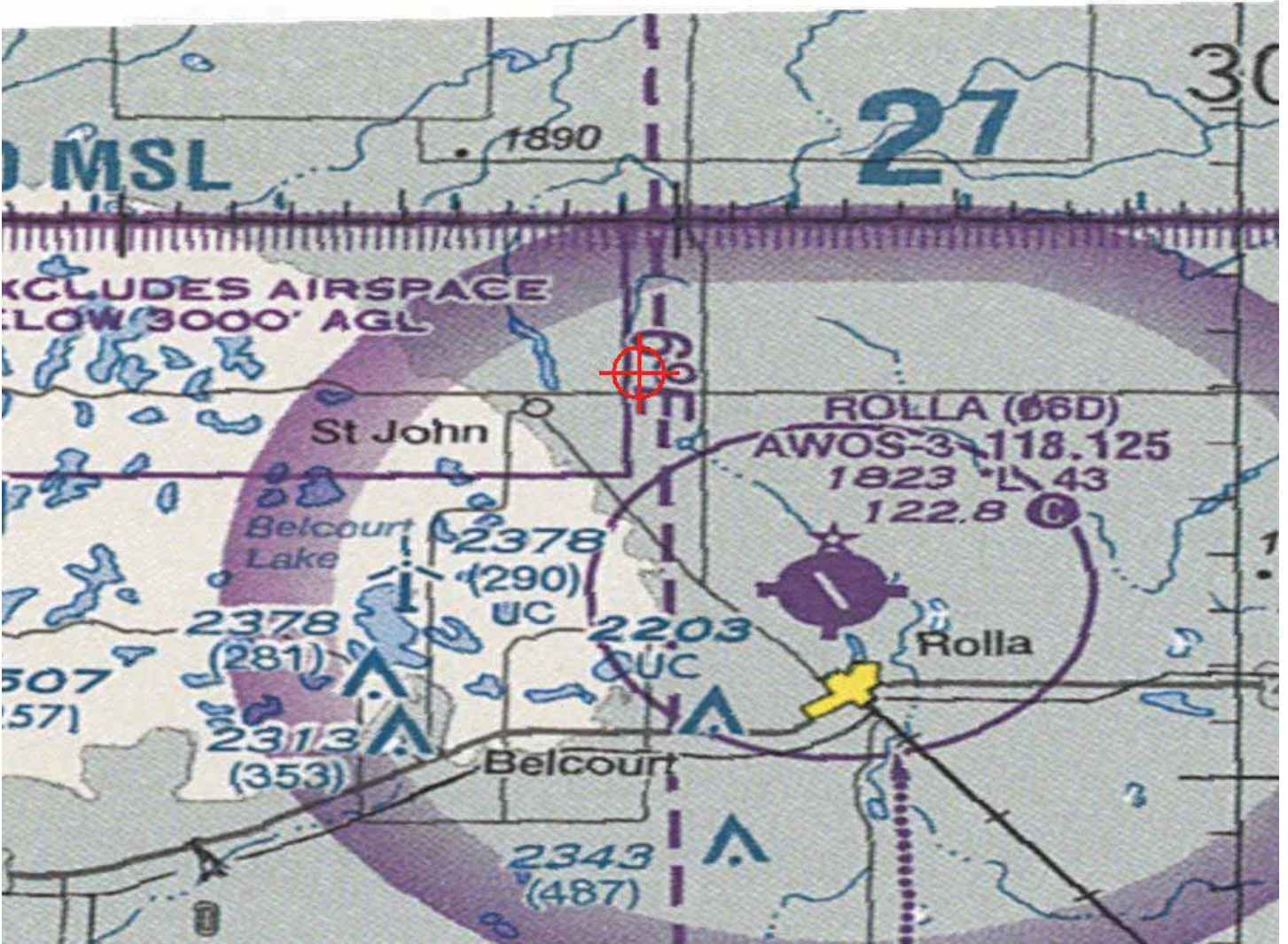
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1240-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1241-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T15
 Location: St. John, ND
 Latitude: 48-57-31.29N NAD 83
 Longitude: 99-40-59.99W
 Heights: 1878 feet site elevation (SE)
 481 feet above ground level (AGL)
 2359 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1241-OE.

Signature Control No: 208917965-220231831

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1241-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

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2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

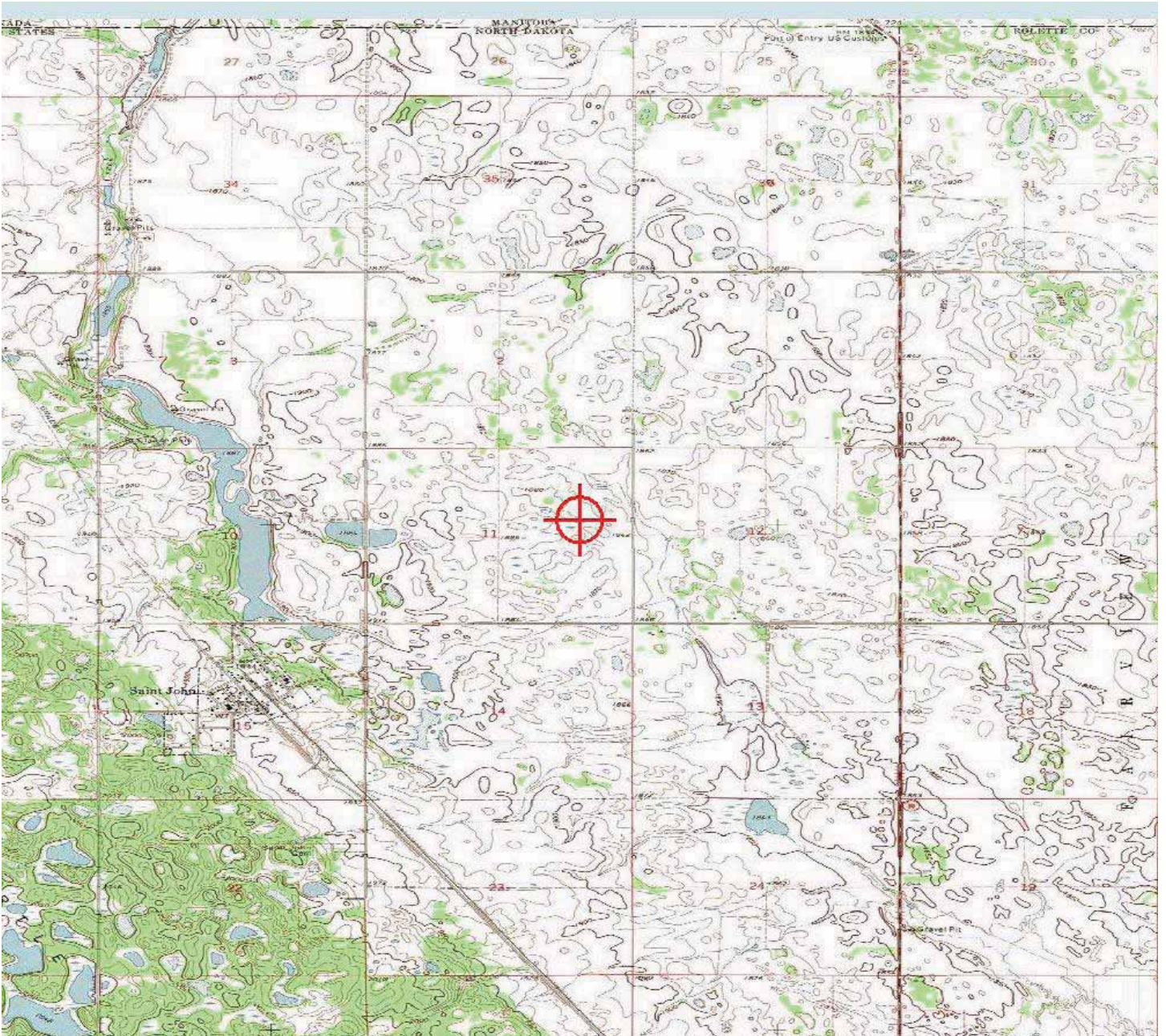
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1241-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1242-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T16
 Location: St. John, ND
 Latitude: 48-57-39.73N NAD 83
 Longitude: 99-40-33.30W
 Heights: 1873 feet site elevation (SE)
 481 feet above ground level (AGL)
 2354 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1242-OE.

Signature Control No: 208917966-220231821

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1242-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

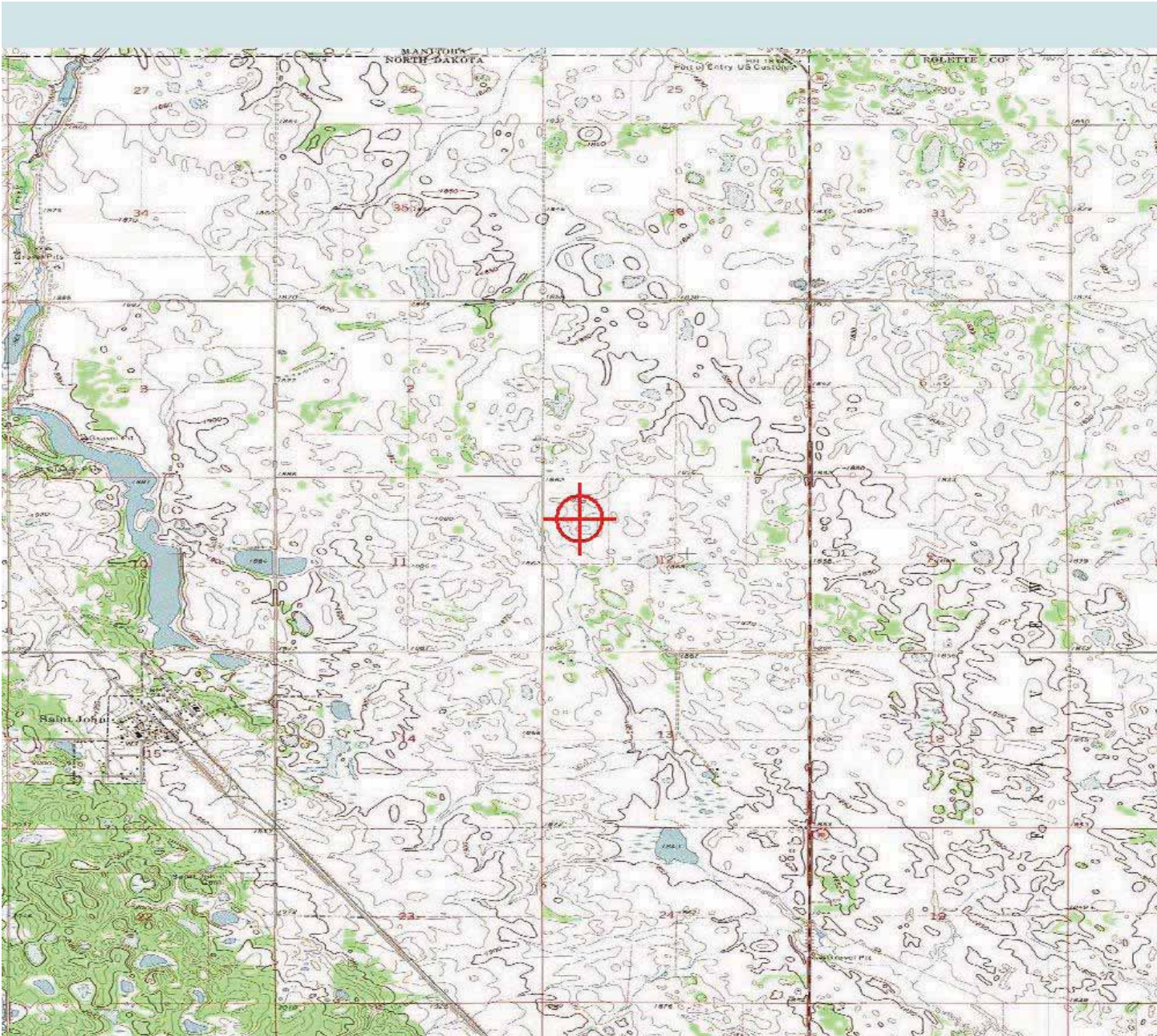
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

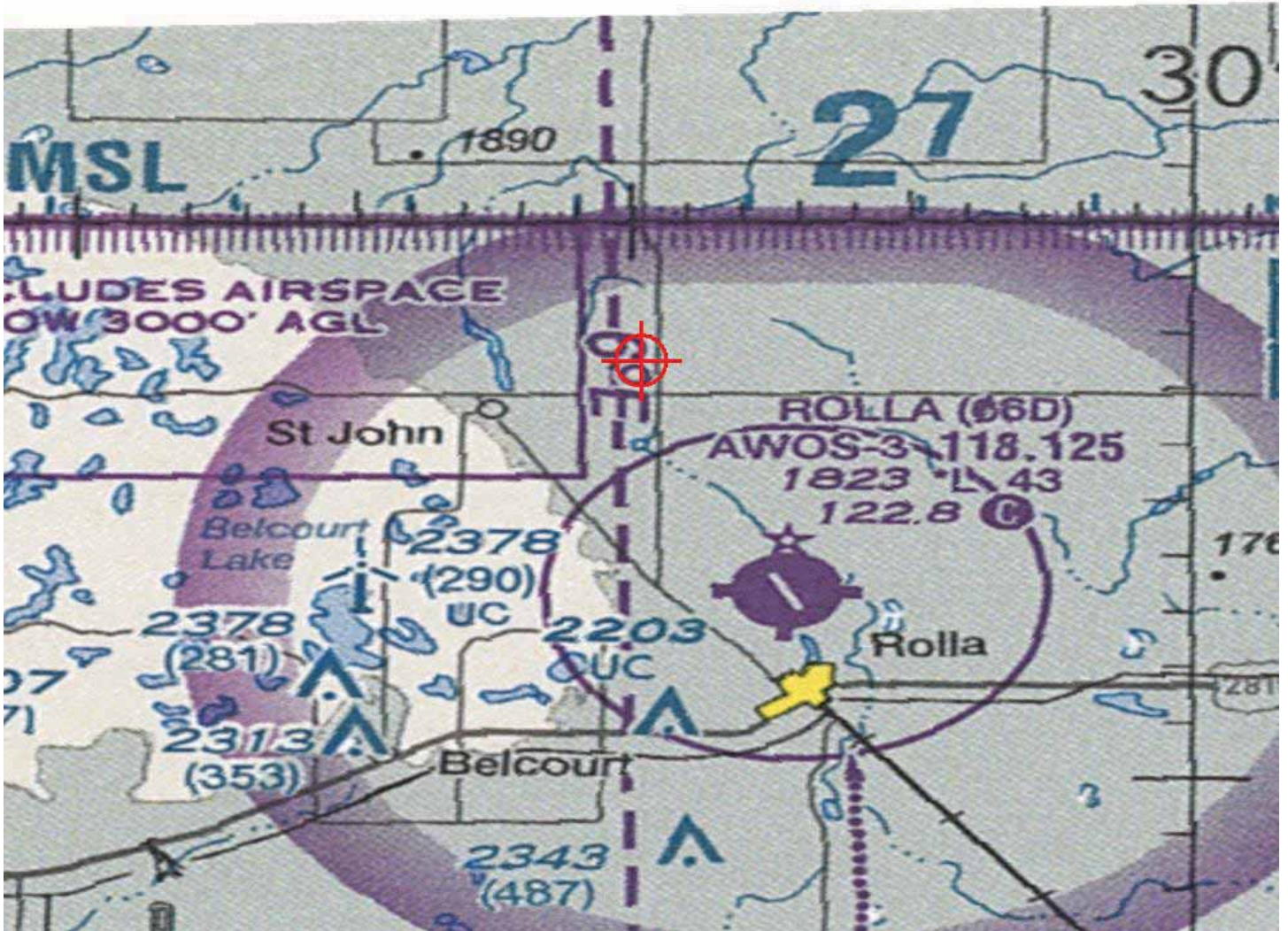
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1243-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T17
 Location: St. John, ND
 Latitude: 48-57-44.86N NAD 83
 Longitude: 99-40-14.30W
 Heights: 1864 feet site elevation (SE)
 481 feet above ground level (AGL)
 2345 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1243-OE.

Signature Control No: 208917968-220231835

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1243-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
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2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

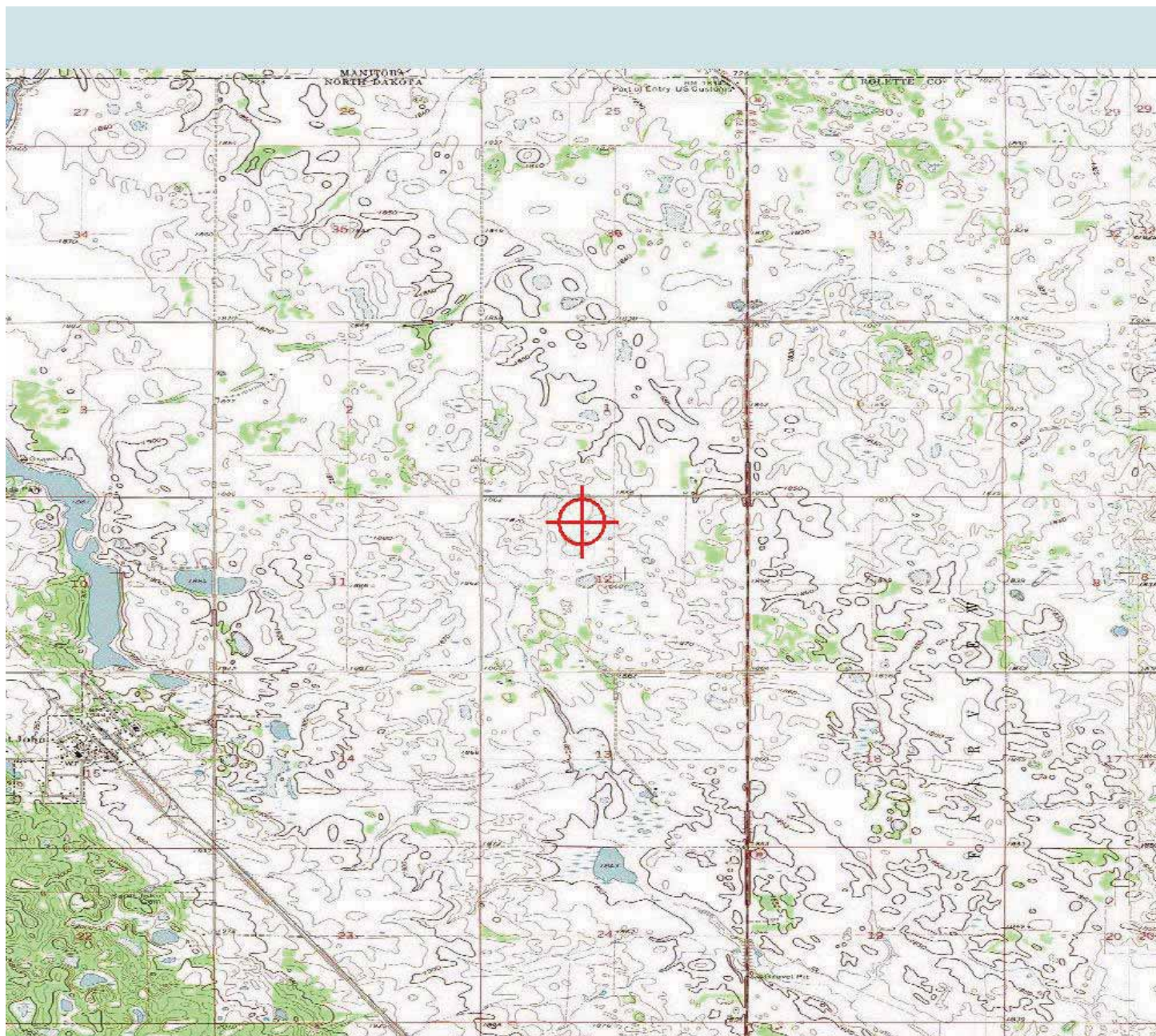
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

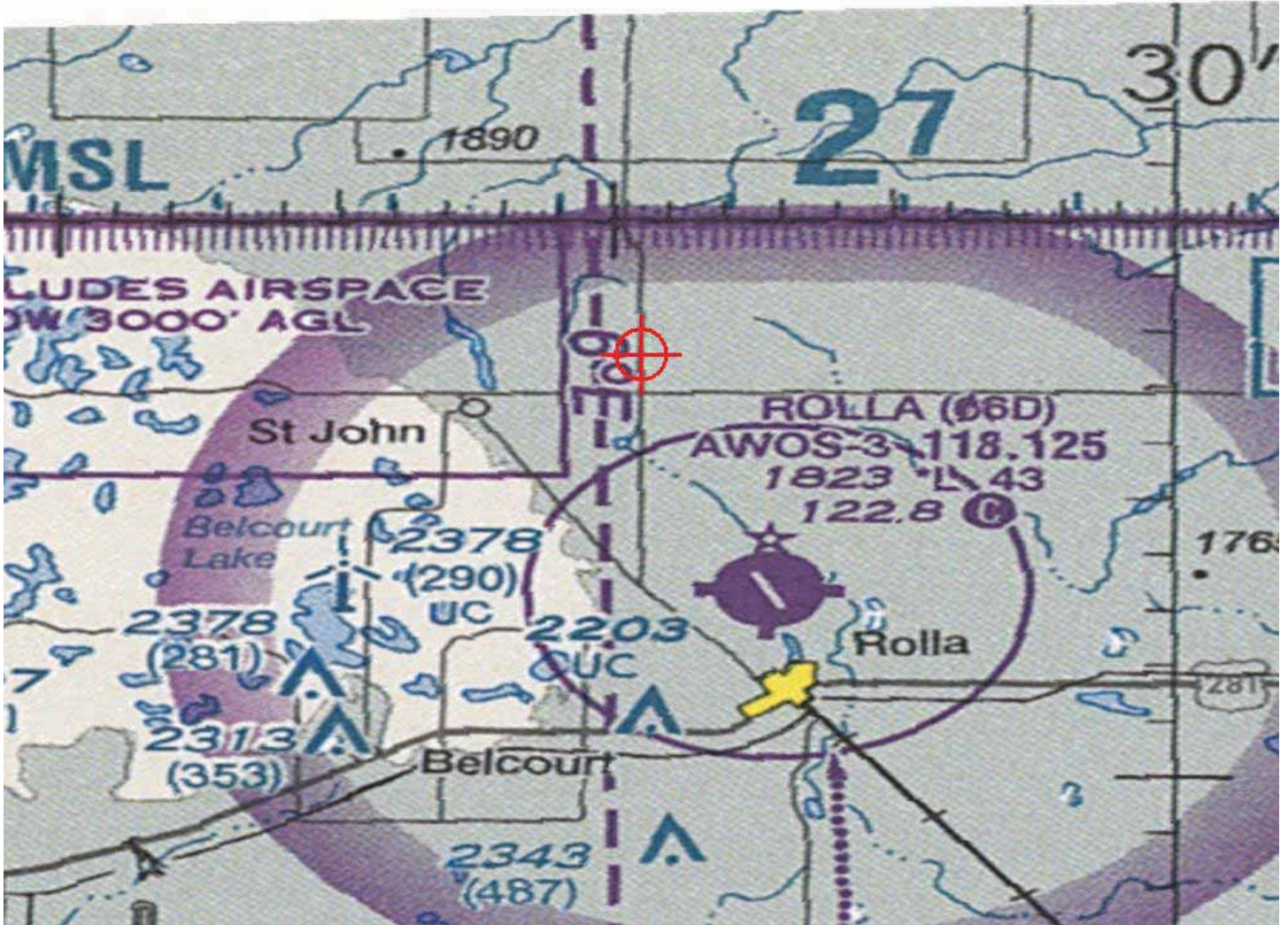
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1244-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T18
 Location: St. John, ND
 Latitude: 48-58-12.24N NAD 83
 Longitude: 99-39-54.22W
 Heights: 1851 feet site elevation (SE)
 481 feet above ground level (AGL)
 2332 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1244-OE.

Signature Control No: 208917983-220231816

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1244-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

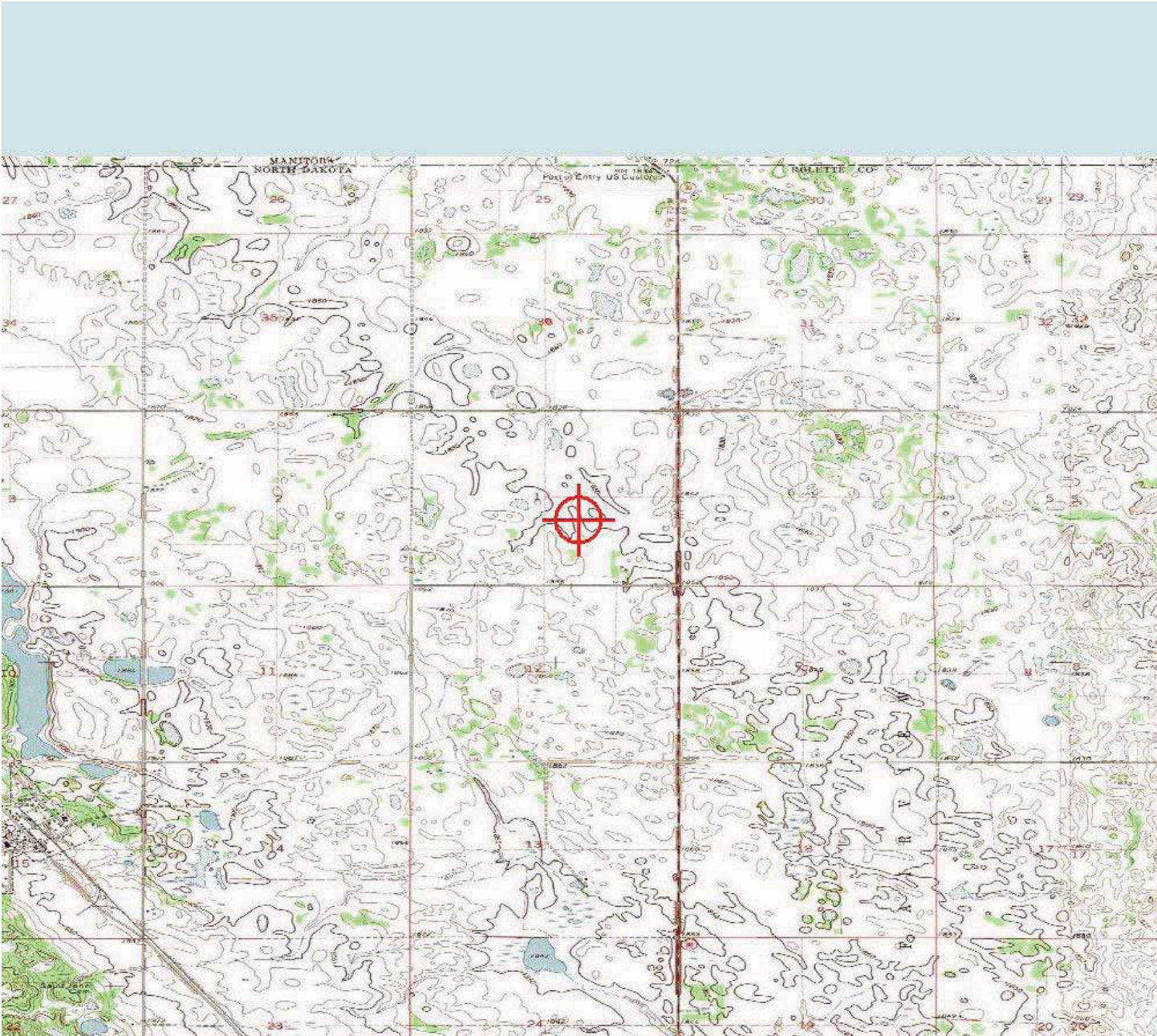
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

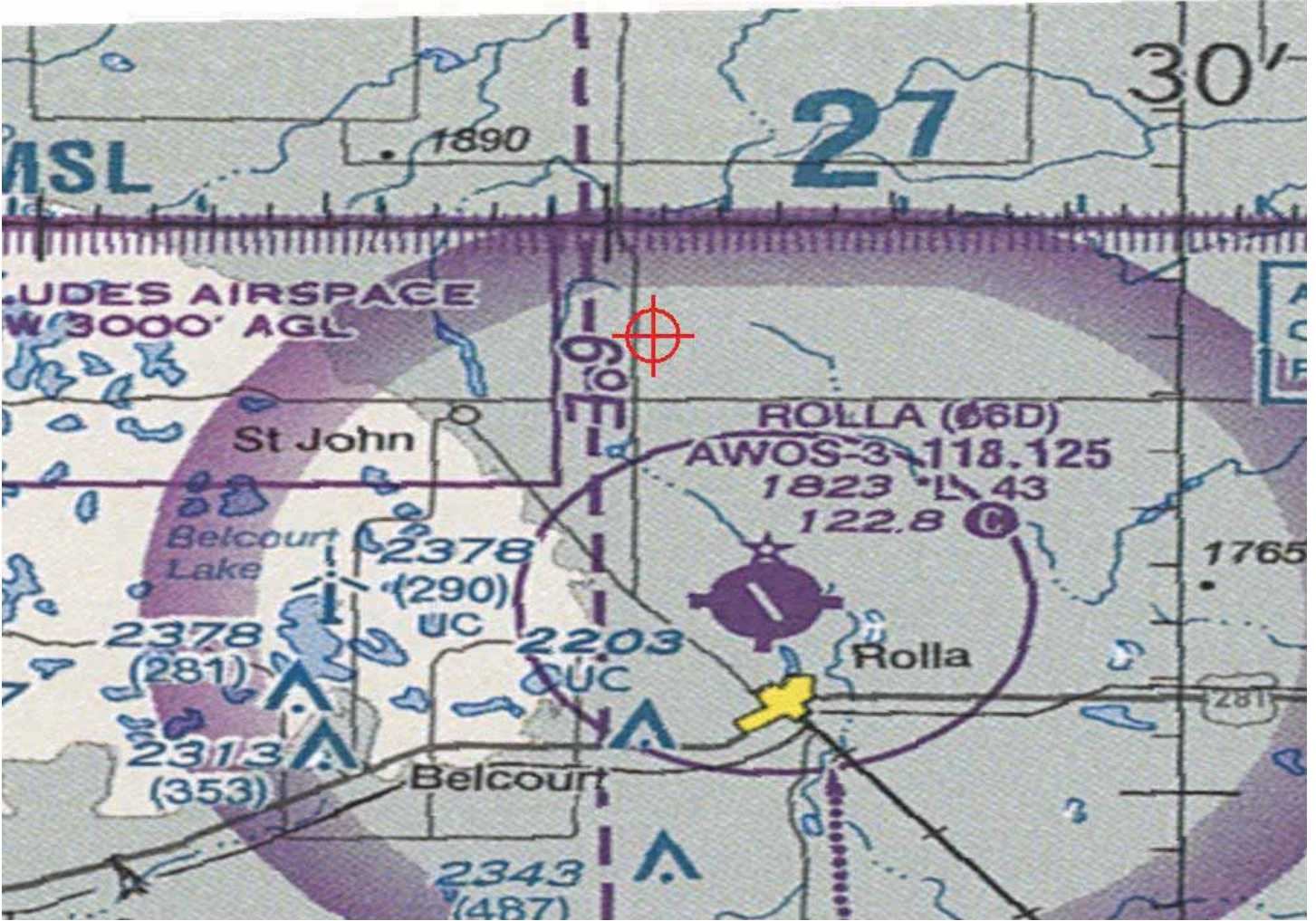
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1244-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1245-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T19
 Location: St. John, ND
 Latitude: 48-58-09.96N NAD 83
 Longitude: 99-39-14.02W
 Heights: 1837 feet site elevation (SE)
 481 feet above ground level (AGL)
 2318 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1245-OE.

Signature Control No: 208917984-220231833

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1245-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
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2014-WTE-1271-OE / 16 ft.
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2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

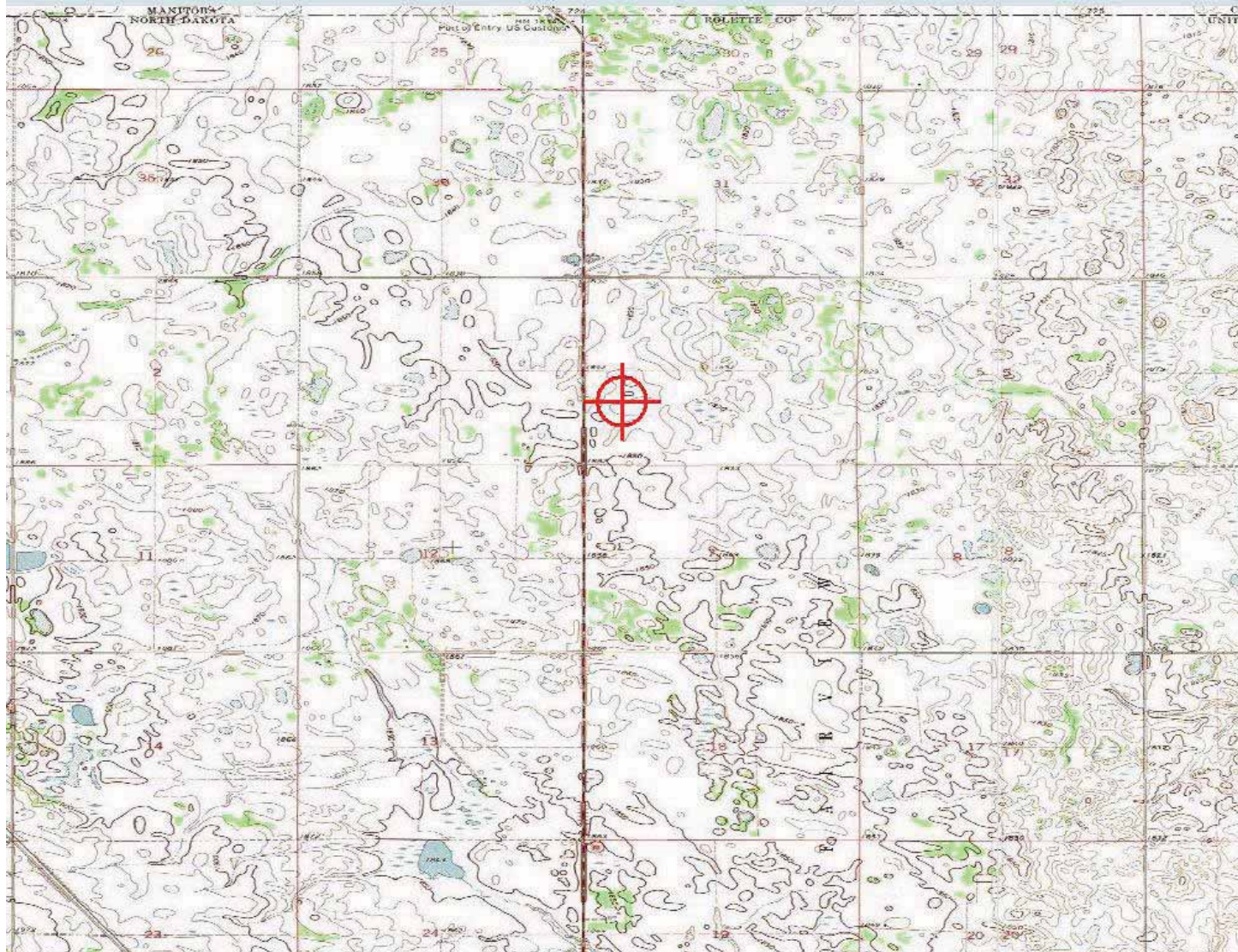
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

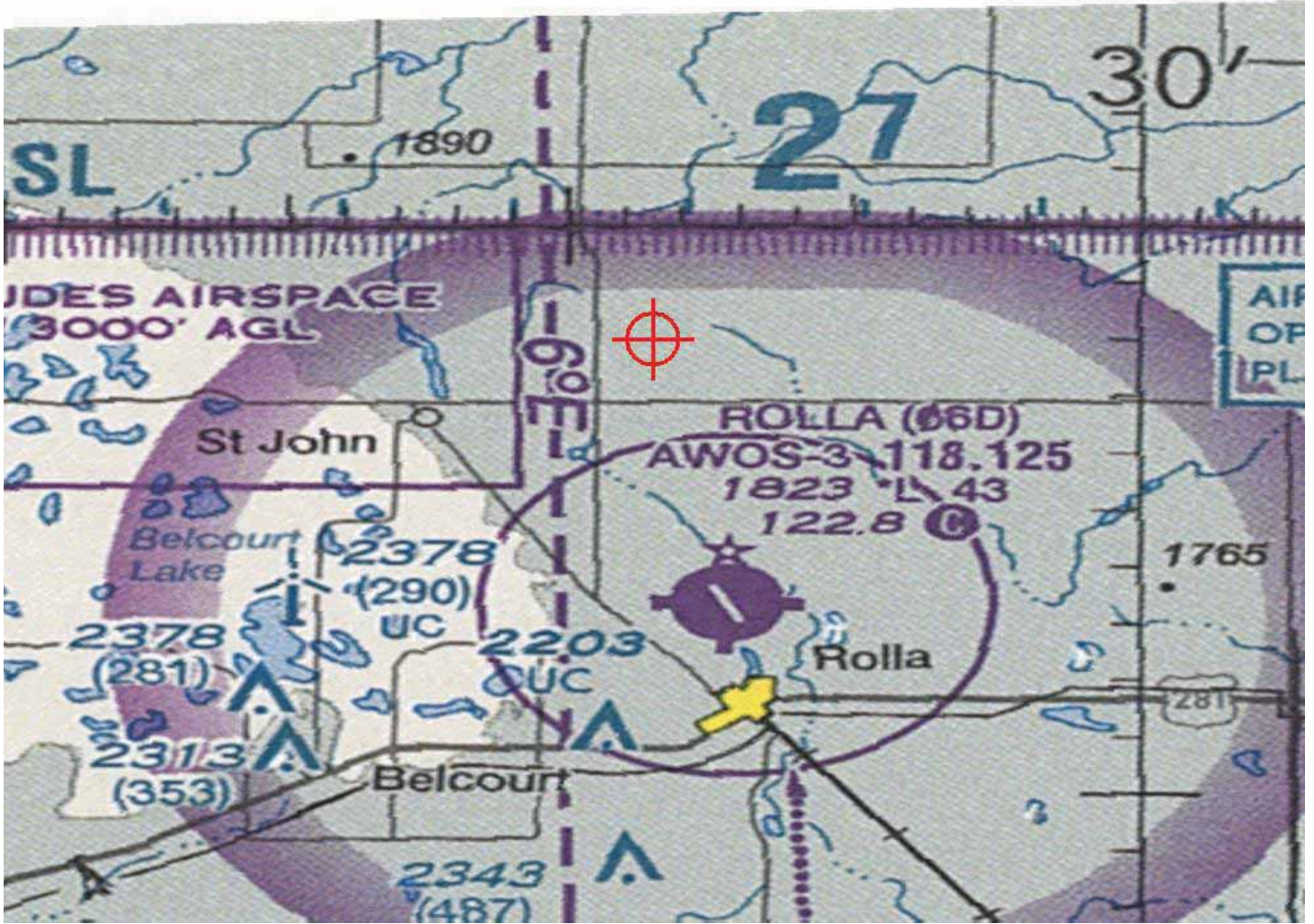
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1245-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1246-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T20
 Location: St. John, ND
 Latitude: 48-58-20.01N NAD 83
 Longitude: 99-38-59.97W
 Heights: 1839 feet site elevation (SE)
 481 feet above ground level (AGL)
 2320 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1246-OE.

Signature Control No: 208917985-220232154

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1246-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

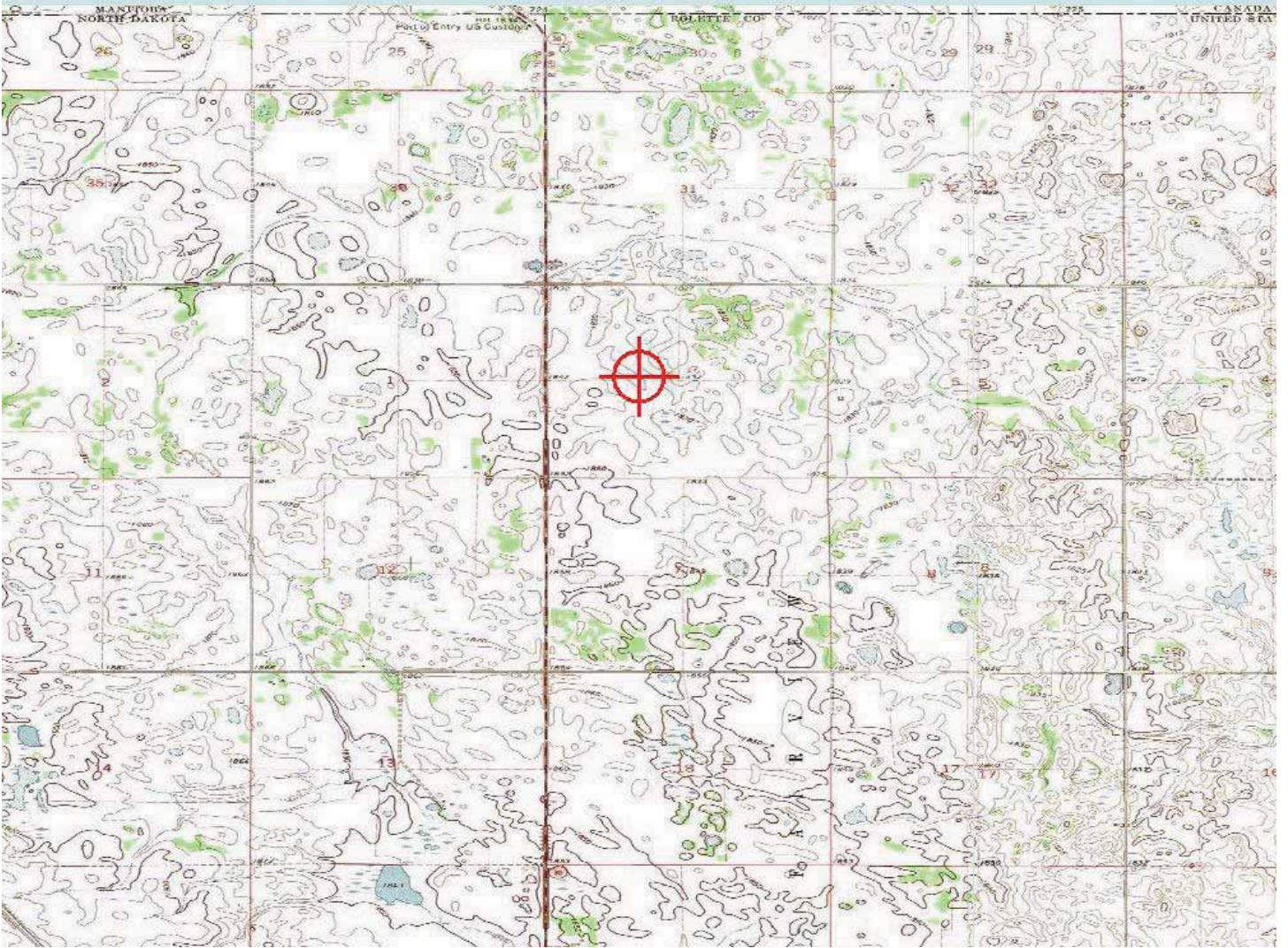
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

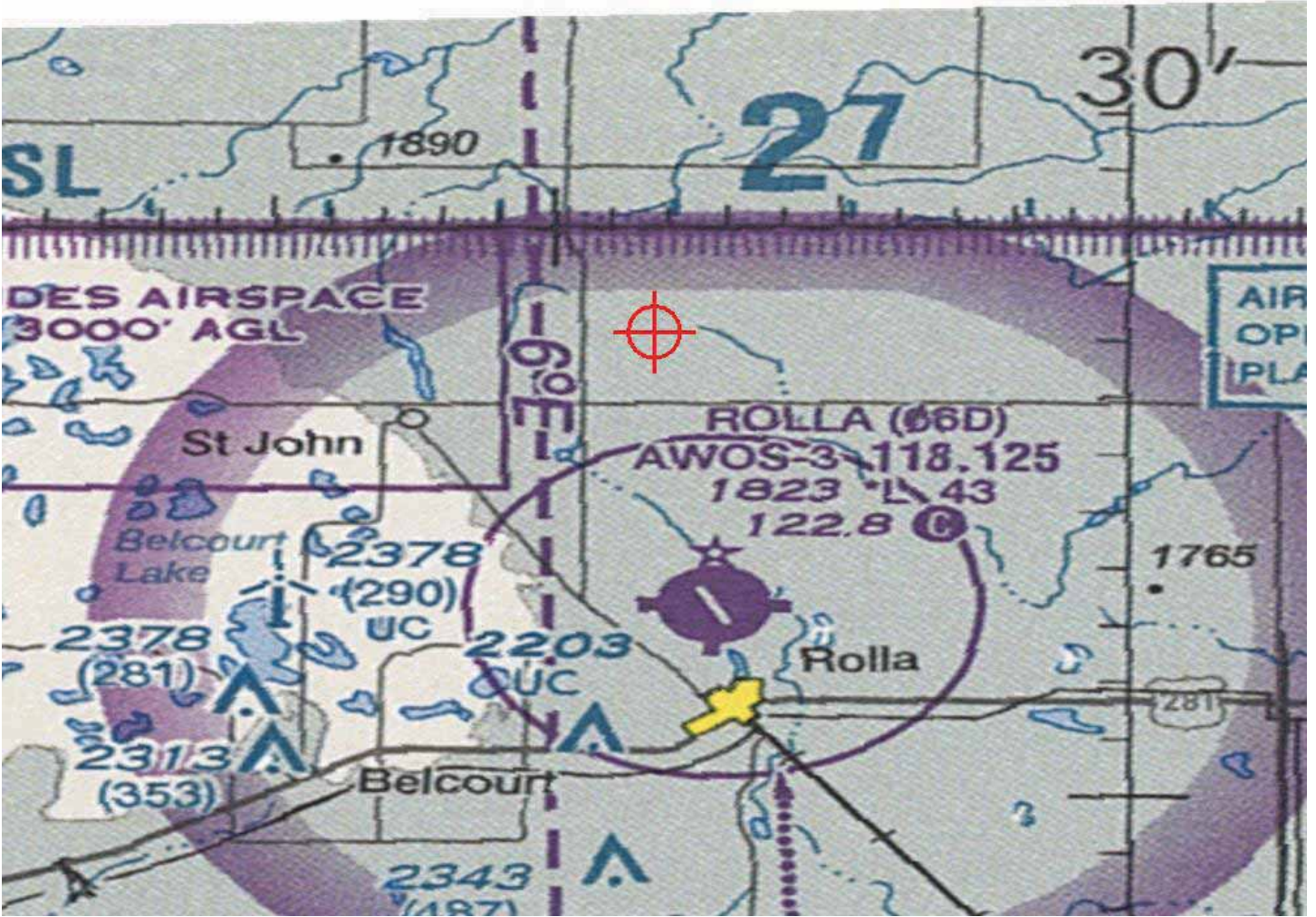
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1246-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1247-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T21
 Location: St. John, ND
 Latitude: 48-58-27.53N NAD 83
 Longitude: 99-38-41.37W
 Heights: 1829 feet site elevation (SE)
 481 feet above ground level (AGL)
 2310 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1247-OE.

Signature Control No: 208917986-220232151

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1247-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

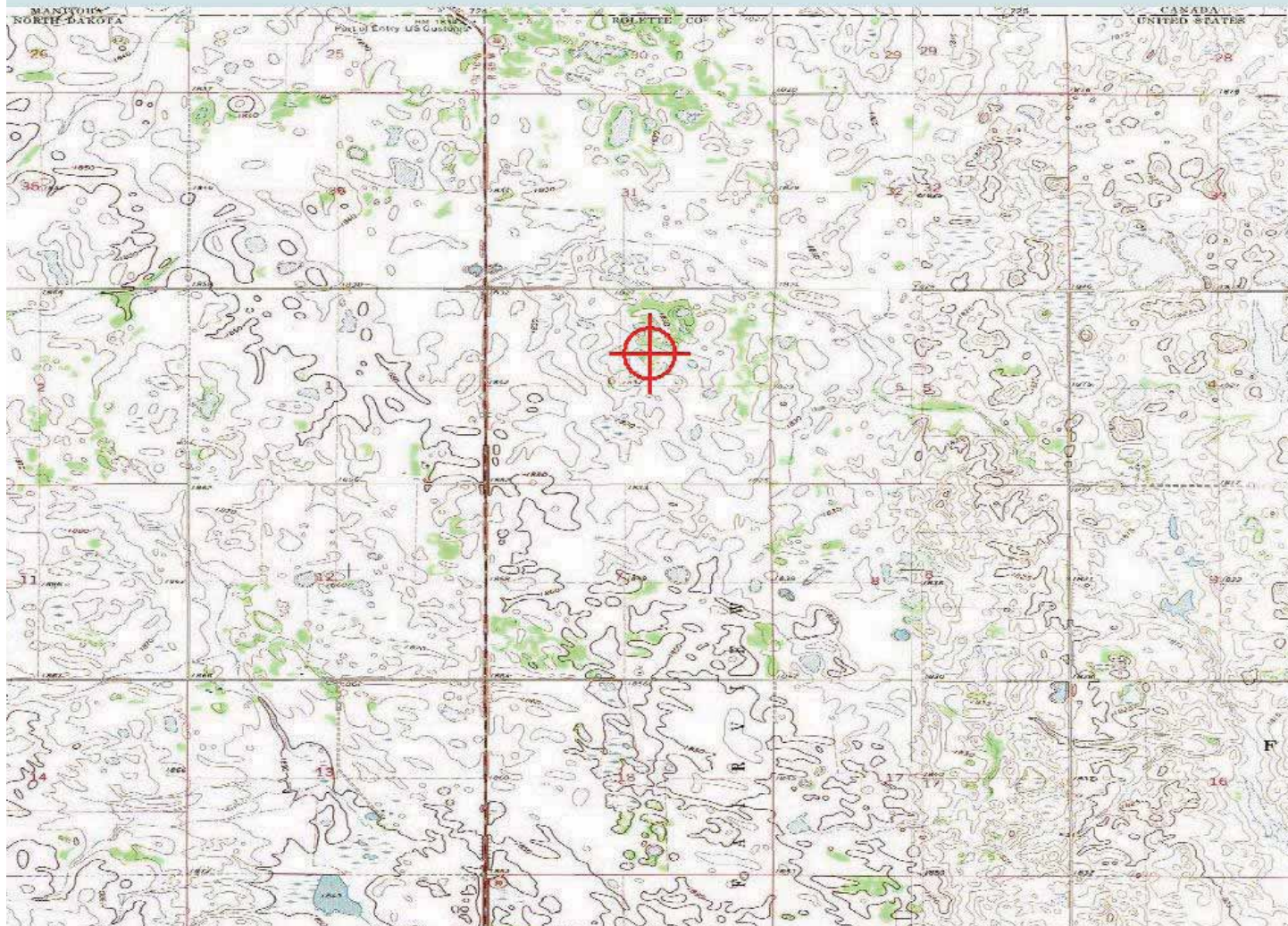
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

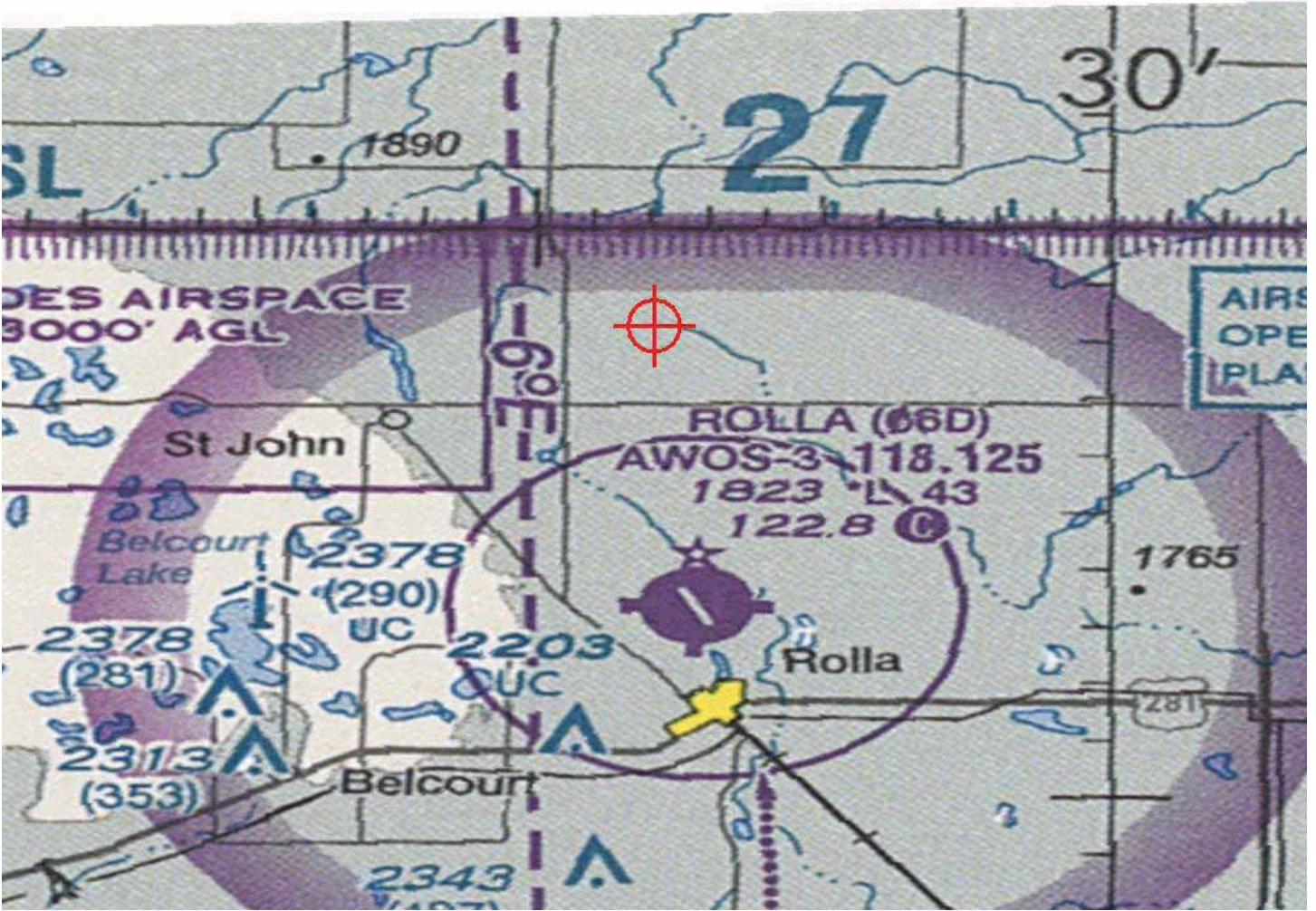
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1247-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1248-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T22
 Location: St. John, ND
 Latitude: 48-58-35.41N NAD 83
 Longitude: 99-38-24.93W
 Heights: 1837 feet site elevation (SE)
 481 feet above ground level (AGL)
 2318 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1248-OE.

Signature Control No: 208917987-220231830

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1248-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

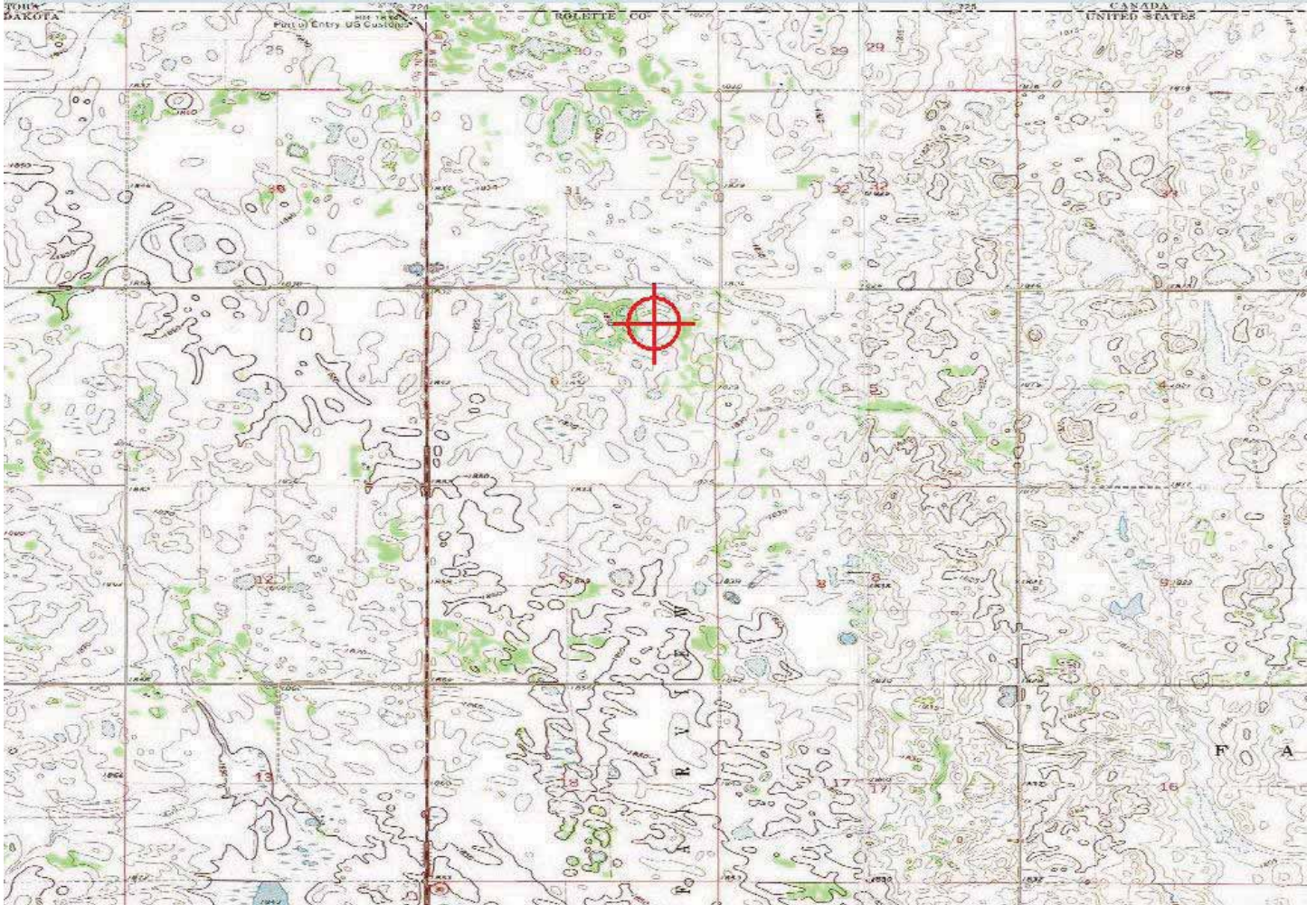
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

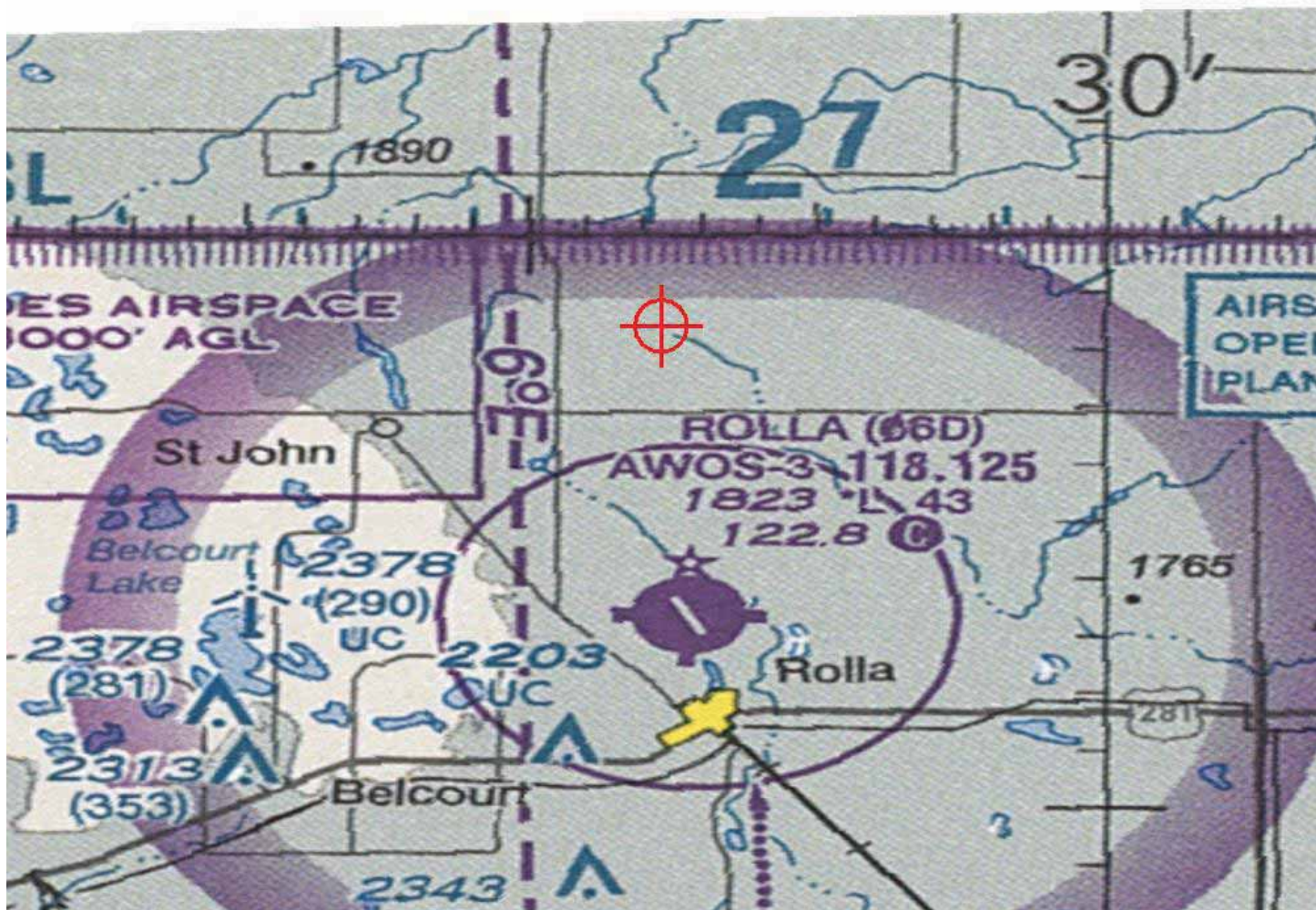
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1248-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1249-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T23
 Location: St. John, ND
 Latitude: 48-58-51.73N NAD 83
 Longitude: 99-37-50.01W
 Heights: 1835 feet site elevation (SE)
 481 feet above ground level (AGL)
 2316 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1249-OE.

Signature Control No: 208917996-220231827

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1249-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

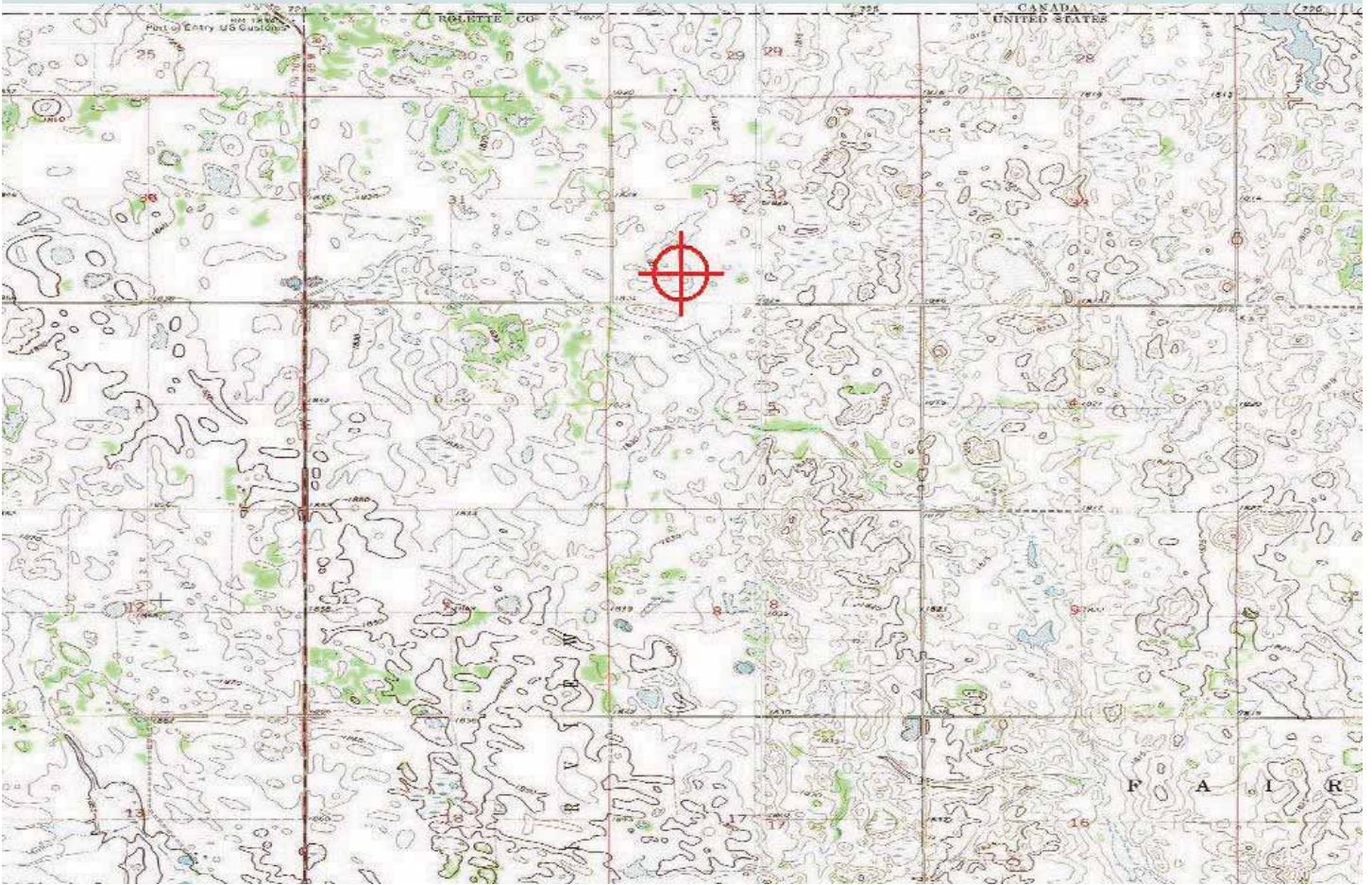
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

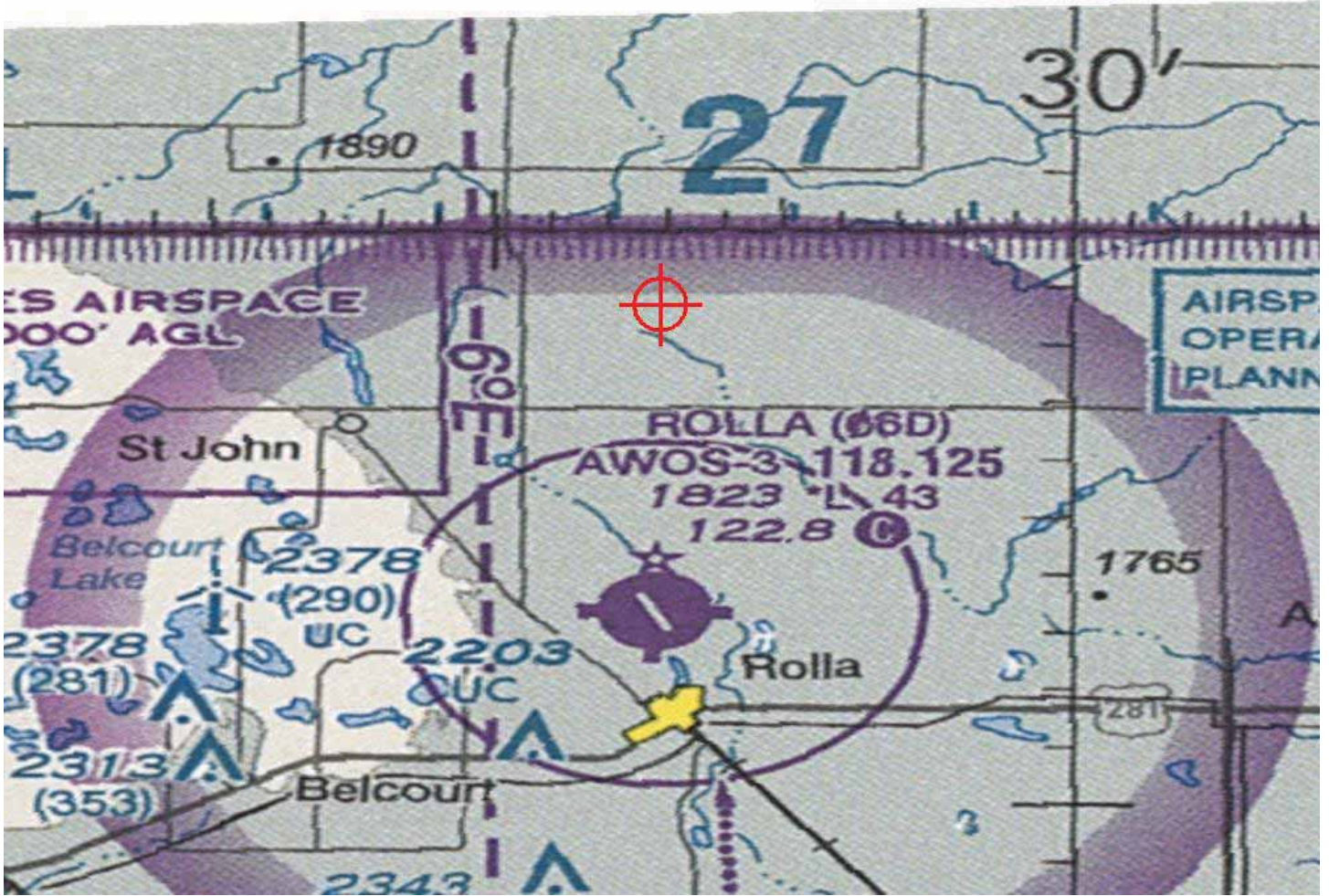
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1249-OE







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2014-WTE-1250-OE

Issued Date: 06/06/2014

Eric Wenger
Border Winds Energy, LLC
11101 W. 120th Ave
Suite 400
Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T24
Location: St. John, ND
Latitude: 48-58-51.60N NAD 83
Longitude: 99-37-15.49W
Heights: 1823 feet site elevation (SE)
481 feet above ground level (AGL)
2304 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1250-OE.

Signature Control No: 208917999-220231826

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1250-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

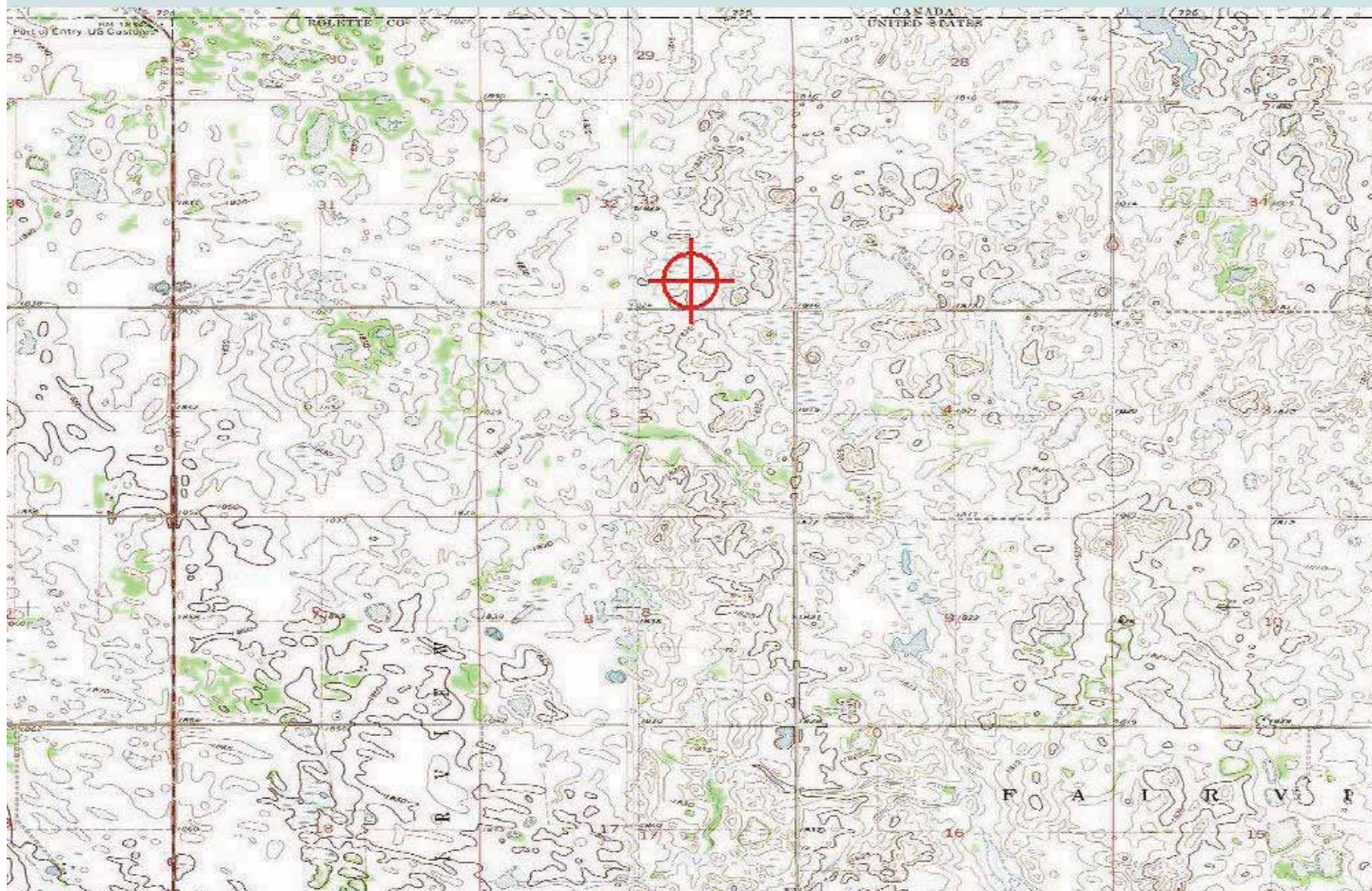
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

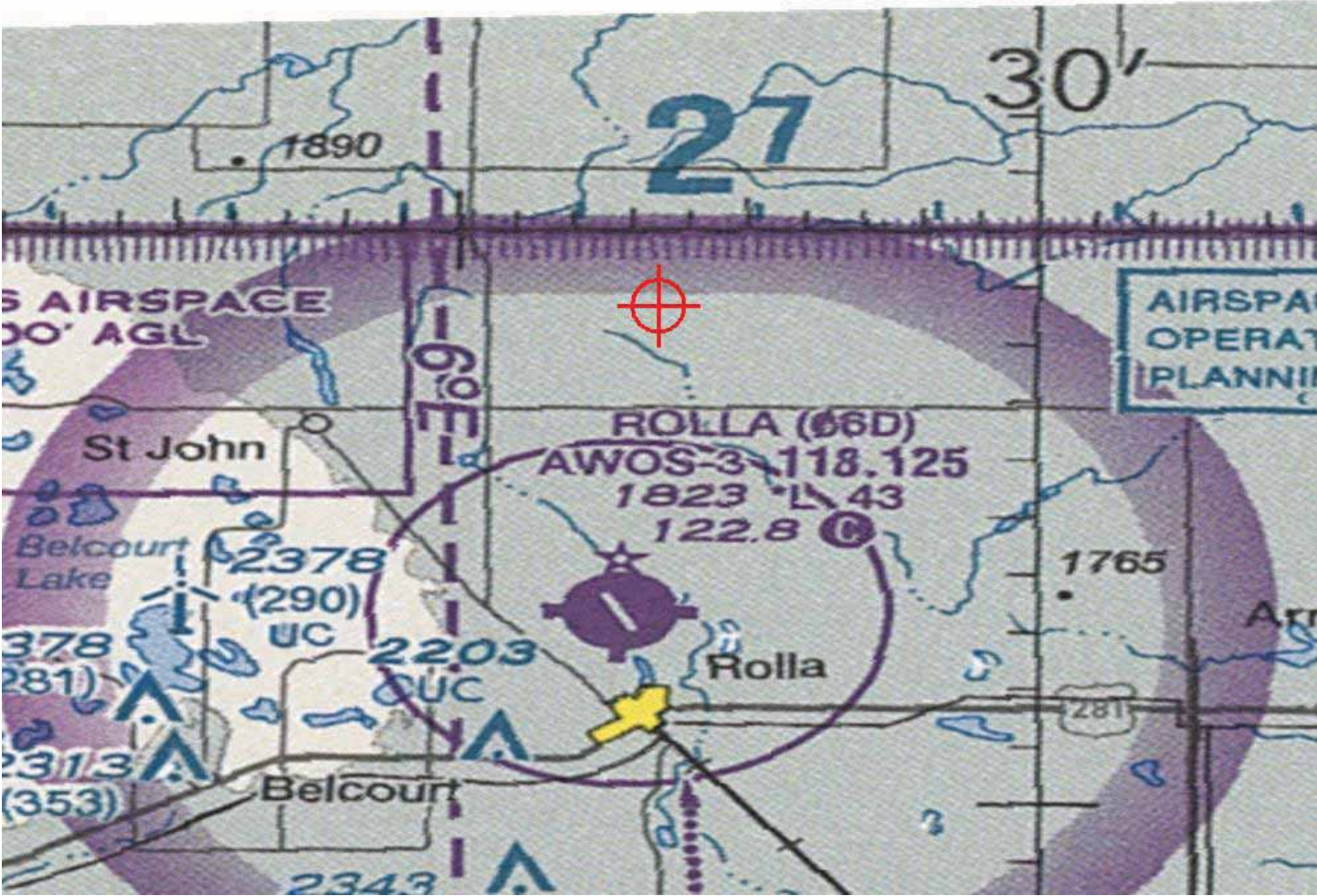
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1251-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T25
 Location: St. John, ND
 Latitude: 48-58-56.81N NAD 83
 Longitude: 99-36-56.70W
 Heights: 1829 feet site elevation (SE)
 481 feet above ground level (AGL)
 2310 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1251-OE.

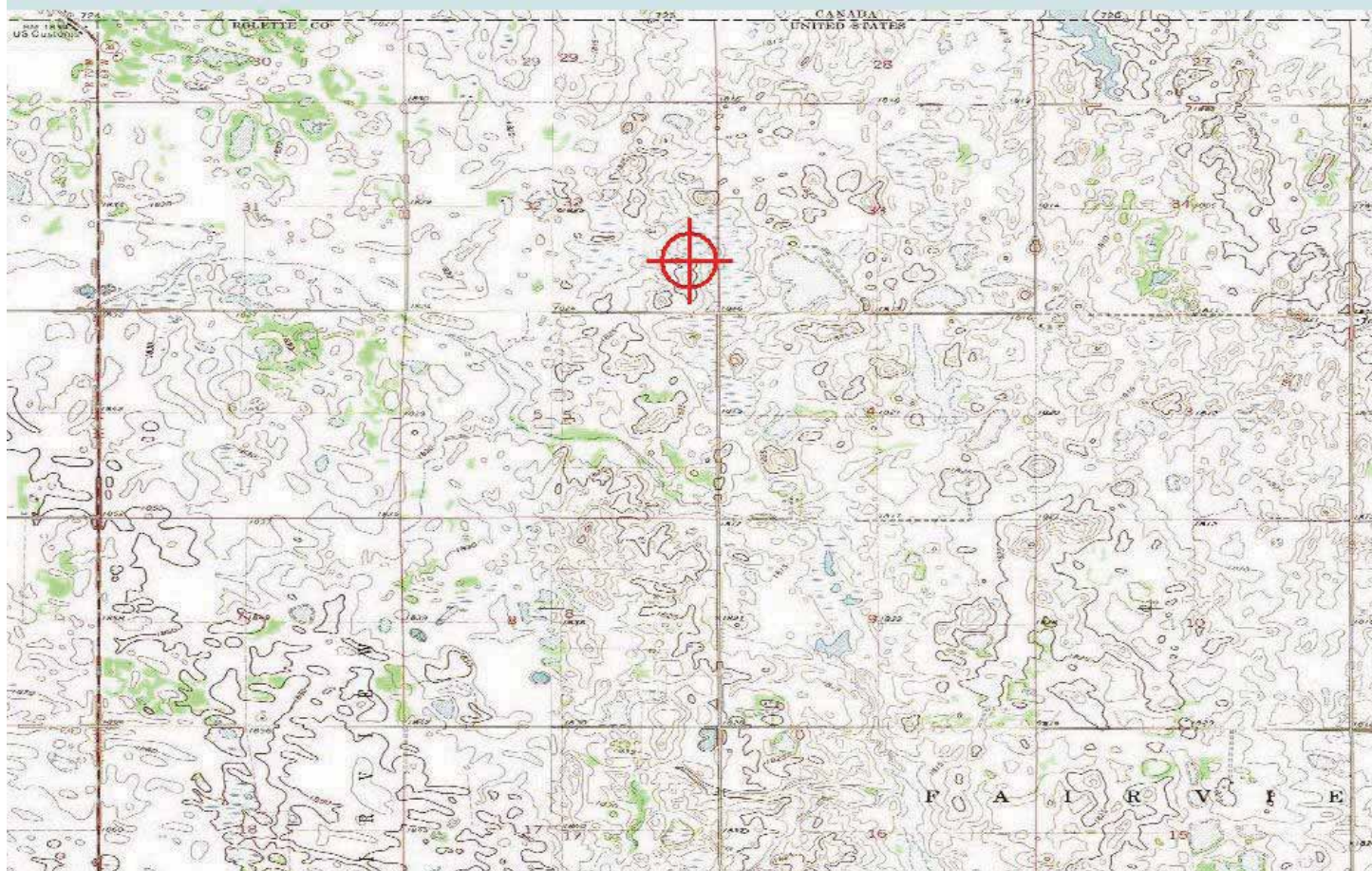
Signature Control No: 208918001-220233177

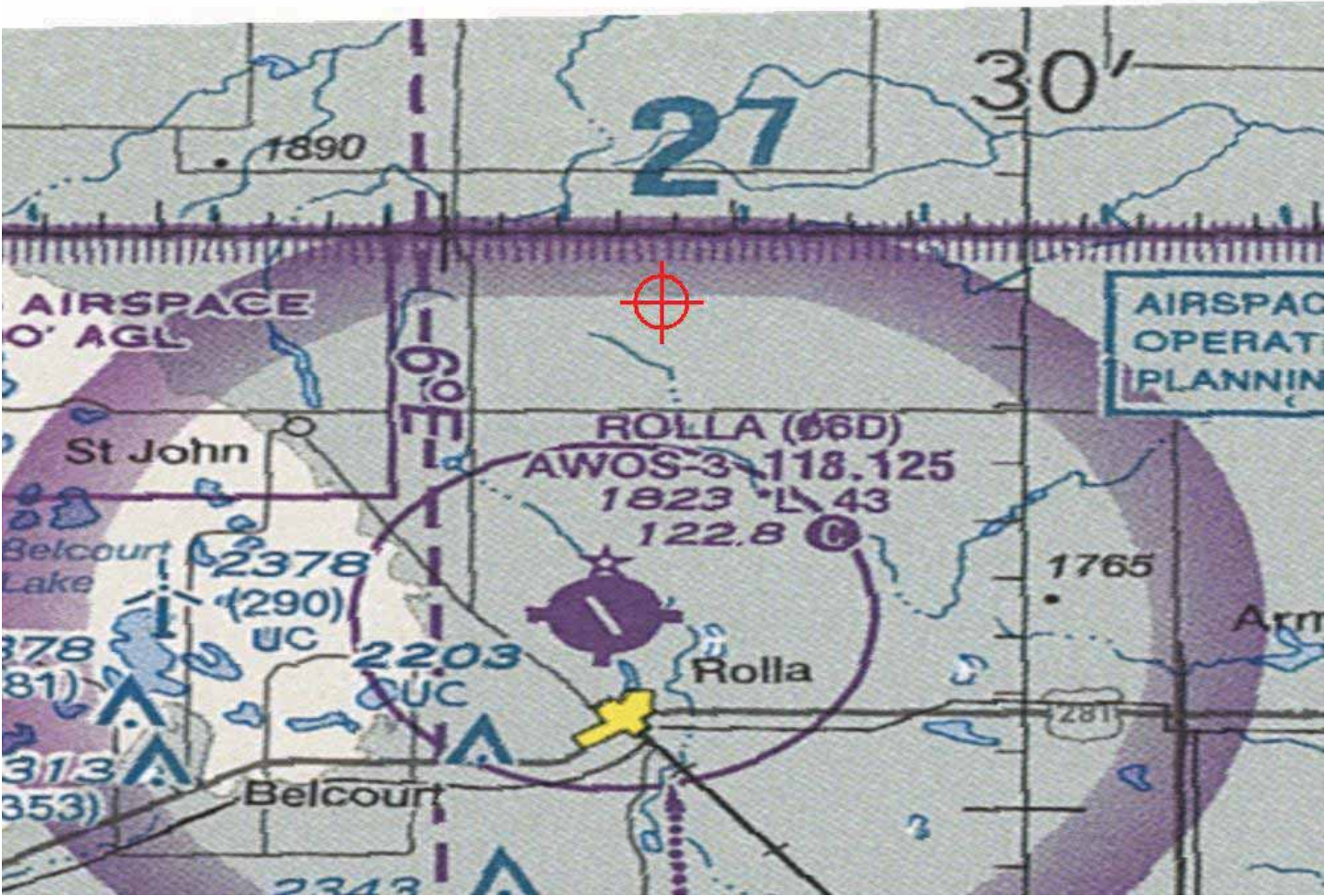
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1251-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1252-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T26
 Location: St. John, ND
 Latitude: 48-59-09.13N NAD 83
 Longitude: 99-36-34.37W
 Heights: 1821 feet site elevation (SE)
 481 feet above ground level (AGL)
 2302 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1252-OE.

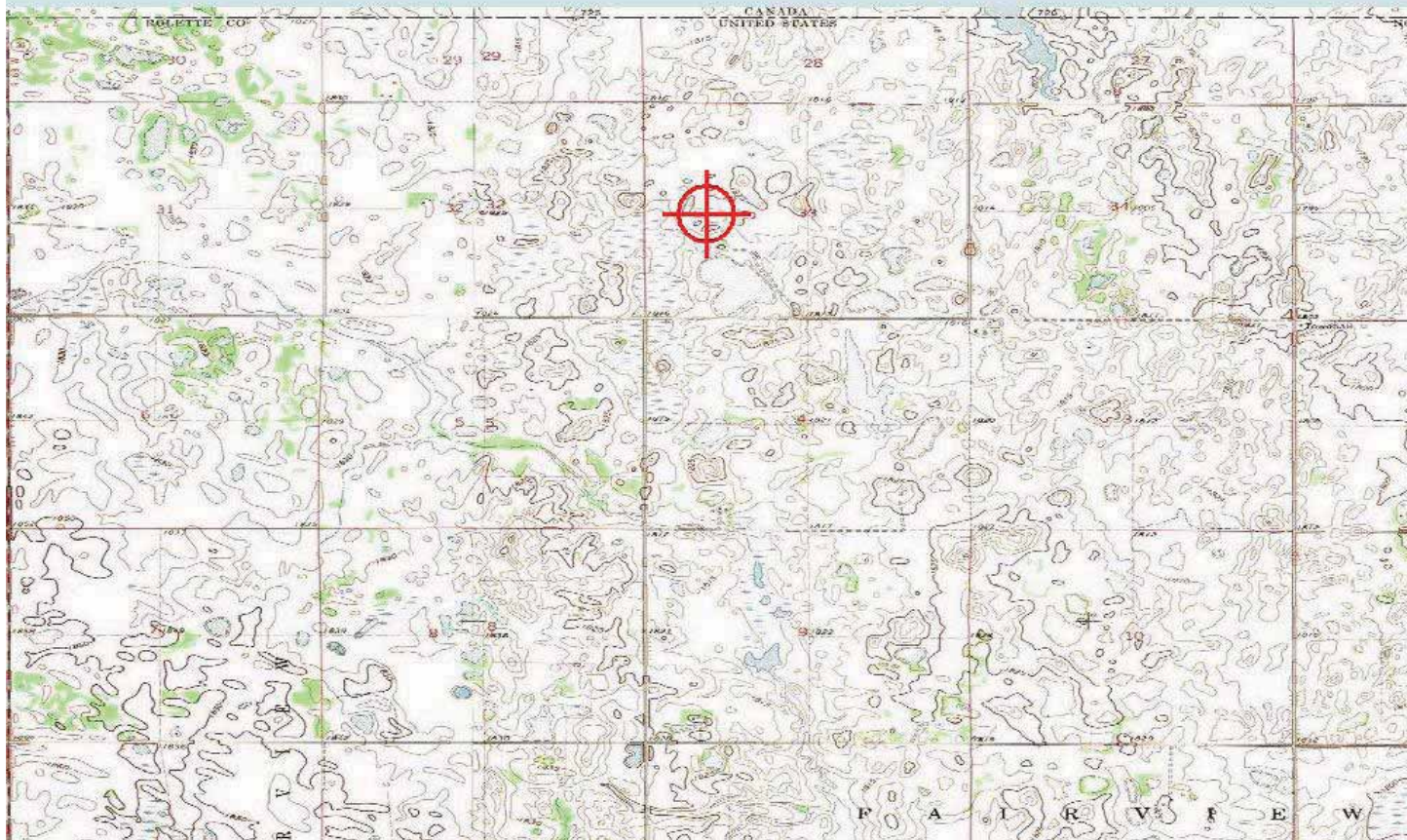
Signature Control No: 208918002-220233185

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1252-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1253-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T27
 Location: St. John, ND
 Latitude: 48-59-21.46N NAD 83
 Longitude: 99-36-17.46W
 Heights: 1823 feet site elevation (SE)
 481 feet above ground level (AGL)
 2304 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1253-OE.

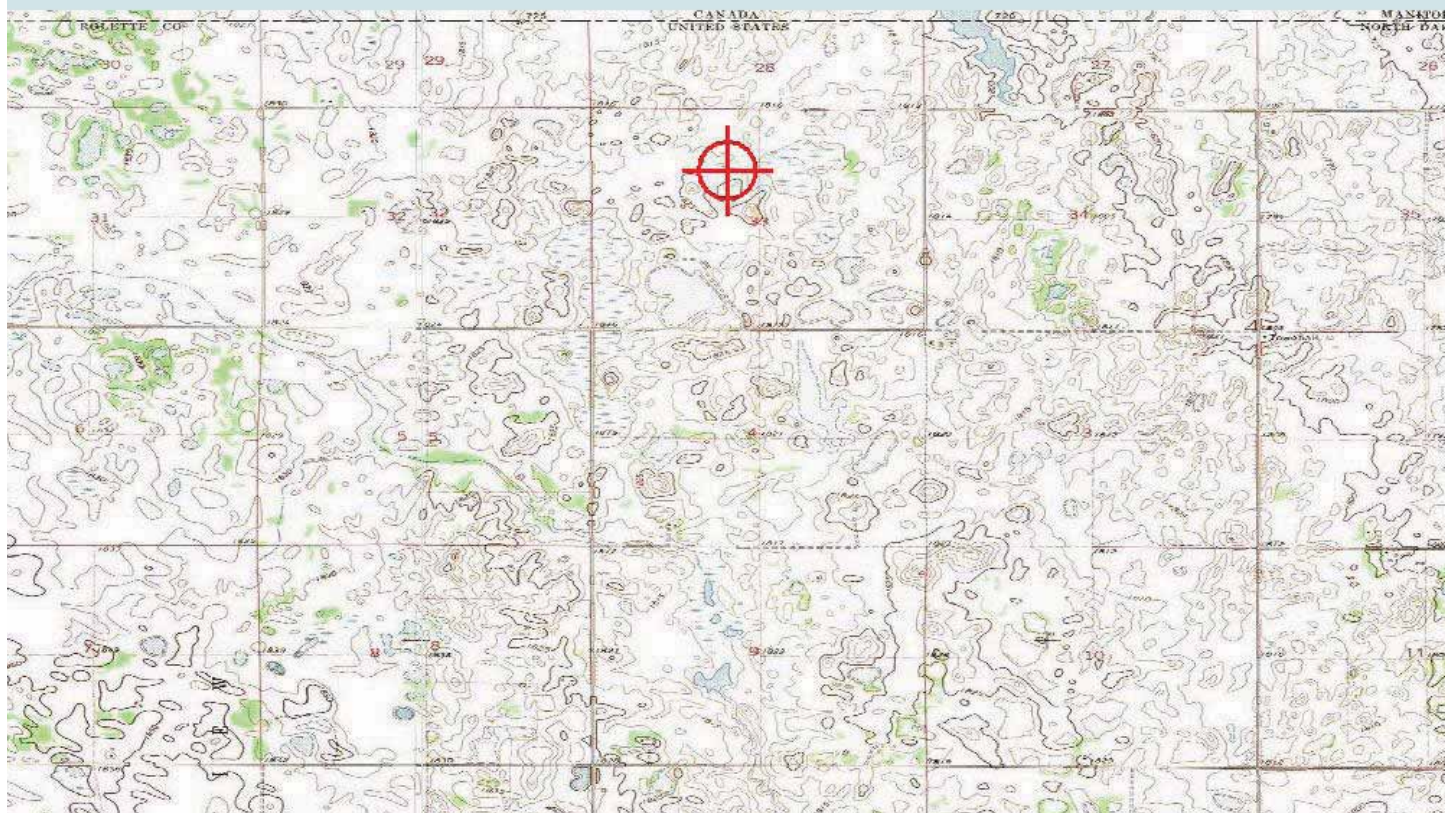
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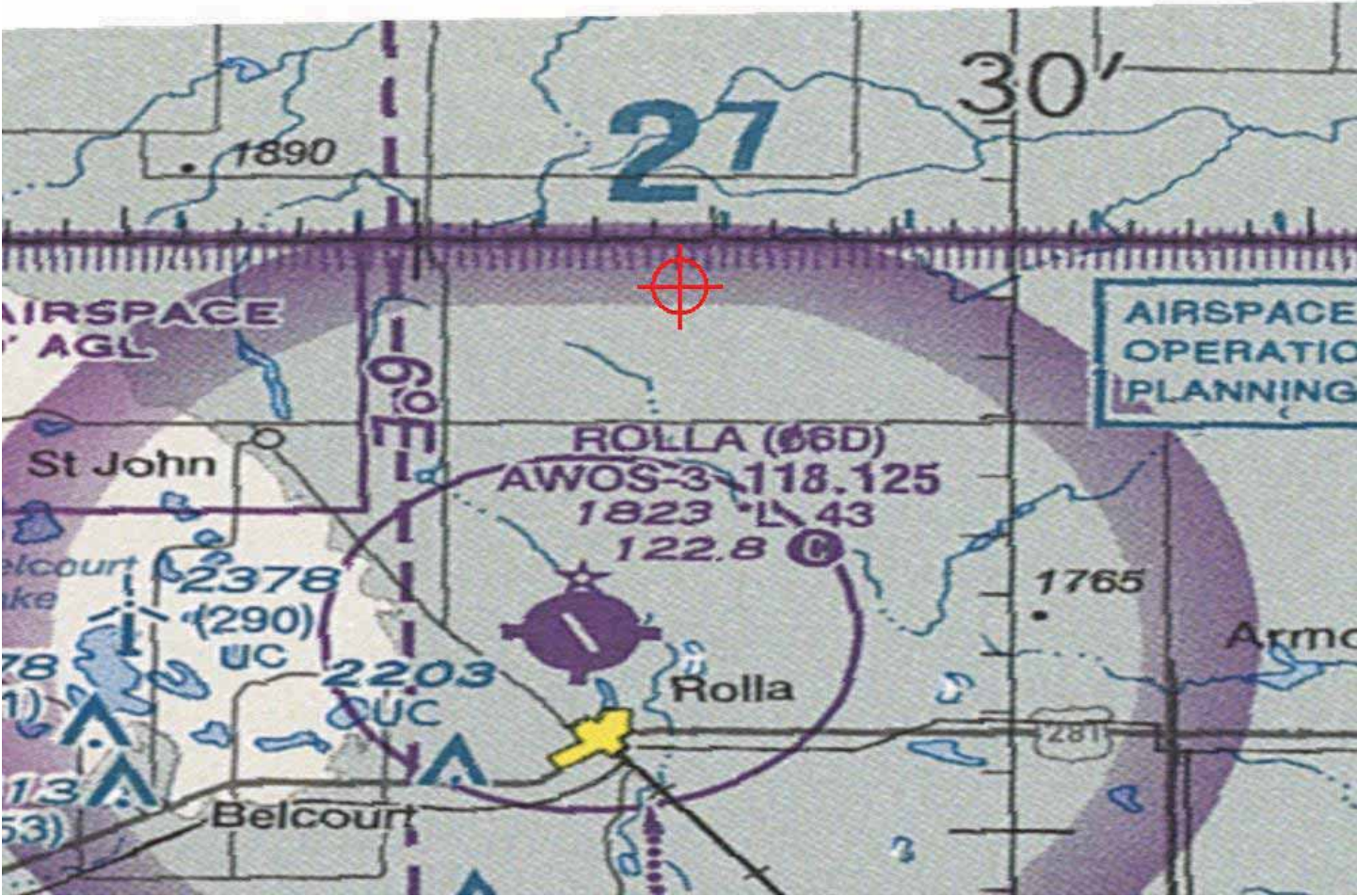
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1253-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1254-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T28
 Location: St. John, ND
 Latitude: 48-59-30.93N NAD 83
 Longitude: 99-36-00.84W
 Heights: 1817 feet site elevation (SE)
 481 feet above ground level (AGL)
 2298 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1254-OE.

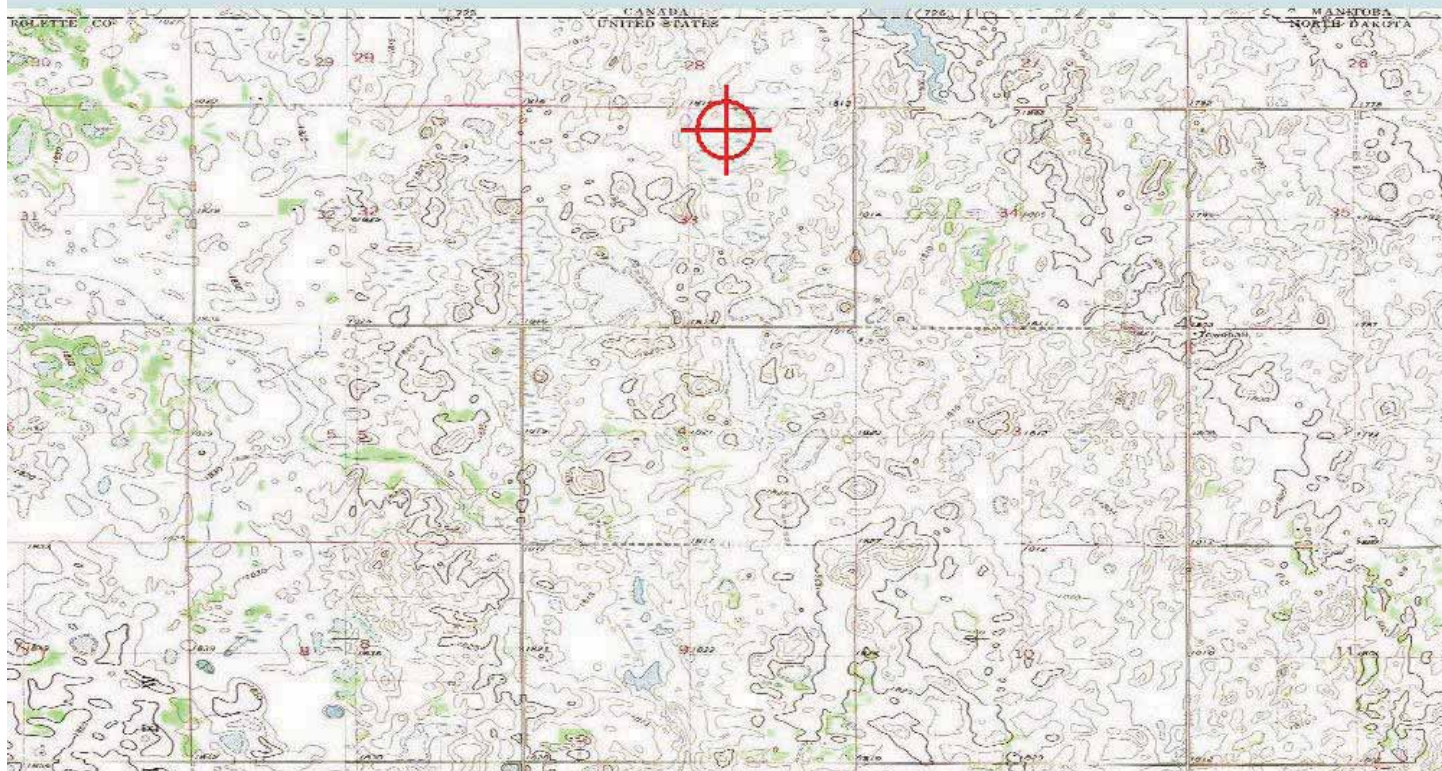
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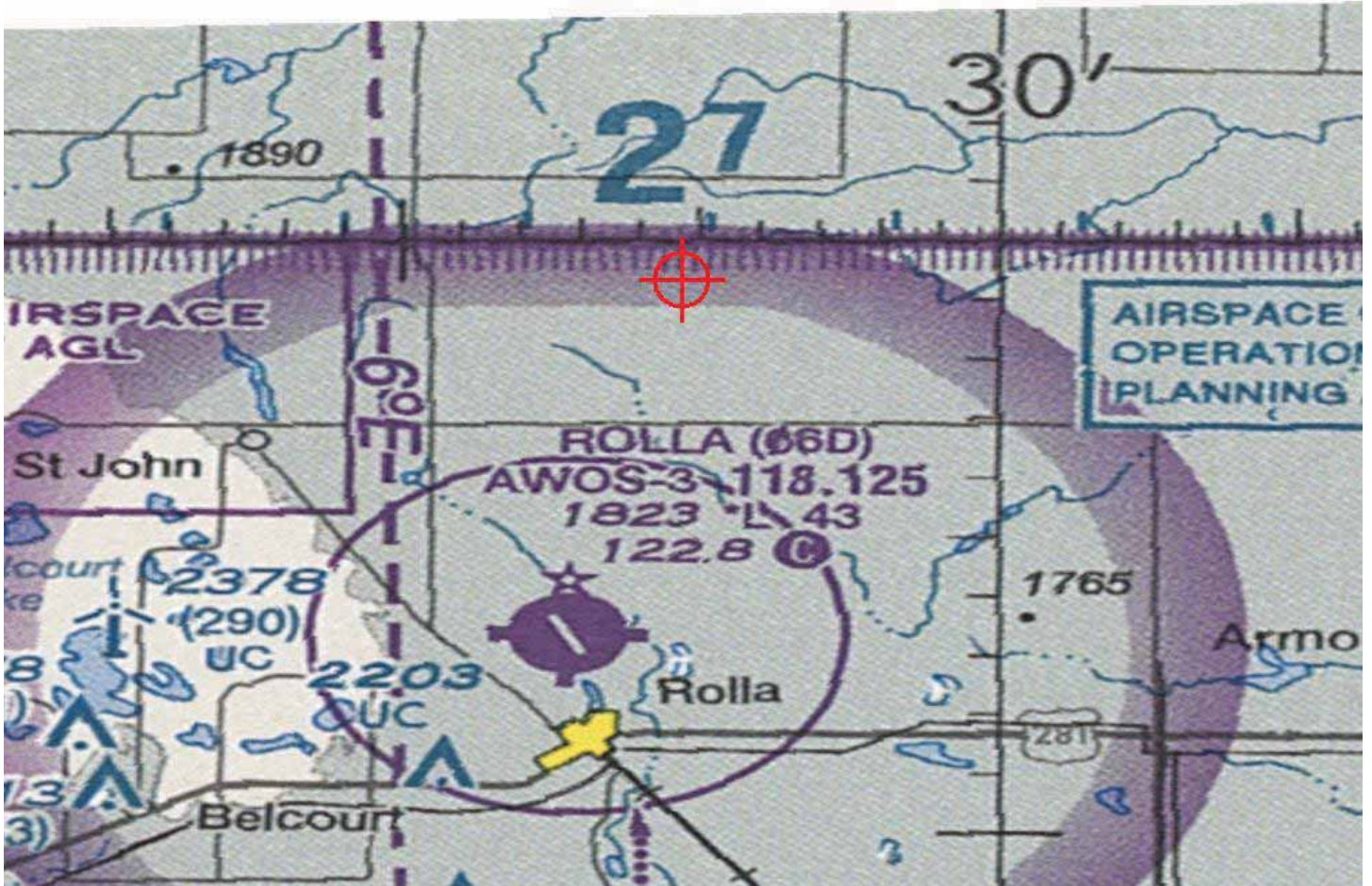
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1254-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1255-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
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 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T29
 Location: St. John, ND
 Latitude: 48-59-38.58N NAD 83
 Longitude: 99-35-41.77W
 Heights: 1816 feet site elevation (SE)
 481 feet above ground level (AGL)
 2297 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1255-OE.

Signature Control No: 208918032-220233191

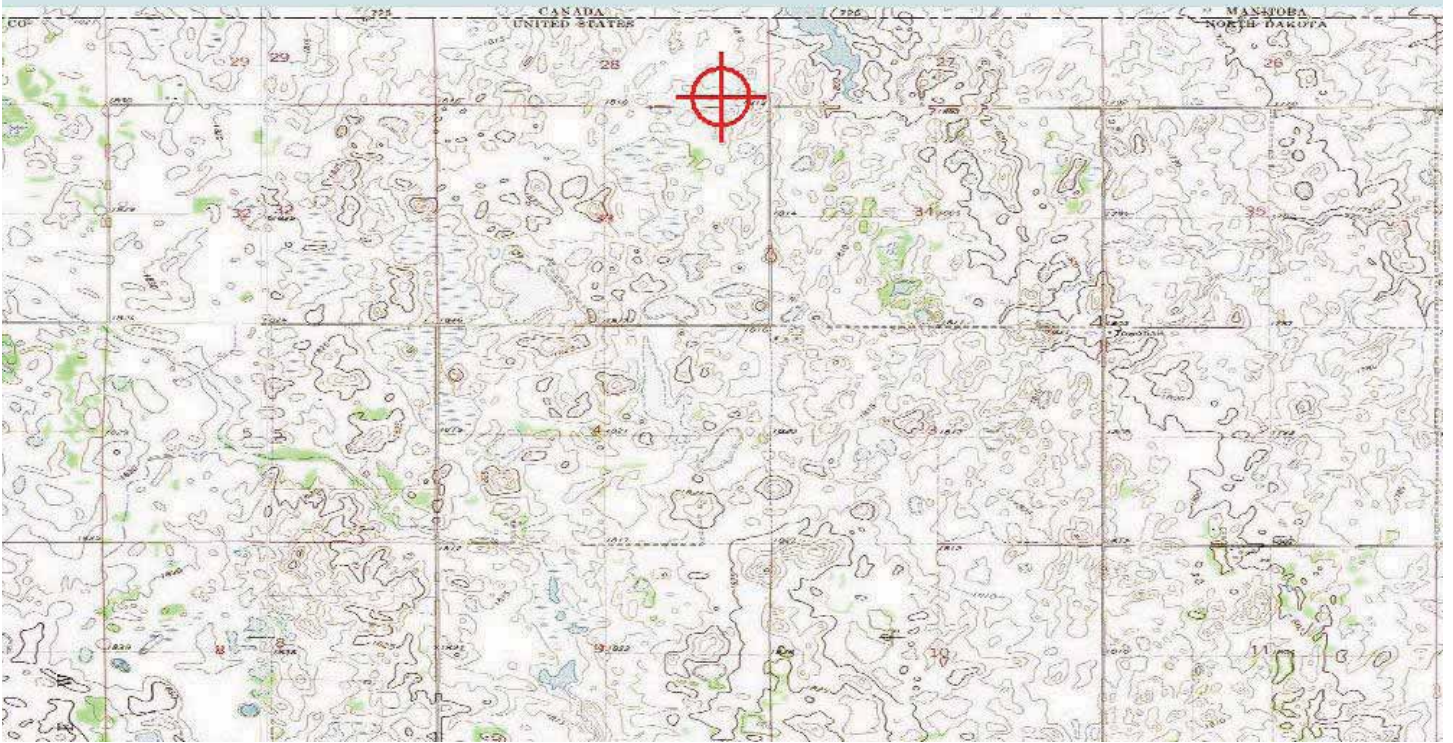
Donna O'Neill
Specialist

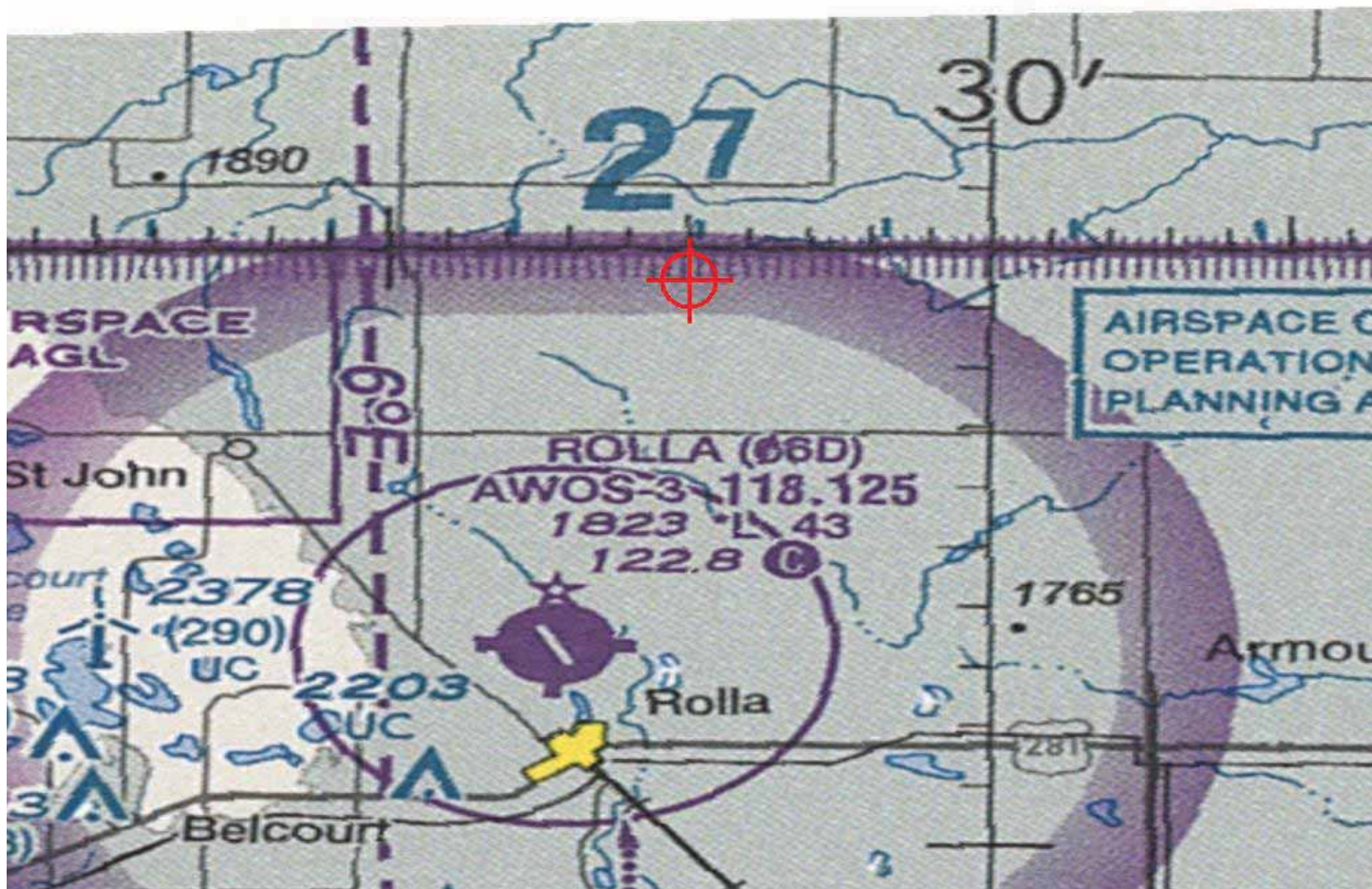
(DNE -WT)

Attachment(s)

Map(s)

TOPO Map for ASN 2014-WTE-1255-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1256-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T30
 Location: St. John, ND
 Latitude: 48-59-44.75N NAD 83
 Longitude: 99-35-05.66W
 Heights: 1810 feet site elevation (SE)
 481 feet above ground level (AGL)
 2291 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

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This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1256-OE.

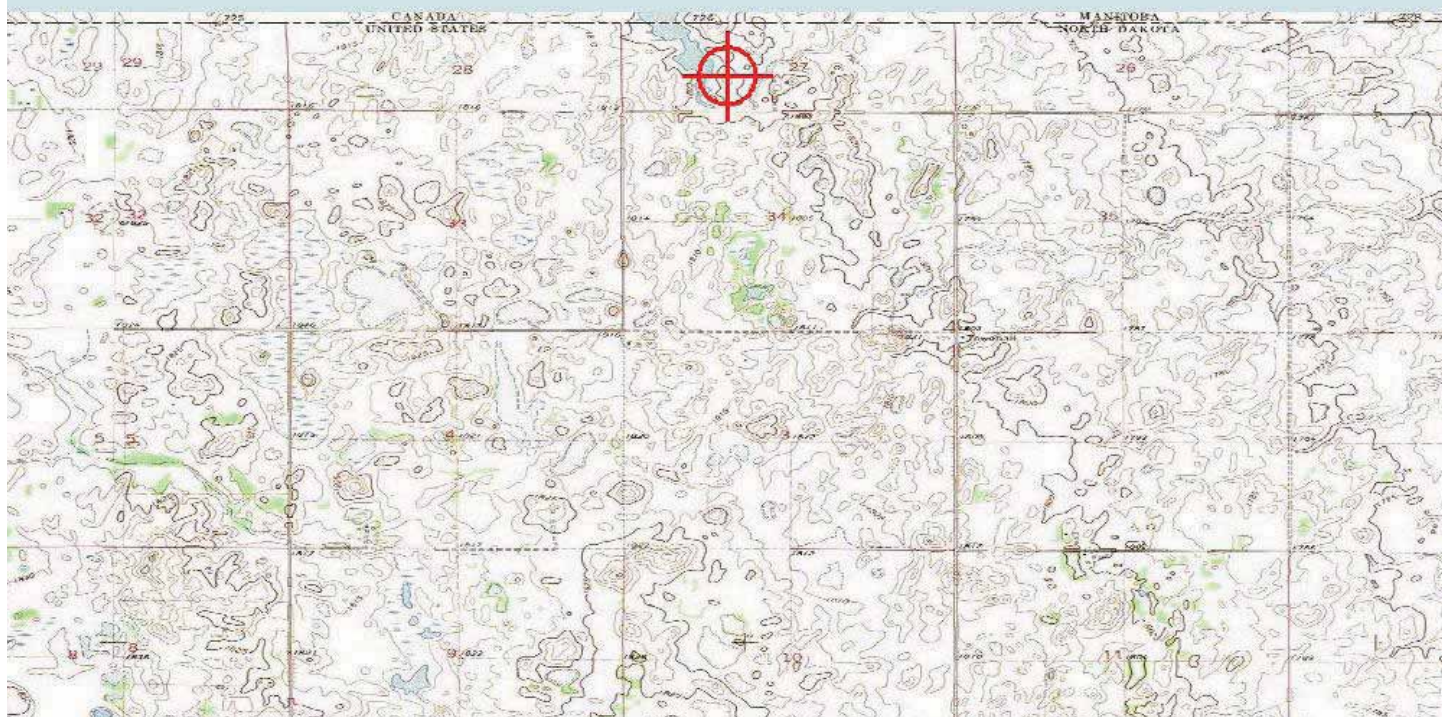
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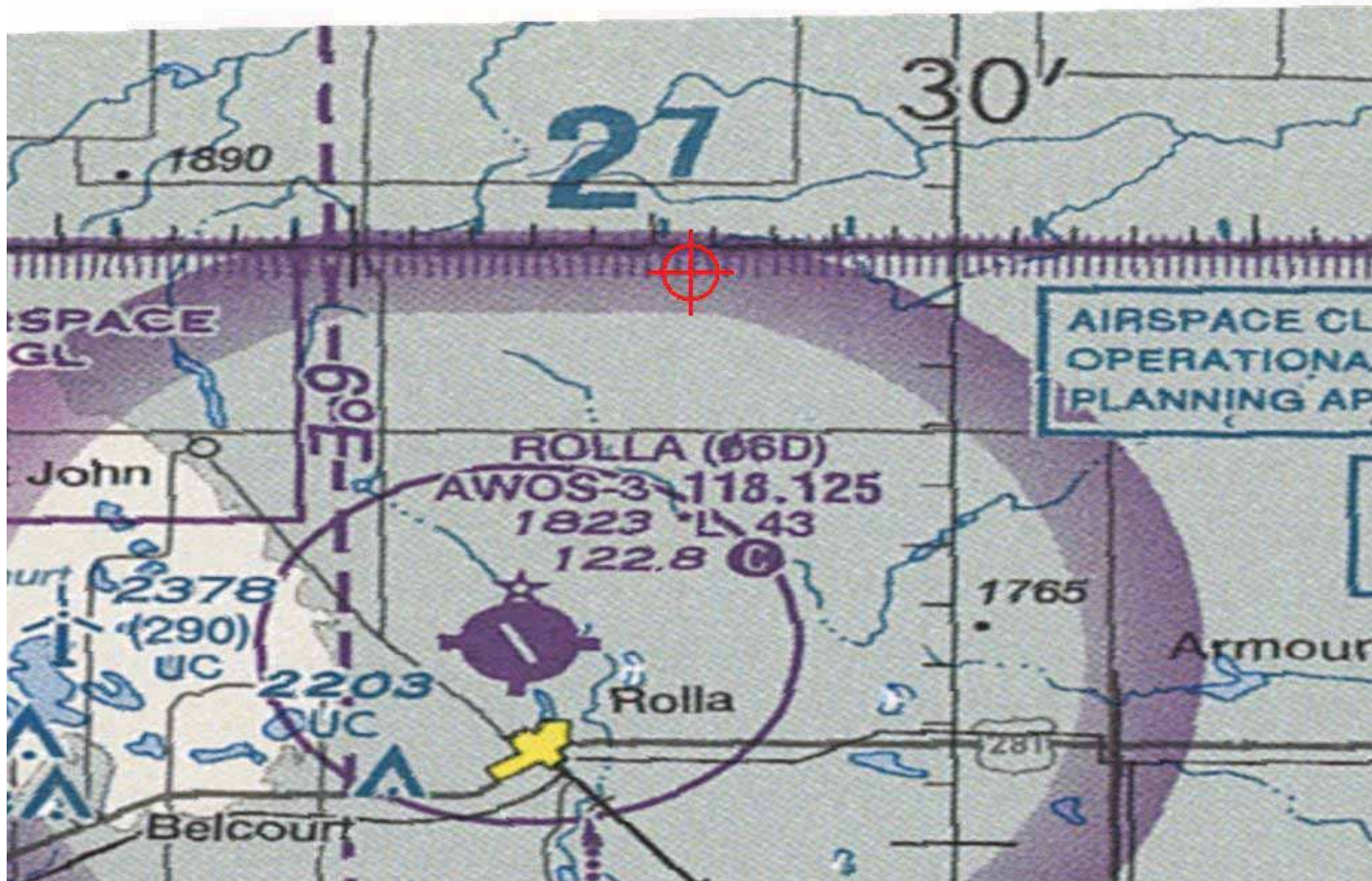
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1256-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1257-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T31
 Location: St. John, ND
 Latitude: 48-59-48.65N NAD 83
 Longitude: 99-34-45.39W
 Heights: 1797 feet site elevation (SE)
 481 feet above ground level (AGL)
 2278 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1257-OE.

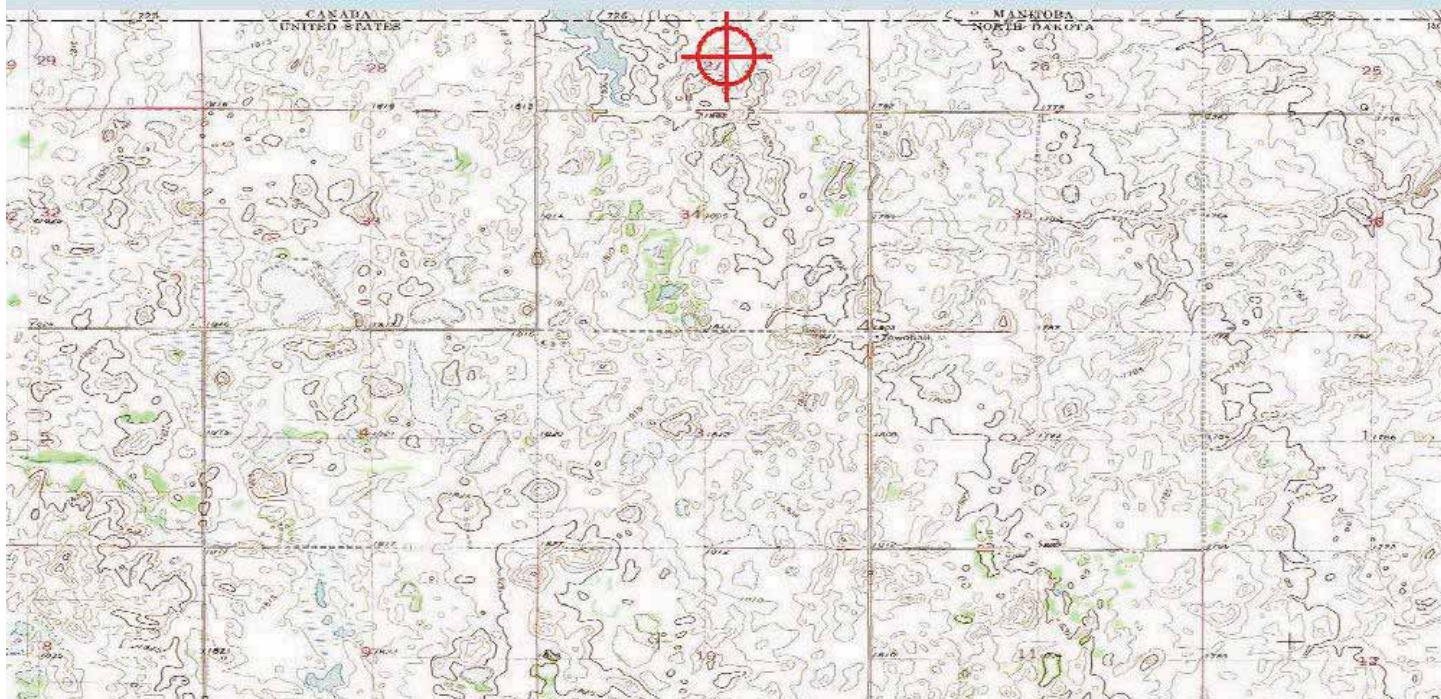
Signature Control No: 208918045-220232356

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)

Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1258-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T32
 Location: St. John, ND
 Latitude: 48-59-52.29N NAD 83
 Longitude: 99-34-23.95W
 Heights: 1785 feet site elevation (SE)
 481 feet above ground level (AGL)
 2266 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1258-OE.

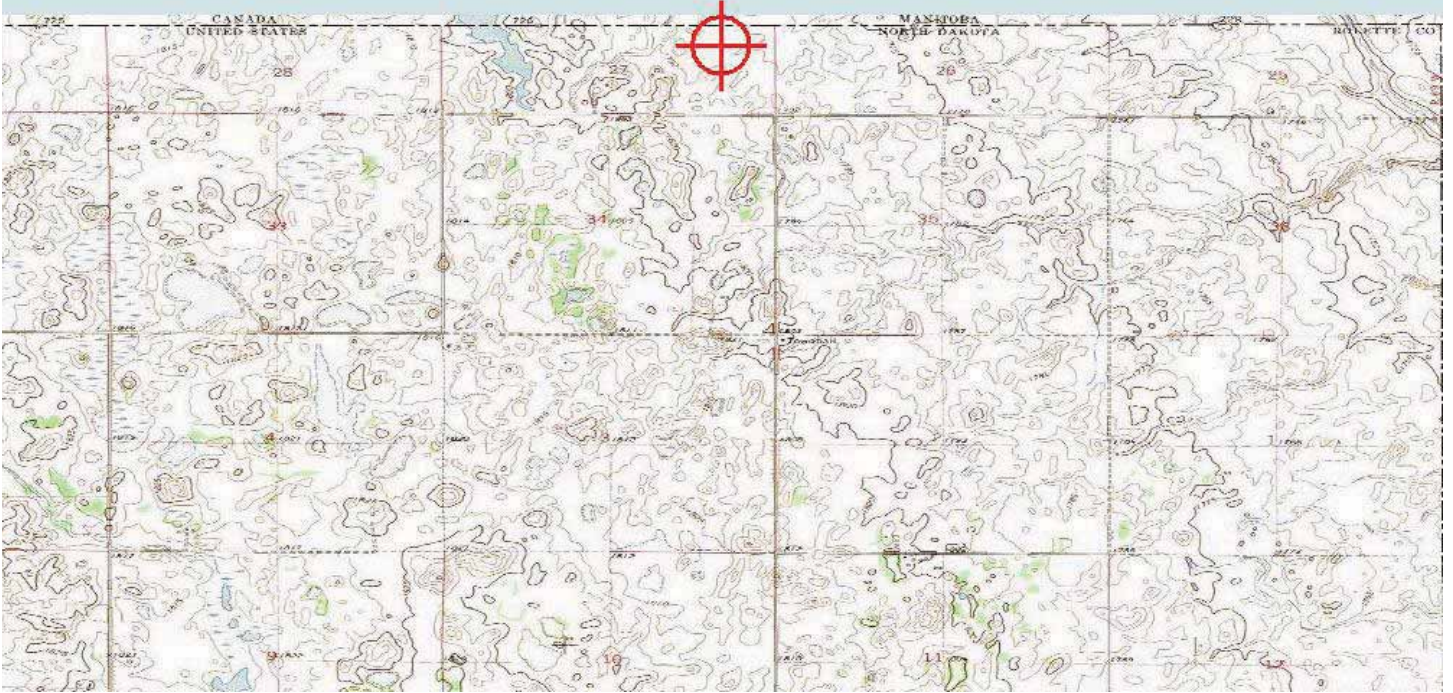
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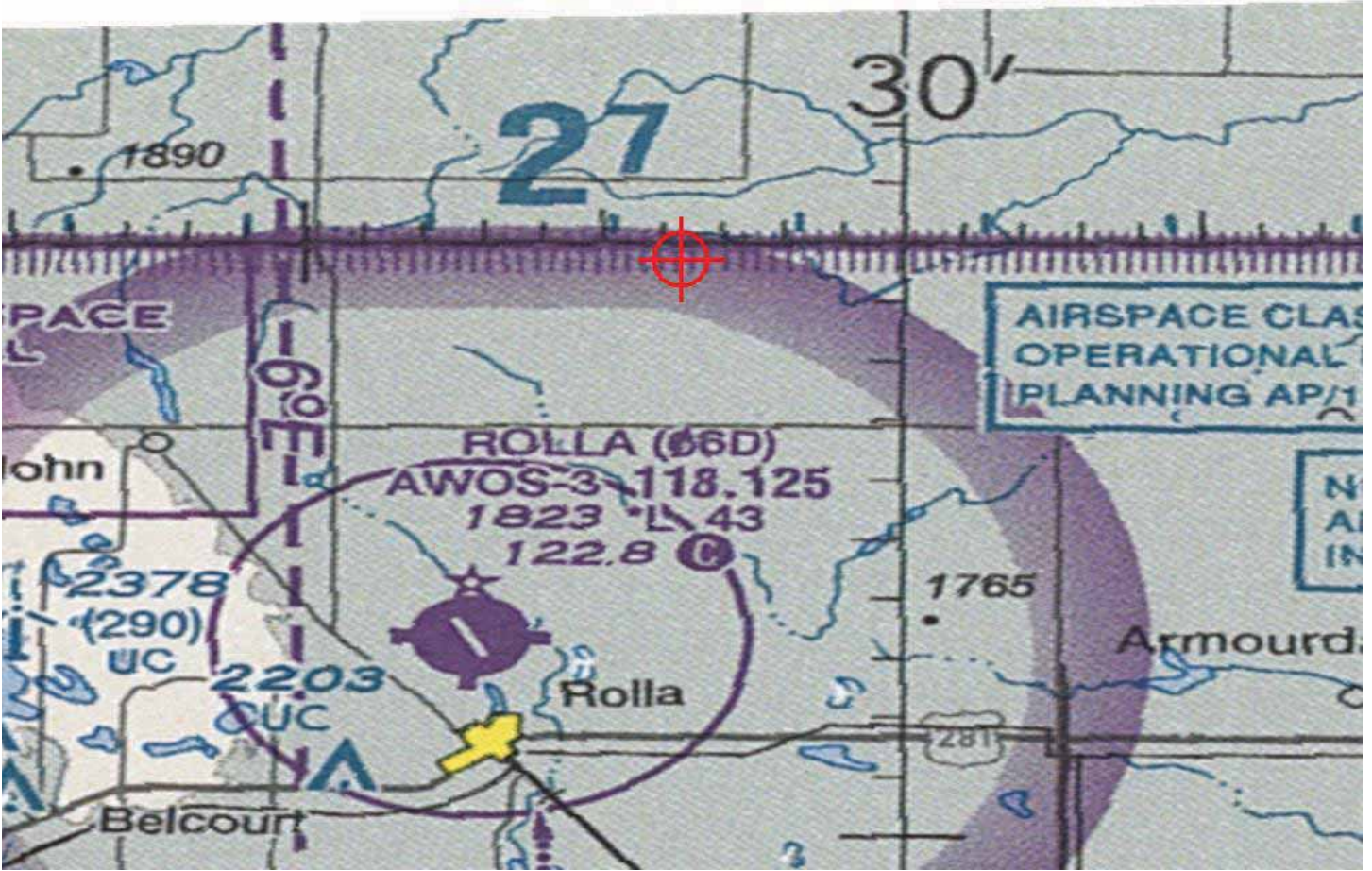
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1258-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1259-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T33
 Location: St. John, ND
 Latitude: 48-59-21.11N NAD 83
 Longitude: 99-39-14.02W
 Heights: 1834 feet site elevation (SE)
 481 feet above ground level (AGL)
 2315 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1259-OE.

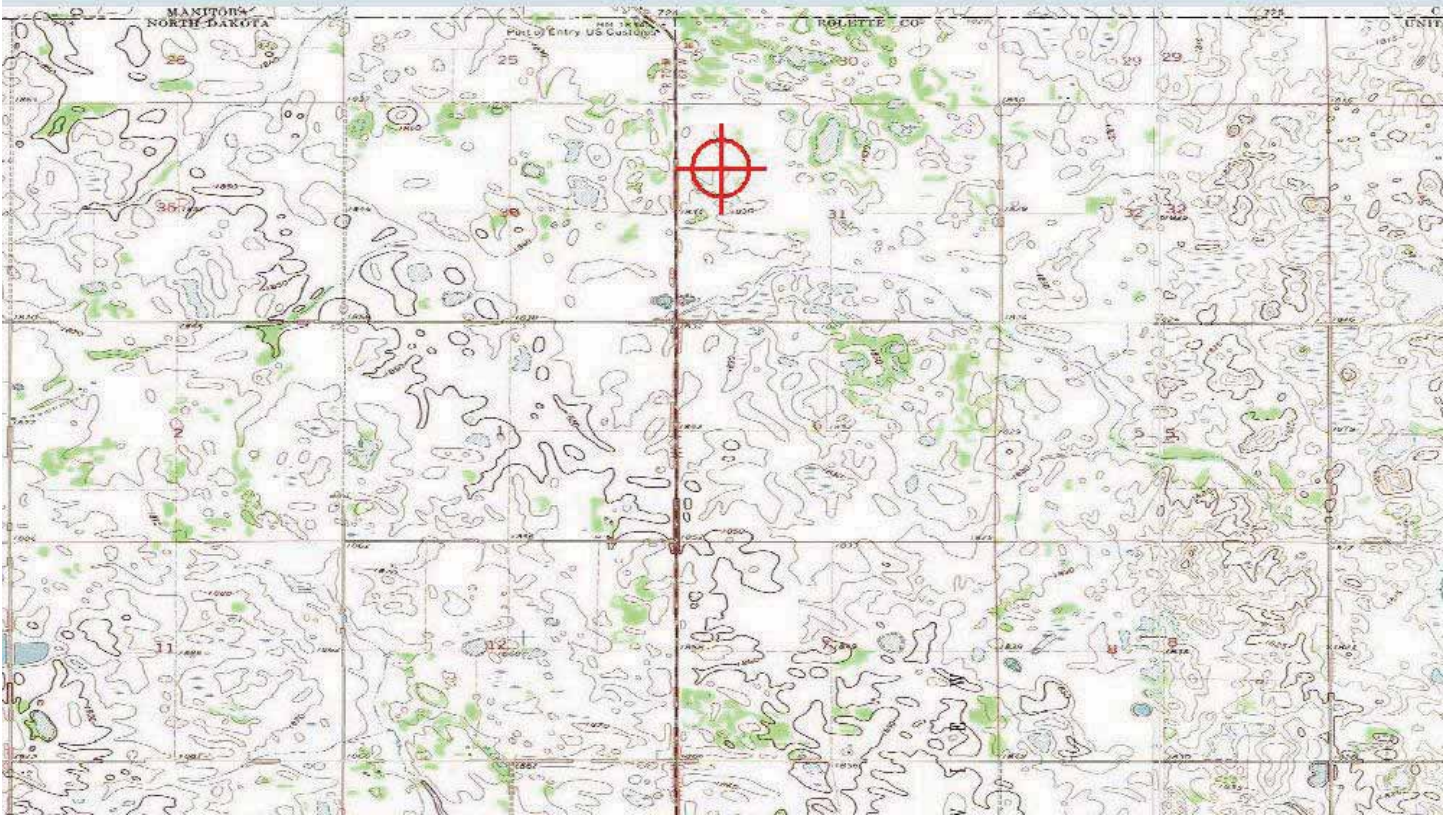
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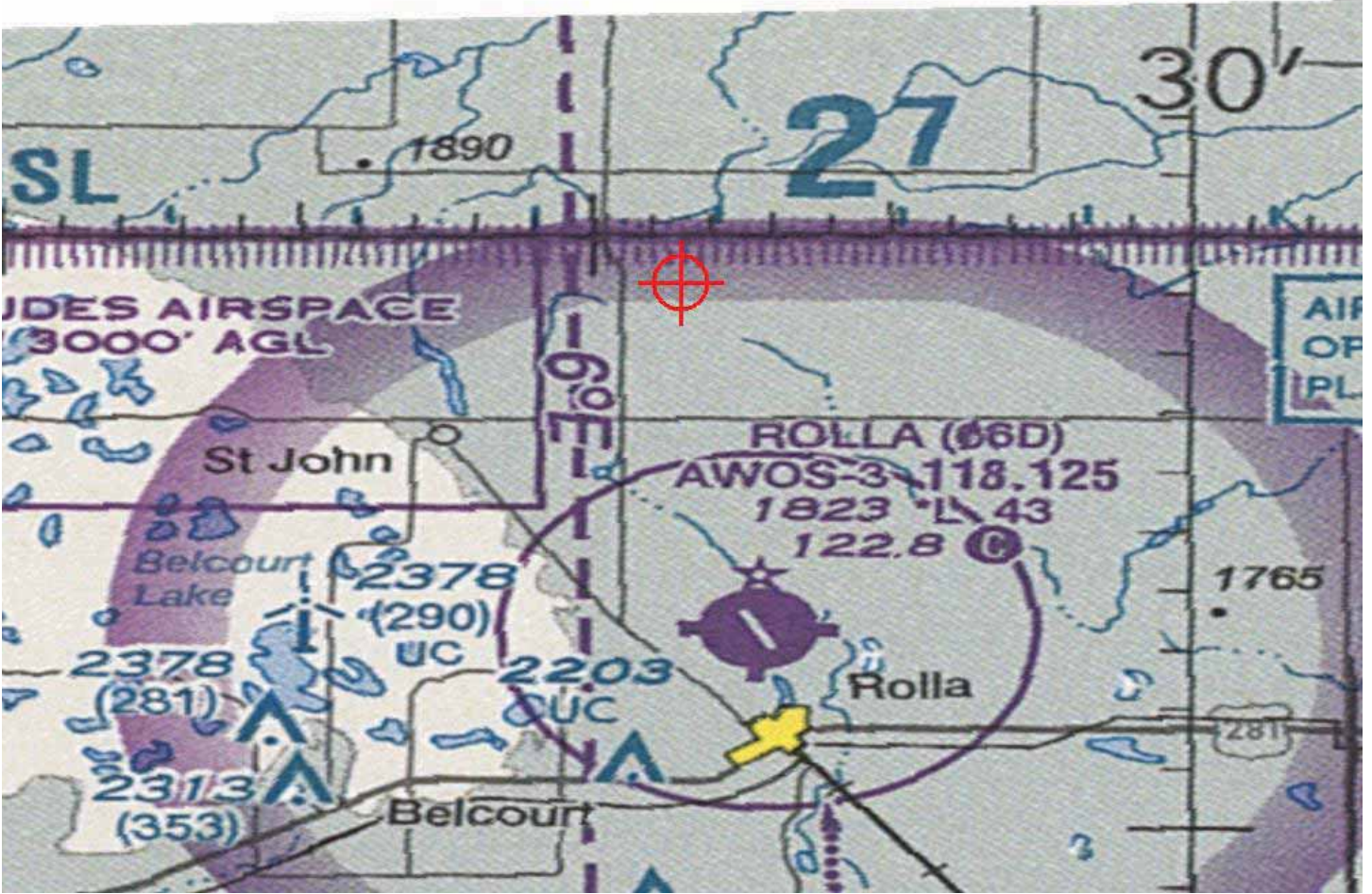
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1259-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1260-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T34
 Location: St. John, ND
 Latitude: 48-59-28.04N NAD 83
 Longitude: 99-38-58.46W
 Heights: 1835 feet site elevation (SE)
 481 feet above ground level (AGL)
 2316 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

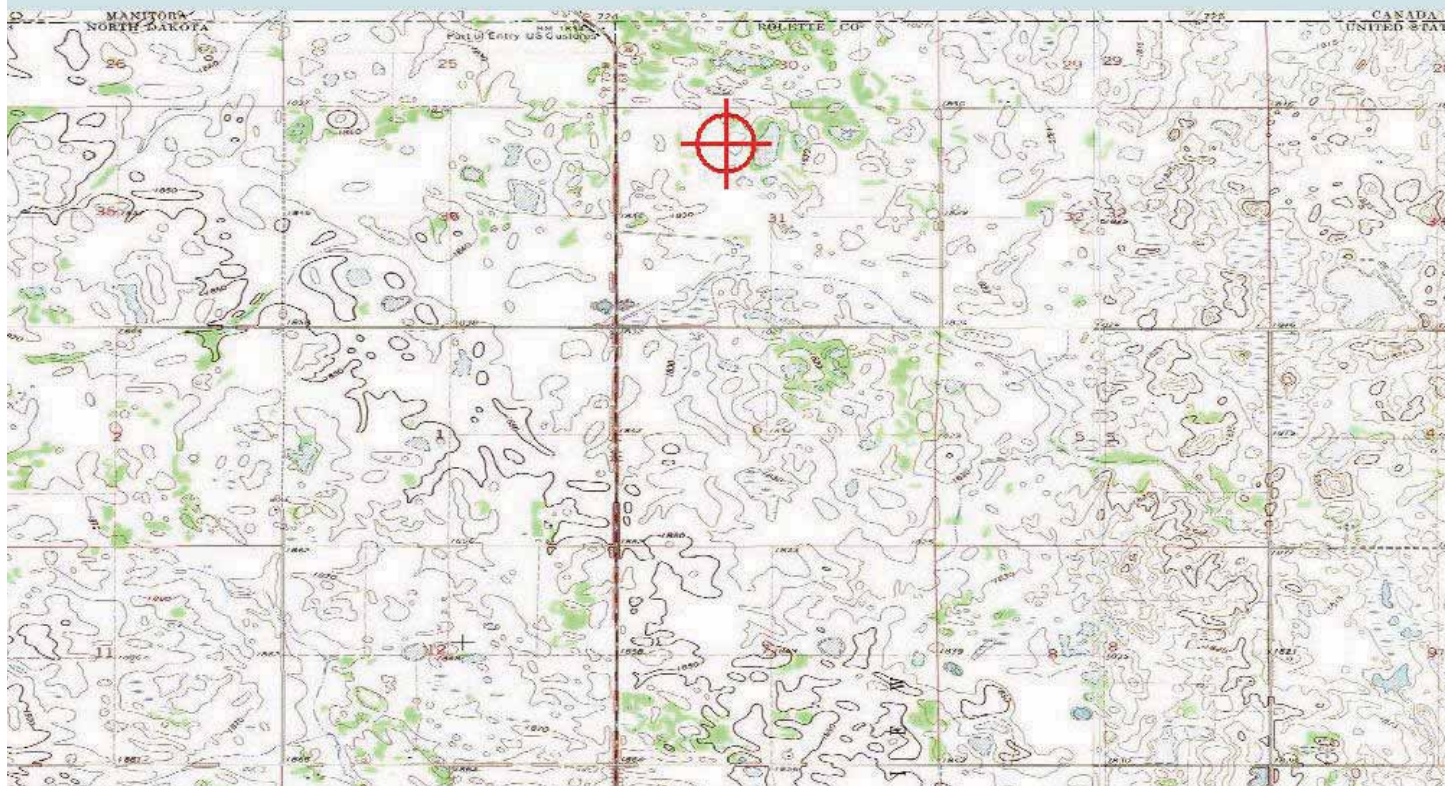
If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1260-OE.

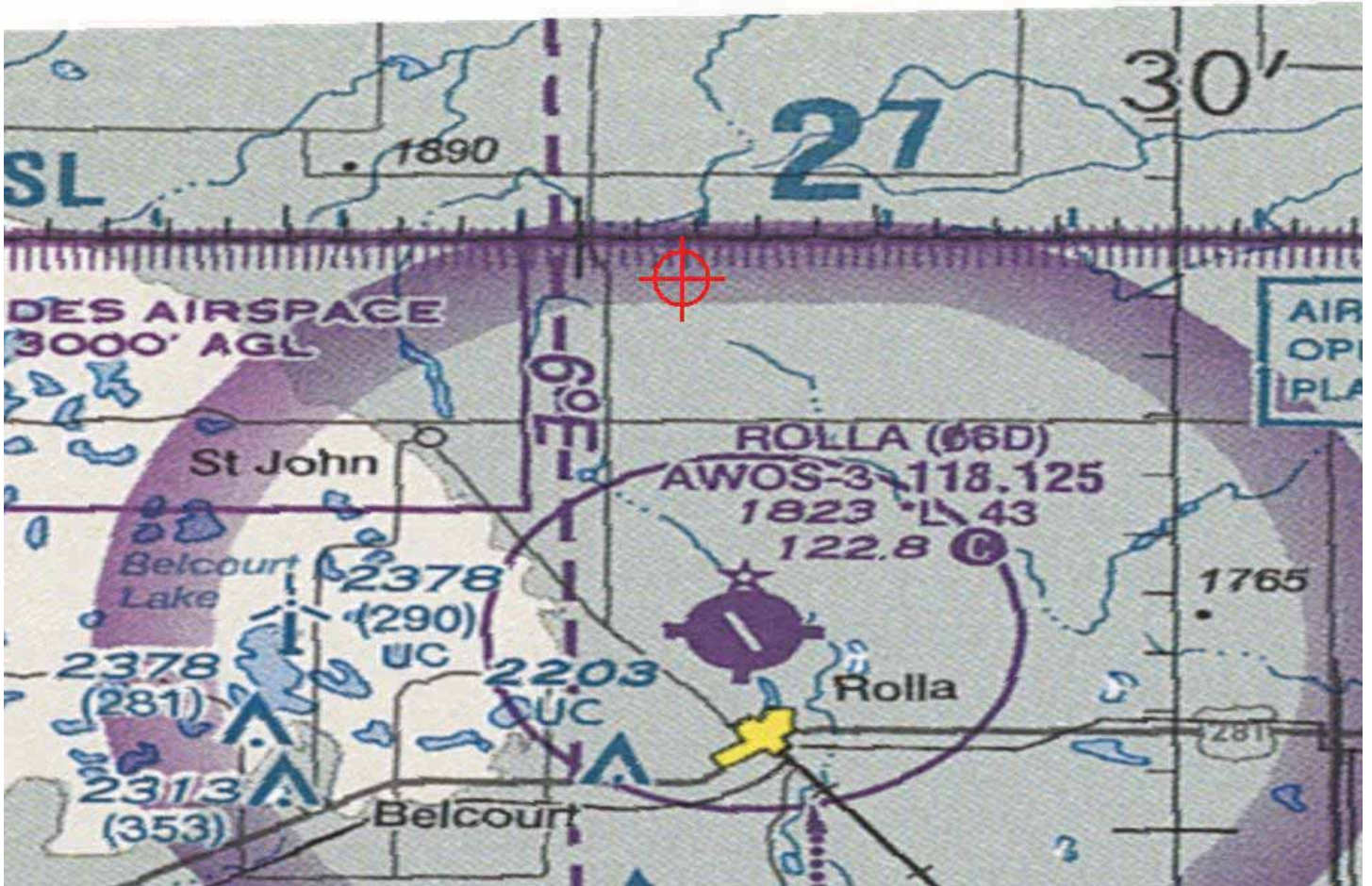
Signature Control No: 208918299-220233194

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2014-WTE-1261-OE

Issued Date: 06/06/2014

Eric Wenger
Border Winds Energy, LLC
11101 W. 120th Ave
Suite 400
Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T35
Location: St. John, ND
Latitude: 48-57-08.13N NAD 83
Longitude: 99-38-15.64W
Heights: 1846 feet site elevation (SE)
481 feet above ground level (AGL)
2327 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1261-OE.

Signature Control No: 208918300-220231823

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1261-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

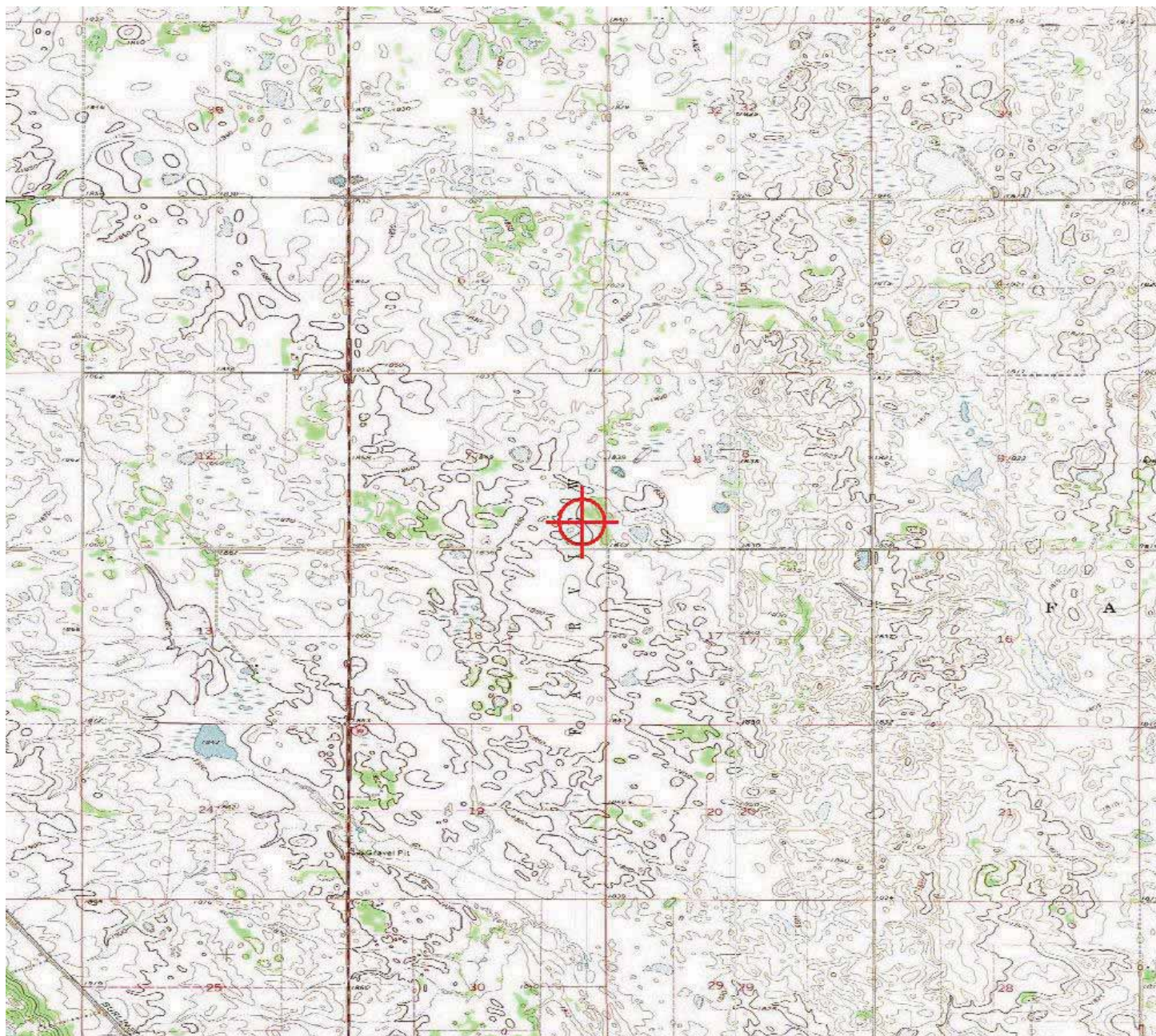
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

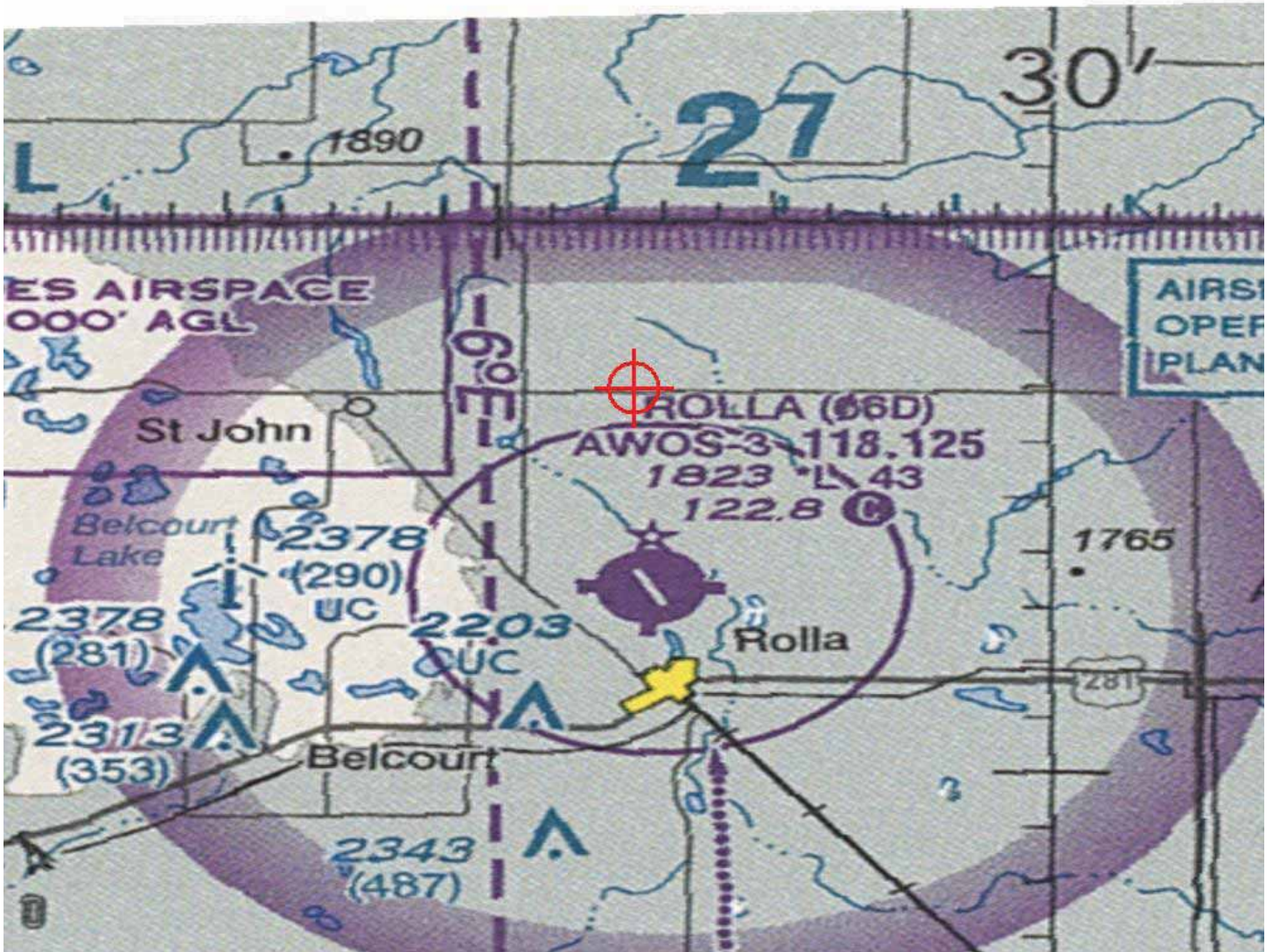
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1261-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1262-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T36
 Location: St. John, ND
 Latitude: 48-57-13.59N NAD 83
 Longitude: 99-37-59.32W
 Heights: 1852 feet site elevation (SE)
 481 feet above ground level (AGL)
 2333 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1262-OE.

Signature Control No: 208918301-220232152

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1262-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

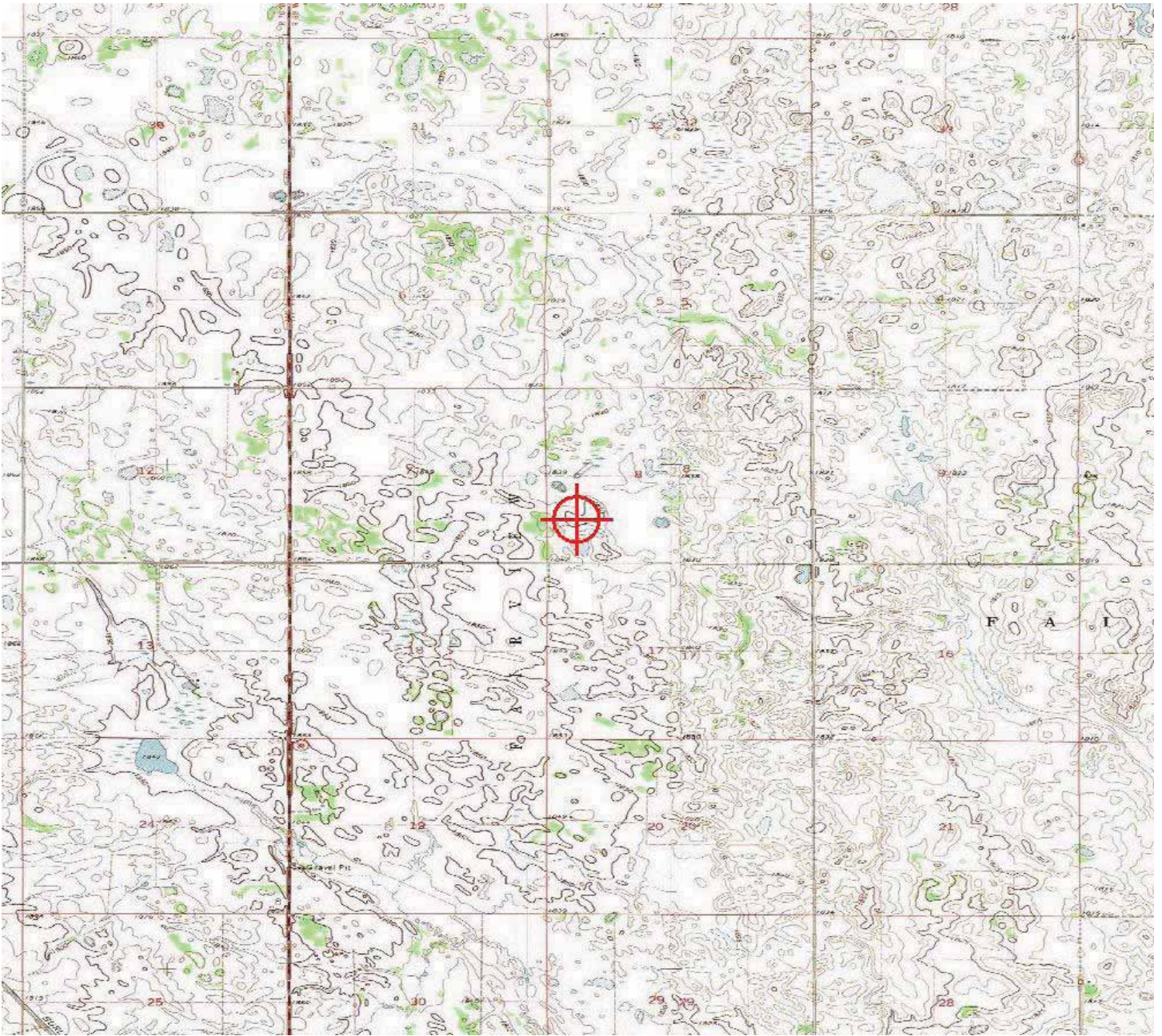
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

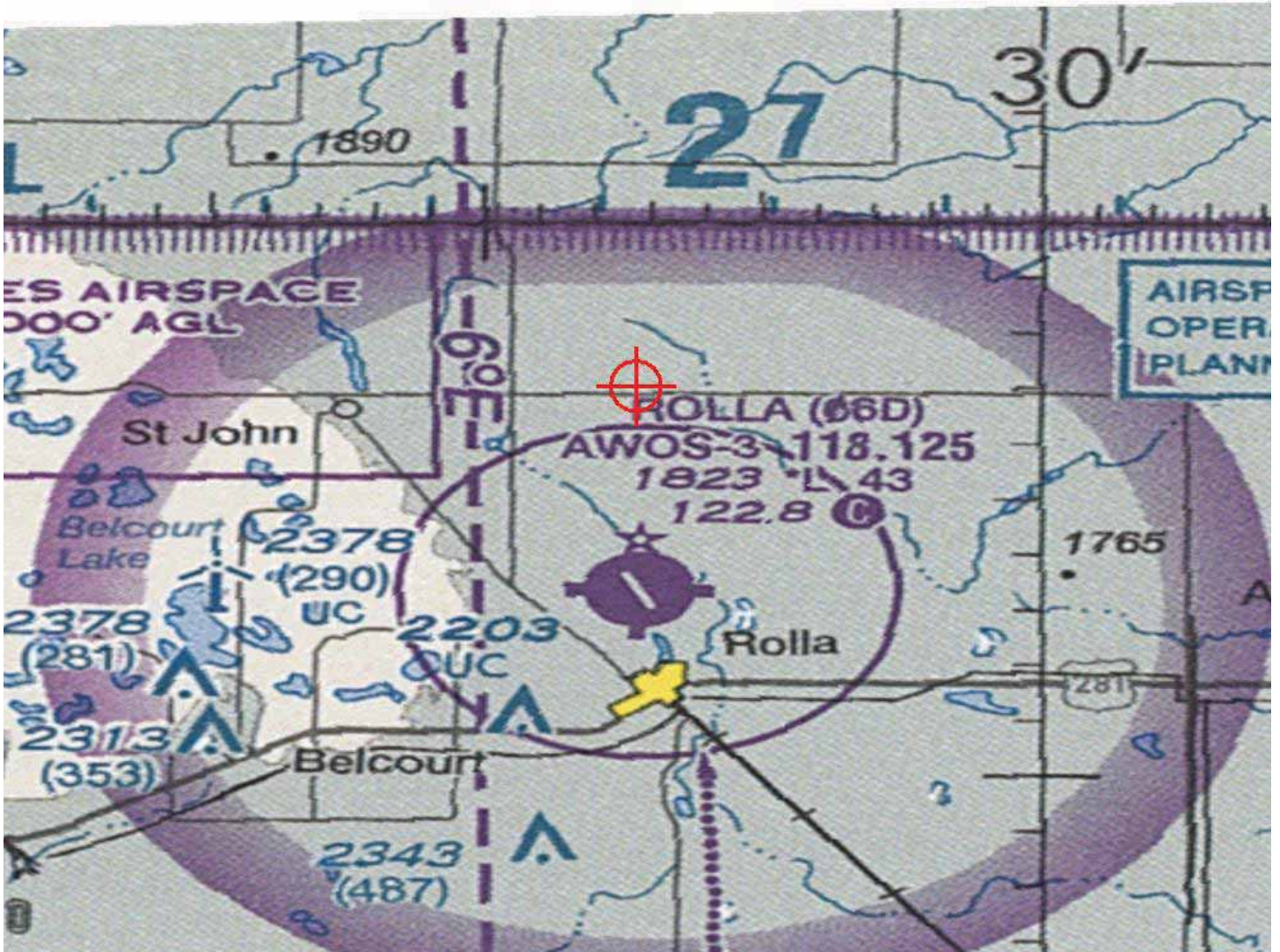
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1262-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1263-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T37
 Location: St. John, ND
 Latitude: 48-57-23.38N NAD 83
 Longitude: 99-37-42.07W
 Heights: 1843 feet site elevation (SE)
 481 feet above ground level (AGL)
 2324 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1263-OE.

Signature Control No: 208918302-220231834

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1263-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
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2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
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2014-WTE-1287-OE / 44 ft.

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2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

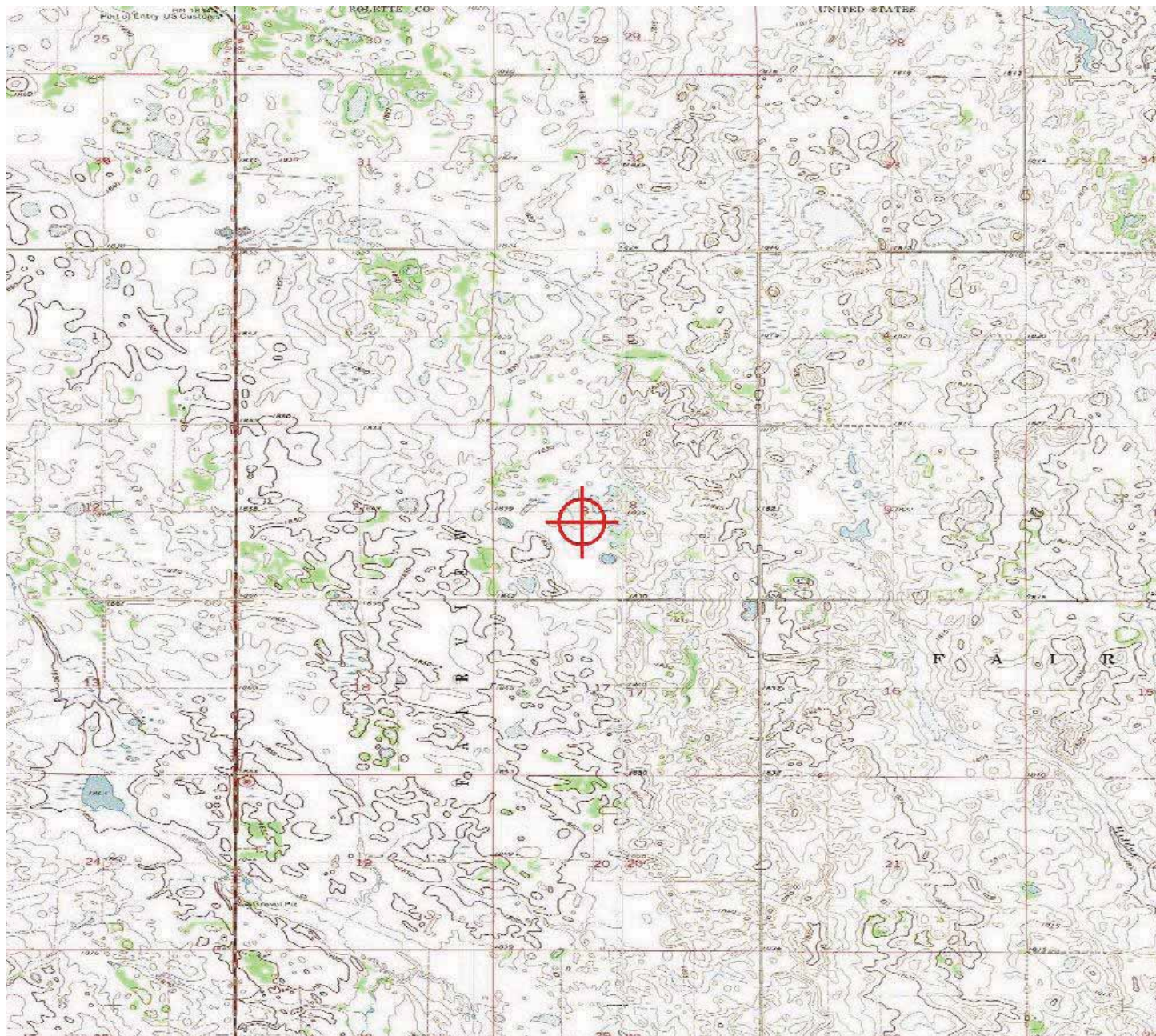
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

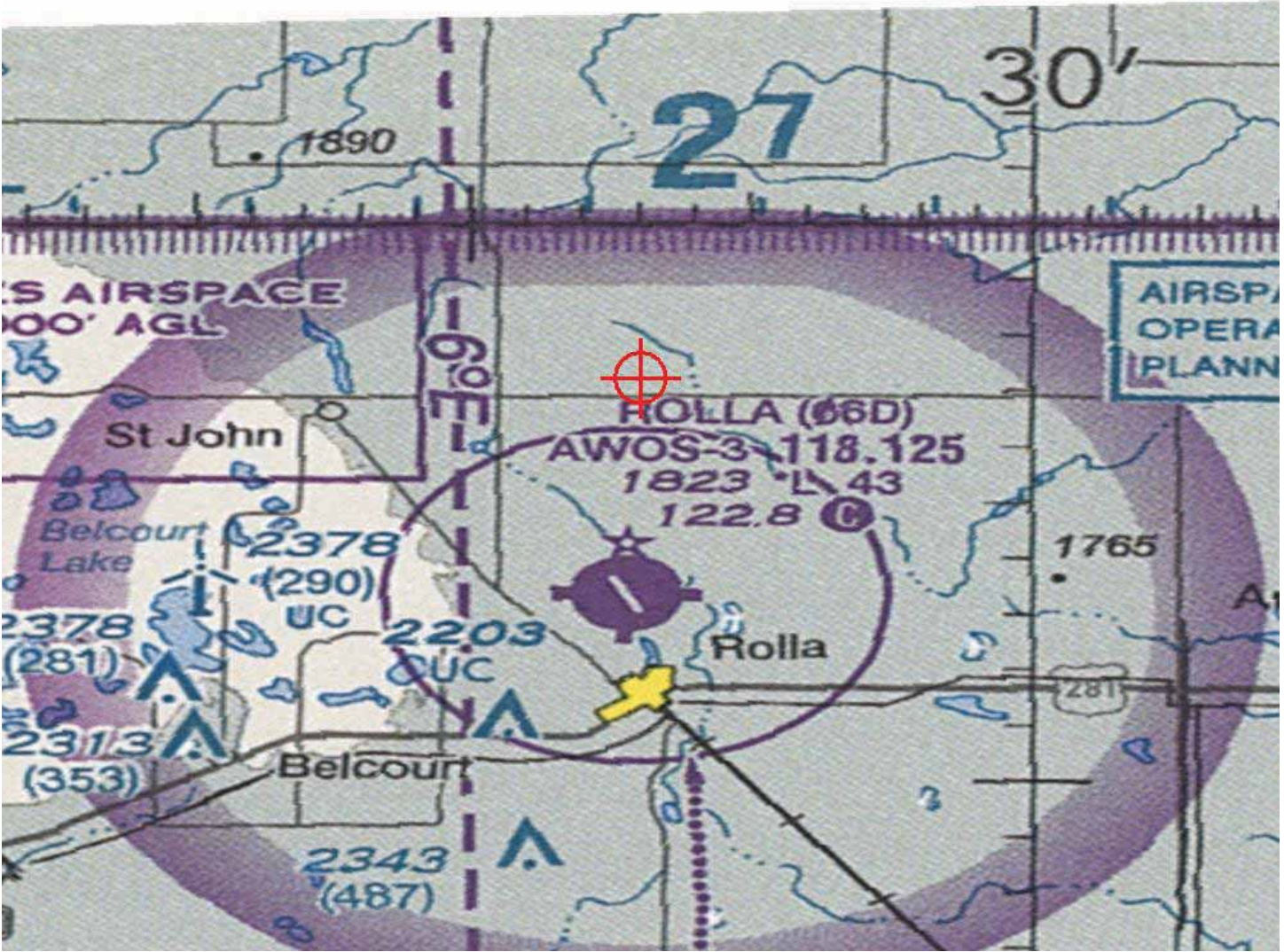
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1263-OE







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2014-WTE-1264-OE

Issued Date: 06/06/2014

Eric Wenger
Border Winds Energy, LLC
11101 W. 120th Ave
Suite 400
Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T38
Location: St. John, ND
Latitude: 48-57-38.03N NAD 83
Longitude: 99-37-26.05W
Heights: 1839 feet site elevation (SE)
481 feet above ground level (AGL)
2320 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1264-OE.

Signature Control No: 208918305-220231829

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1264-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

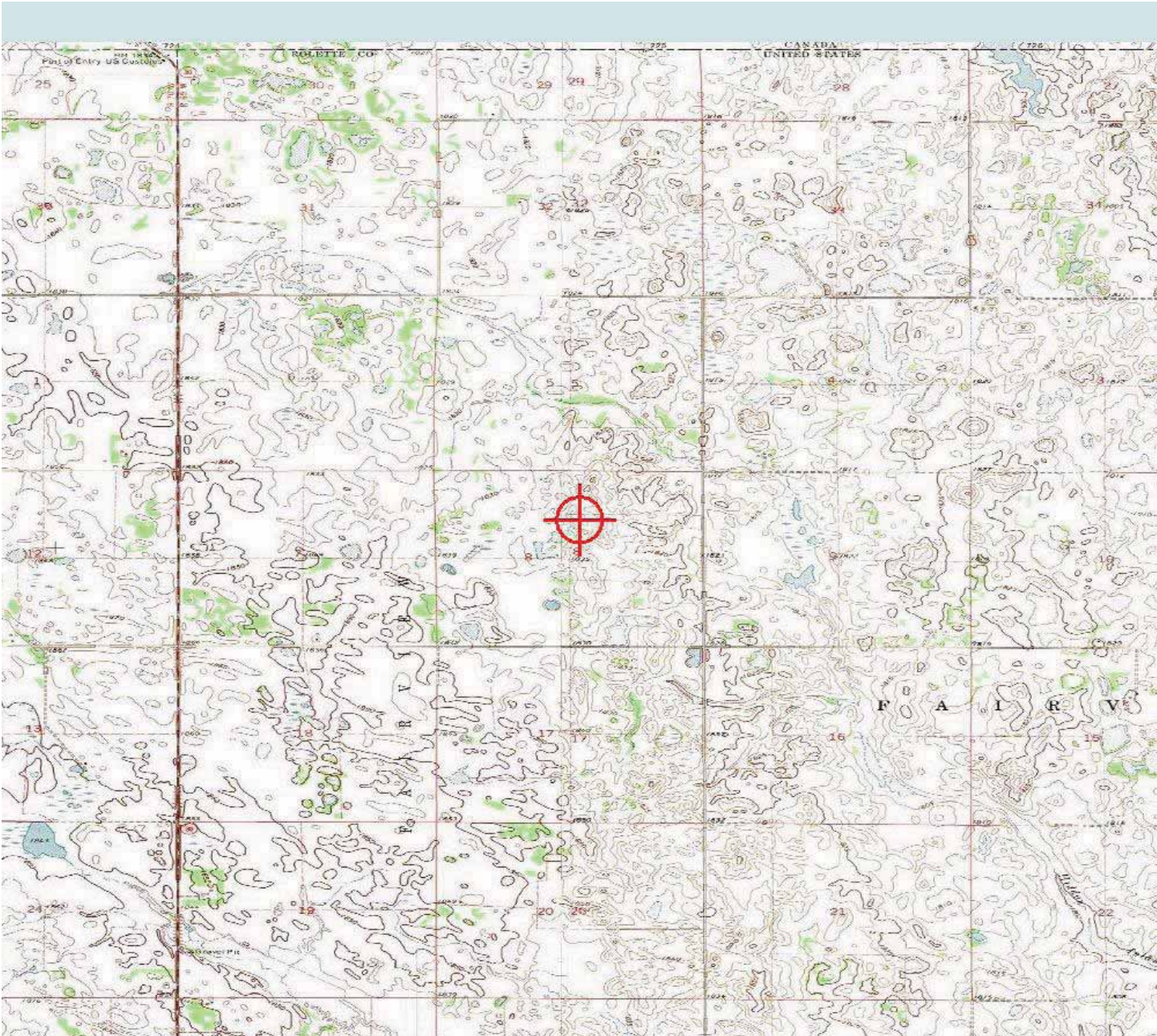
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

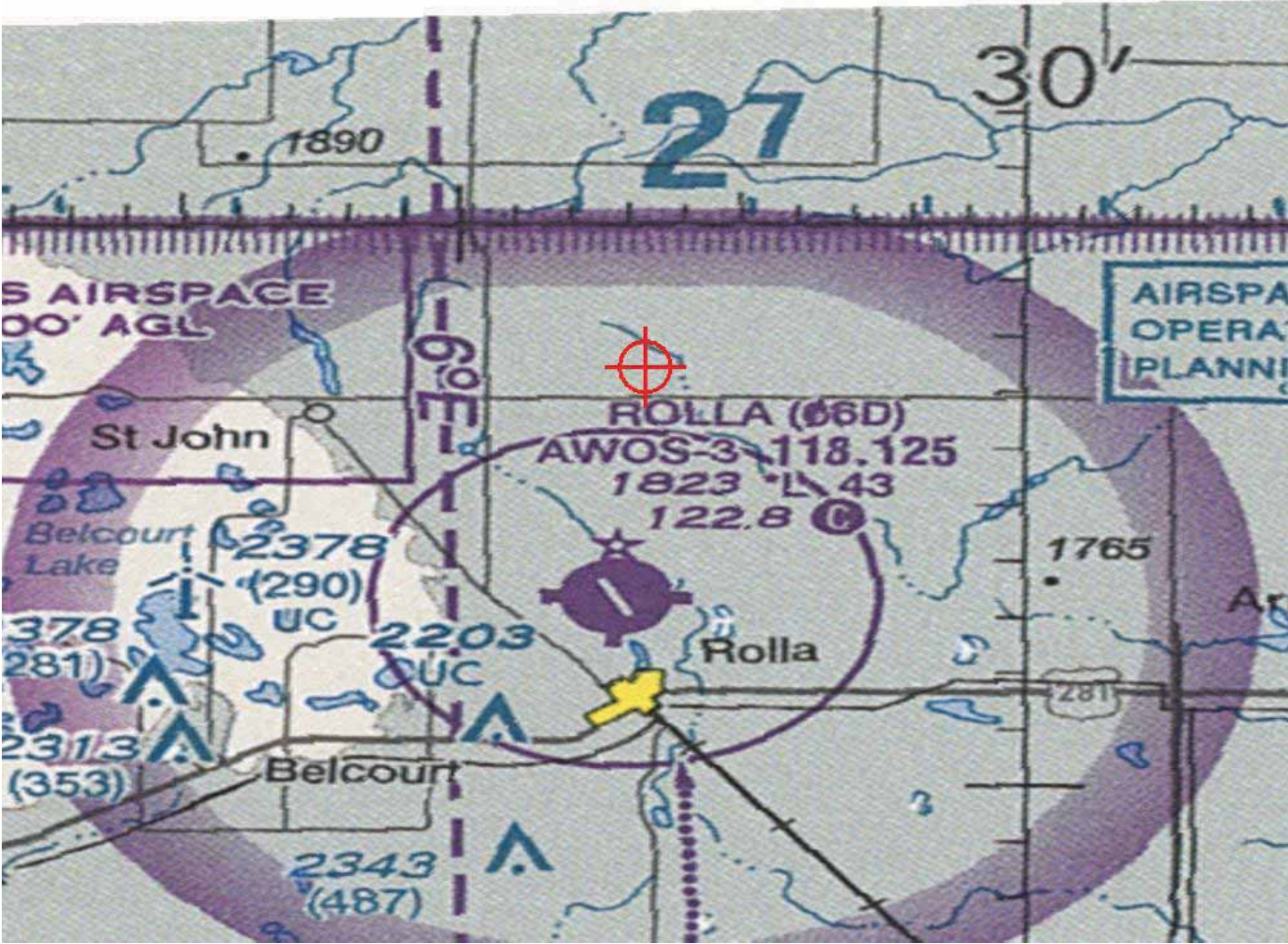
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1264-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1265-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T39
 Location: St. John, ND
 Latitude: 48-57-42.44N NAD 83
 Longitude: 99-37-02.09W
 Heights: 1825 feet site elevation (SE)
 481 feet above ground level (AGL)
 2306 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1265-OE.

Signature Control No: 208918663-220231819

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1265-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

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2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

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2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

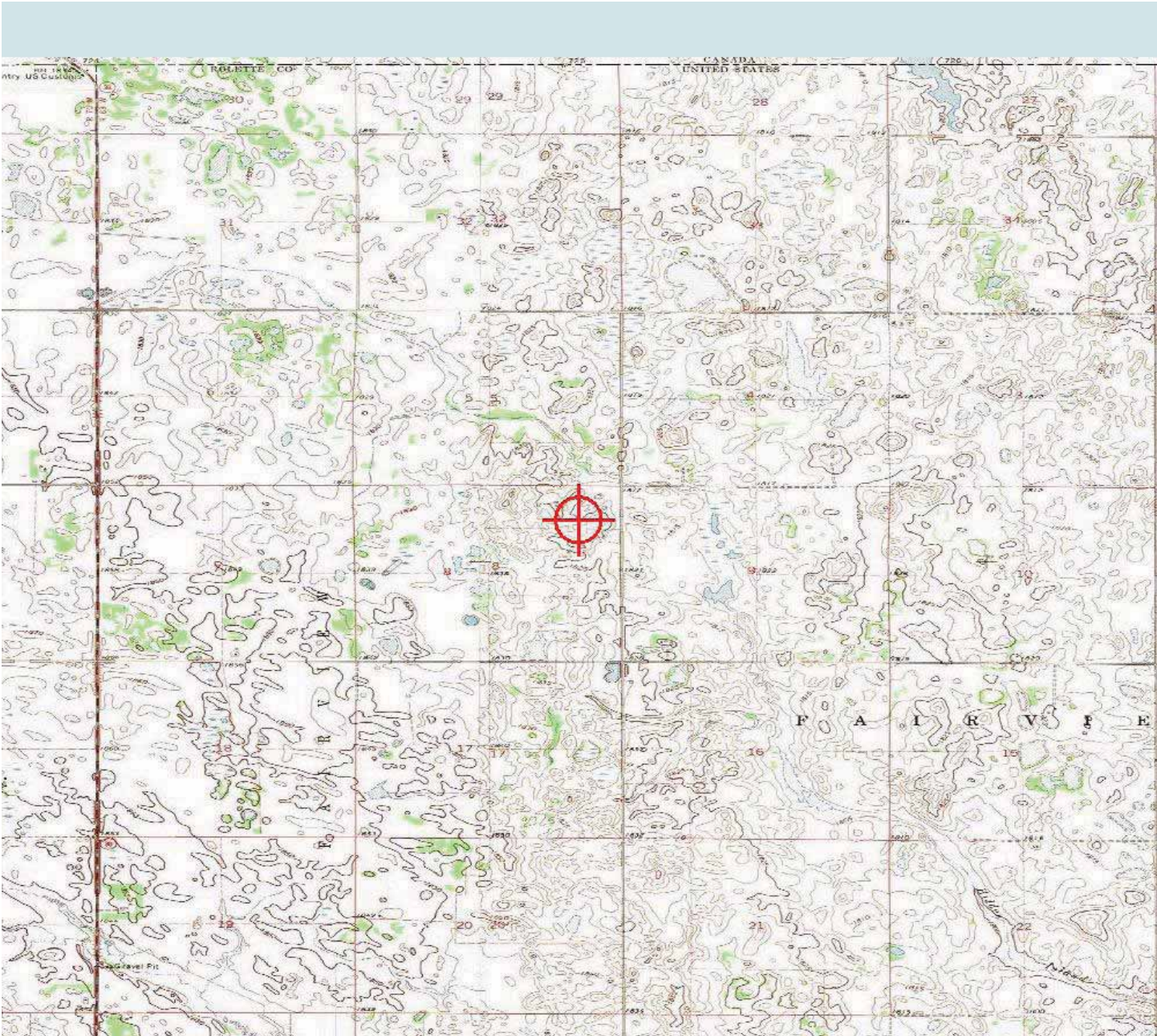
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

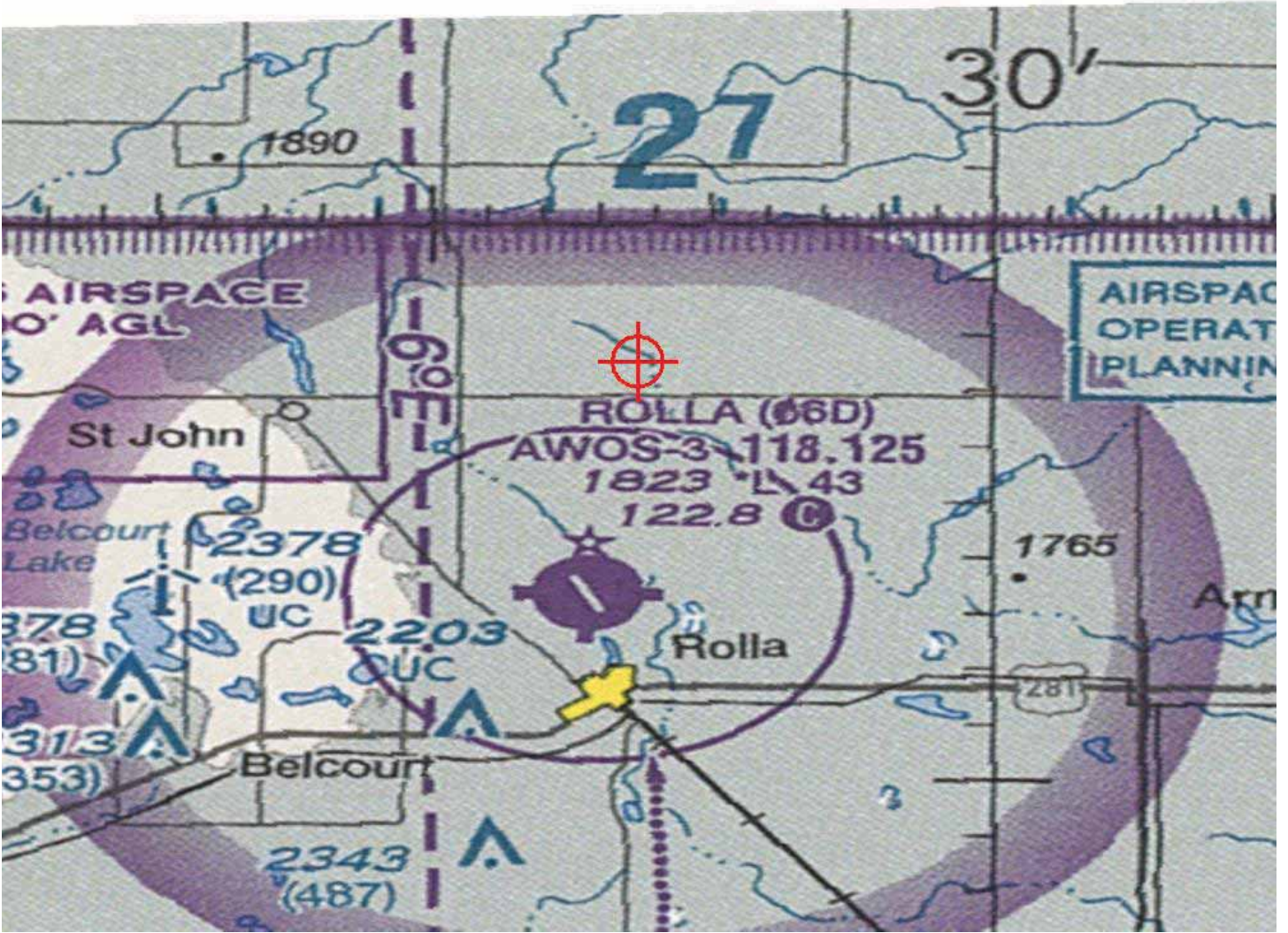
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1265-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1266-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T40
 Location: St. John, ND
 Latitude: 48-57-11.14N NAD 83
 Longitude: 99-35-54.44W
 Heights: 1822 feet site elevation (SE)
 481 feet above ground level (AGL)
 2303 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1266-OE.

Signature Control No: 208918664-220231822

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1266-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

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2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

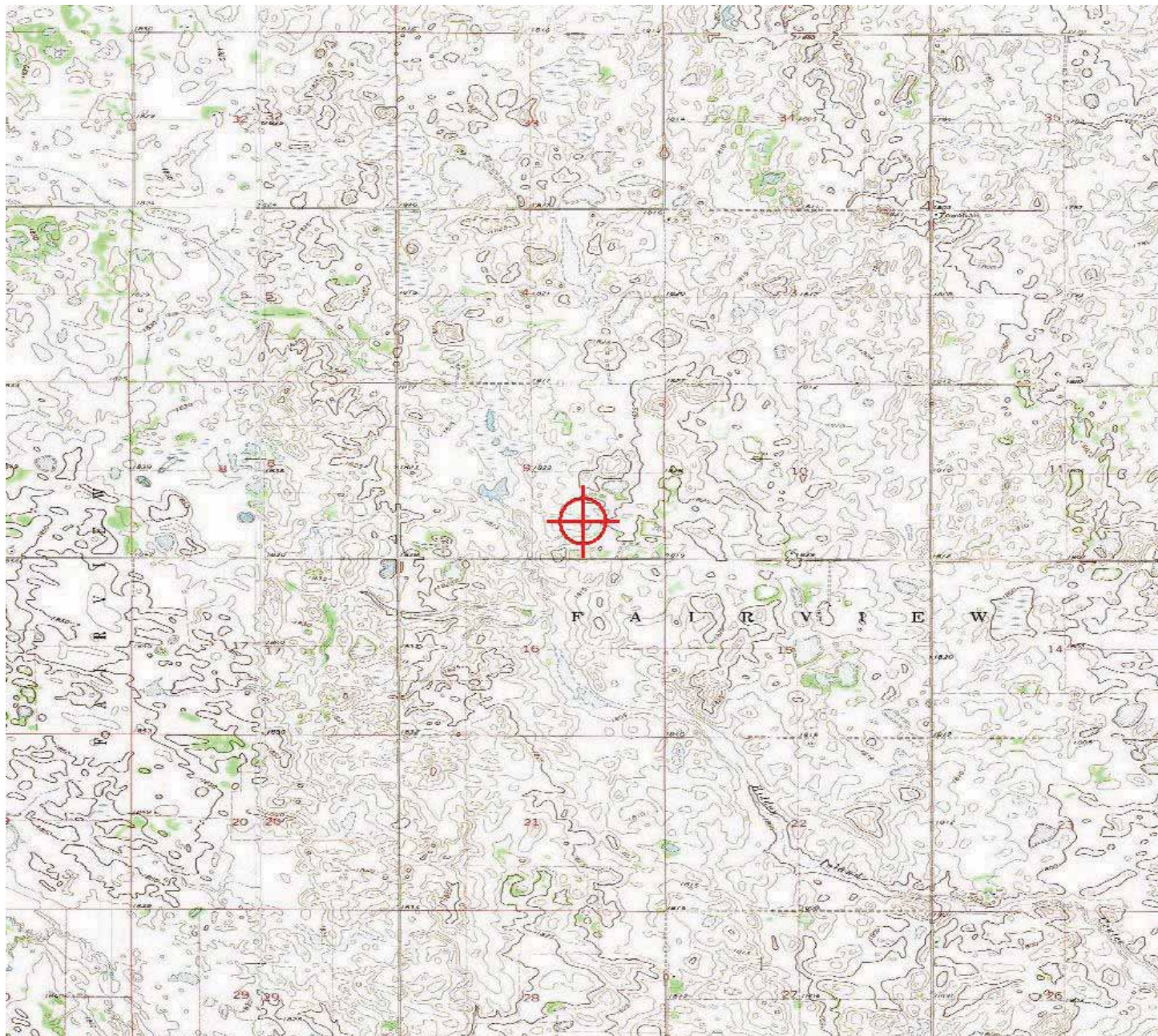
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

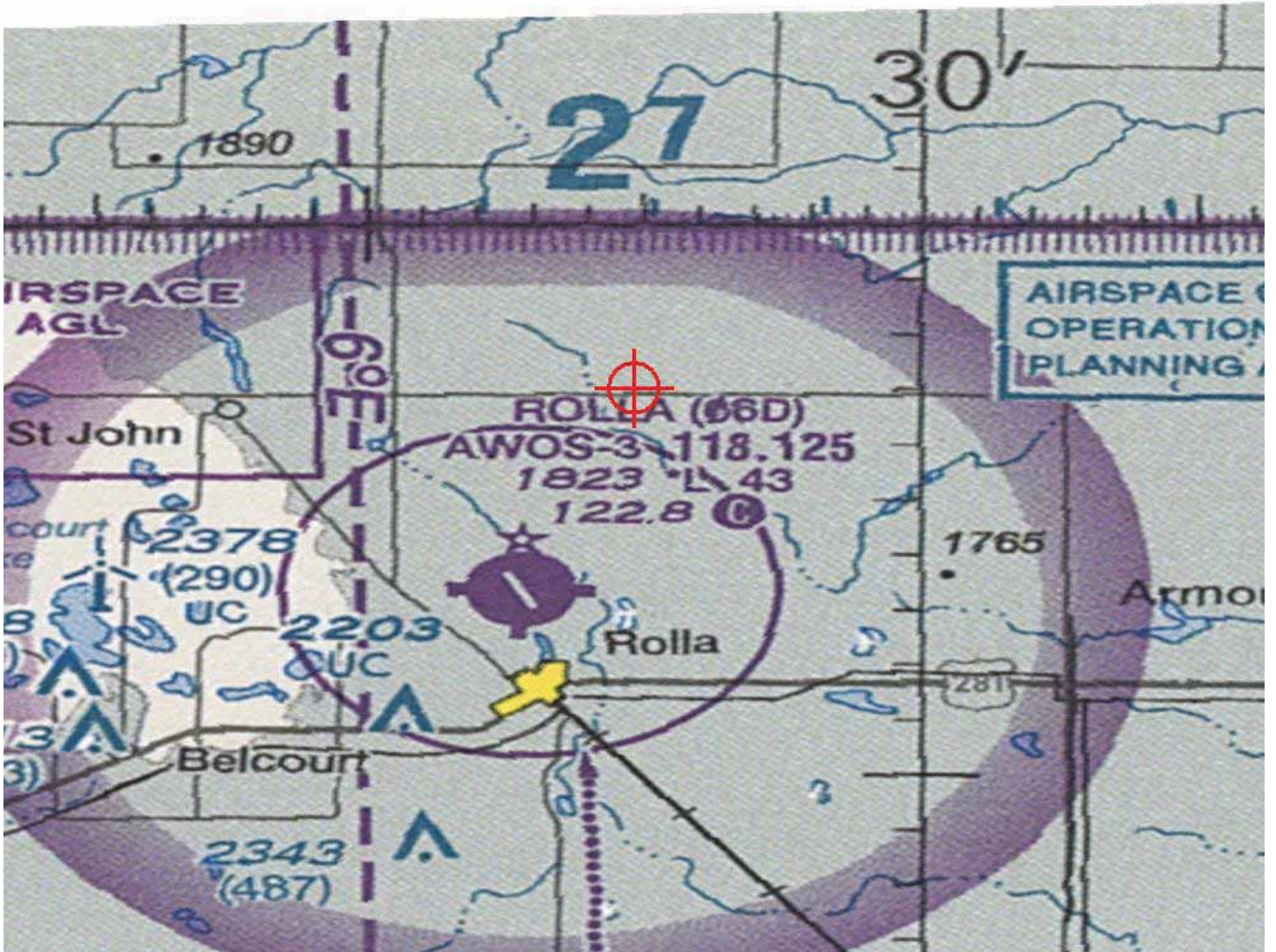
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1266-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1267-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T41
 Location: St. John, ND
 Latitude: 48-57-27.82N NAD 83
 Longitude: 99-35-33.84W
 Heights: 1827 feet site elevation (SE)
 481 feet above ground level (AGL)
 2308 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1267-OE.

Signature Control No: 208918665-220232143

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1267-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

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2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

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2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

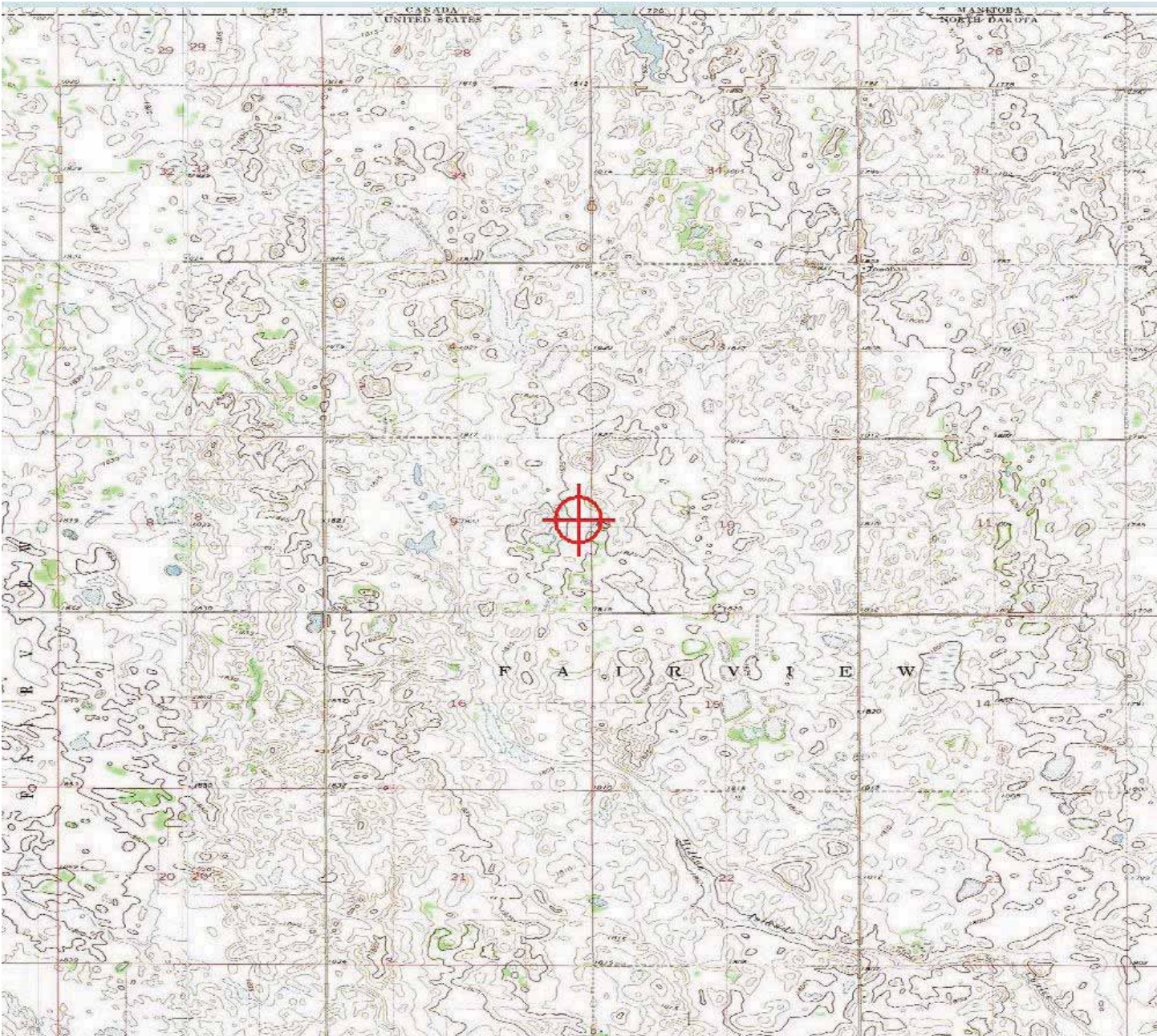
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

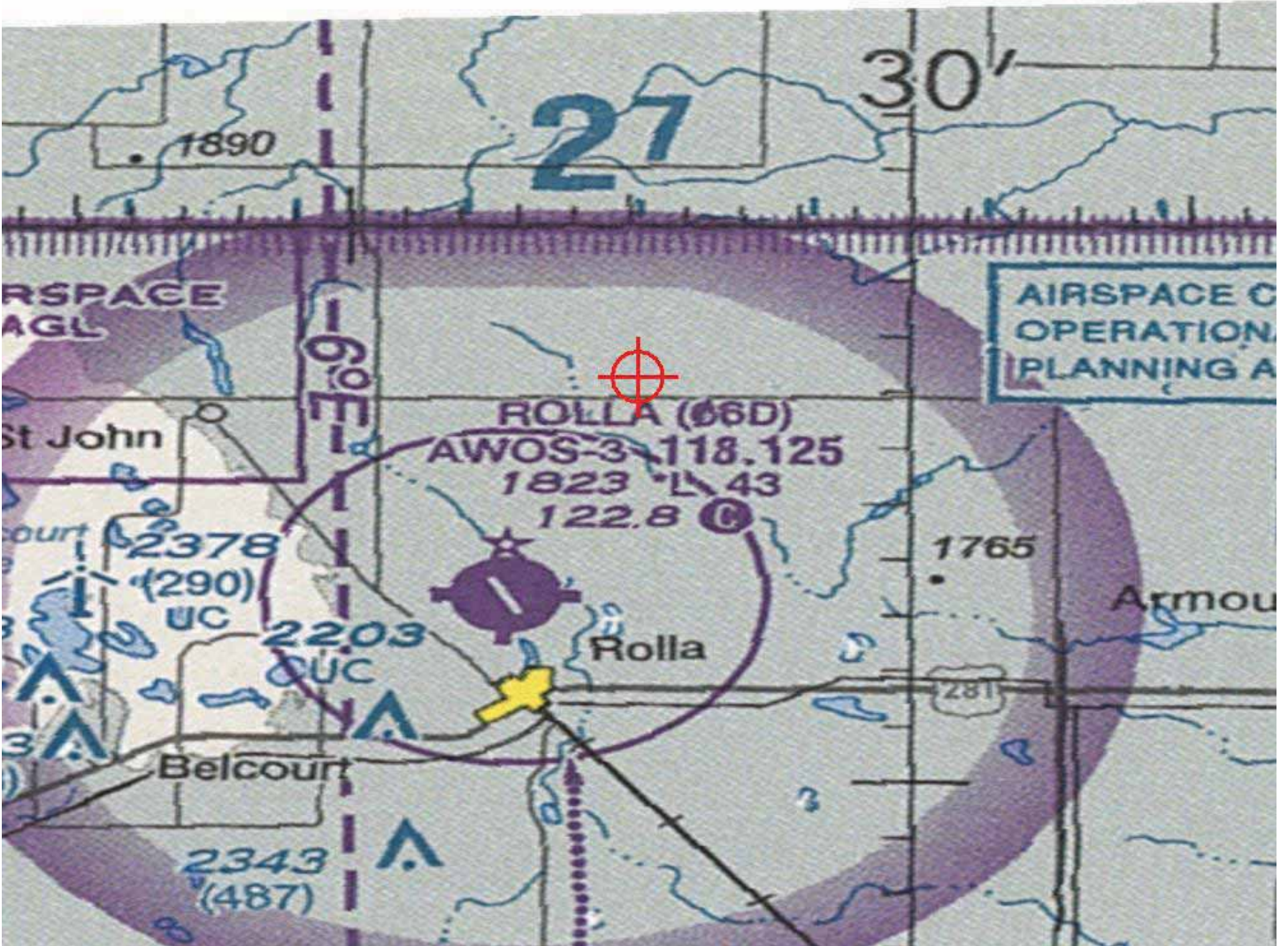
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1267-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1268-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T42
 Location: St. John, ND
 Latitude: 48-57-35.29N NAD 83
 Longitude: 99-35-16.89W
 Heights: 1825 feet site elevation (SE)
 481 feet above ground level (AGL)
 2306 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1268-OE.

Signature Control No: 208918669-220231824

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1268-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

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2014-WTE-1228-OE / 44 ft.

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2014-WTE-1247-OE / 35 ft.

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2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

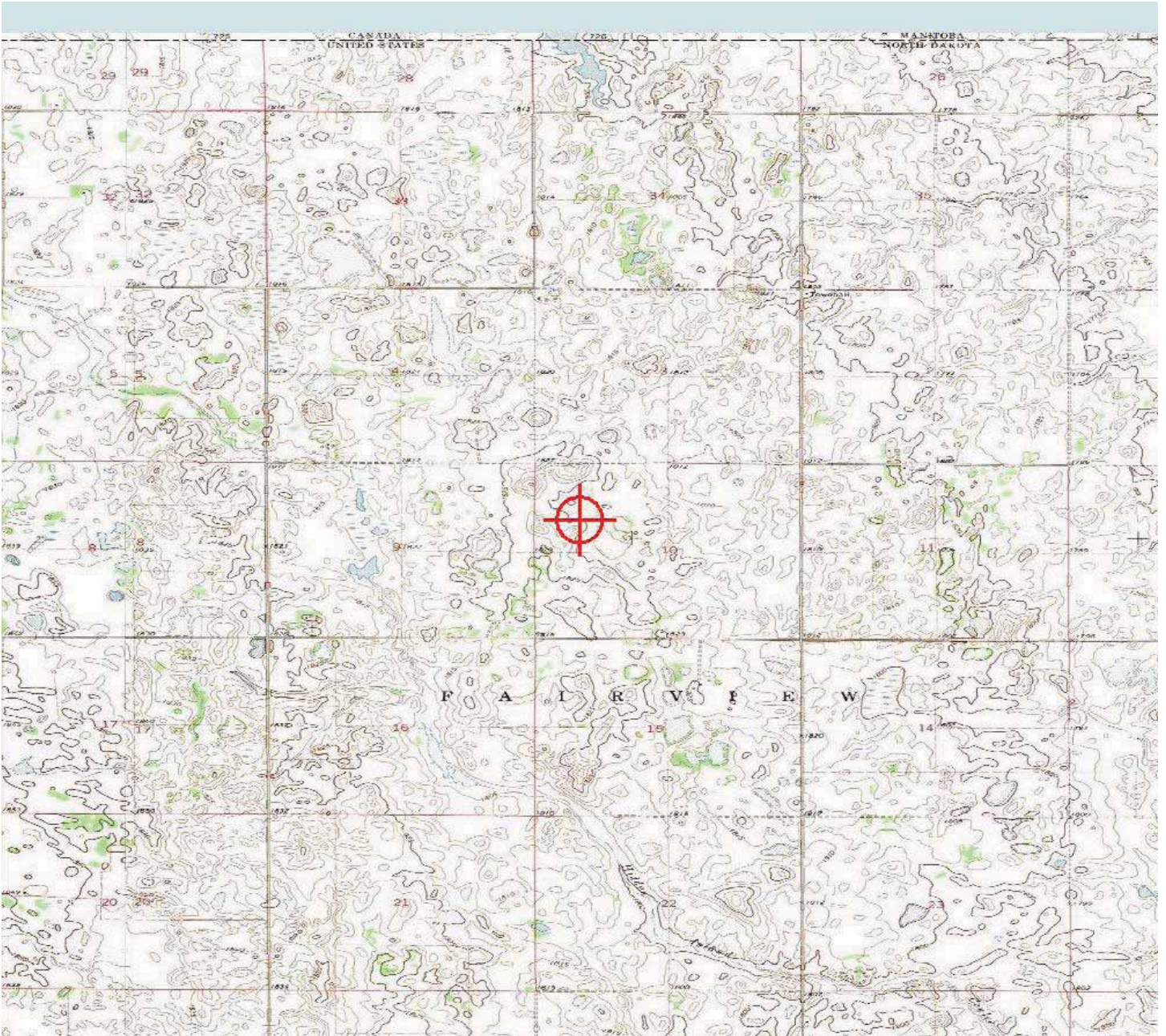
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

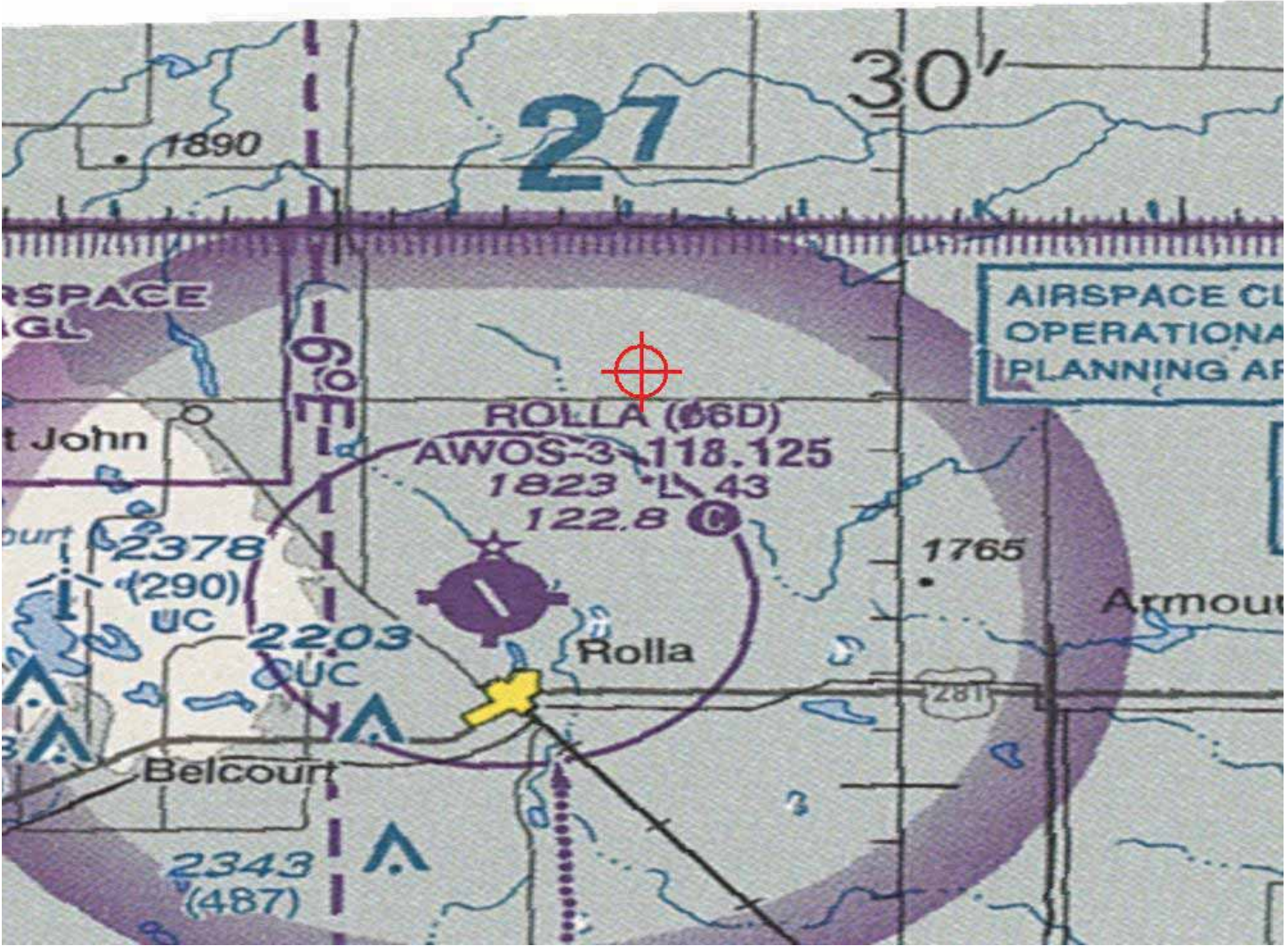
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1269-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T43
 Location: St. John, ND
 Latitude: 48-57-44.97N NAD 83
 Longitude: 99-34-59.99W
 Heights: 1824 feet site elevation (SE)
 481 feet above ground level (AGL)
 2305 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1269-OE.

Signature Control No: 208918670-220232155

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1269-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

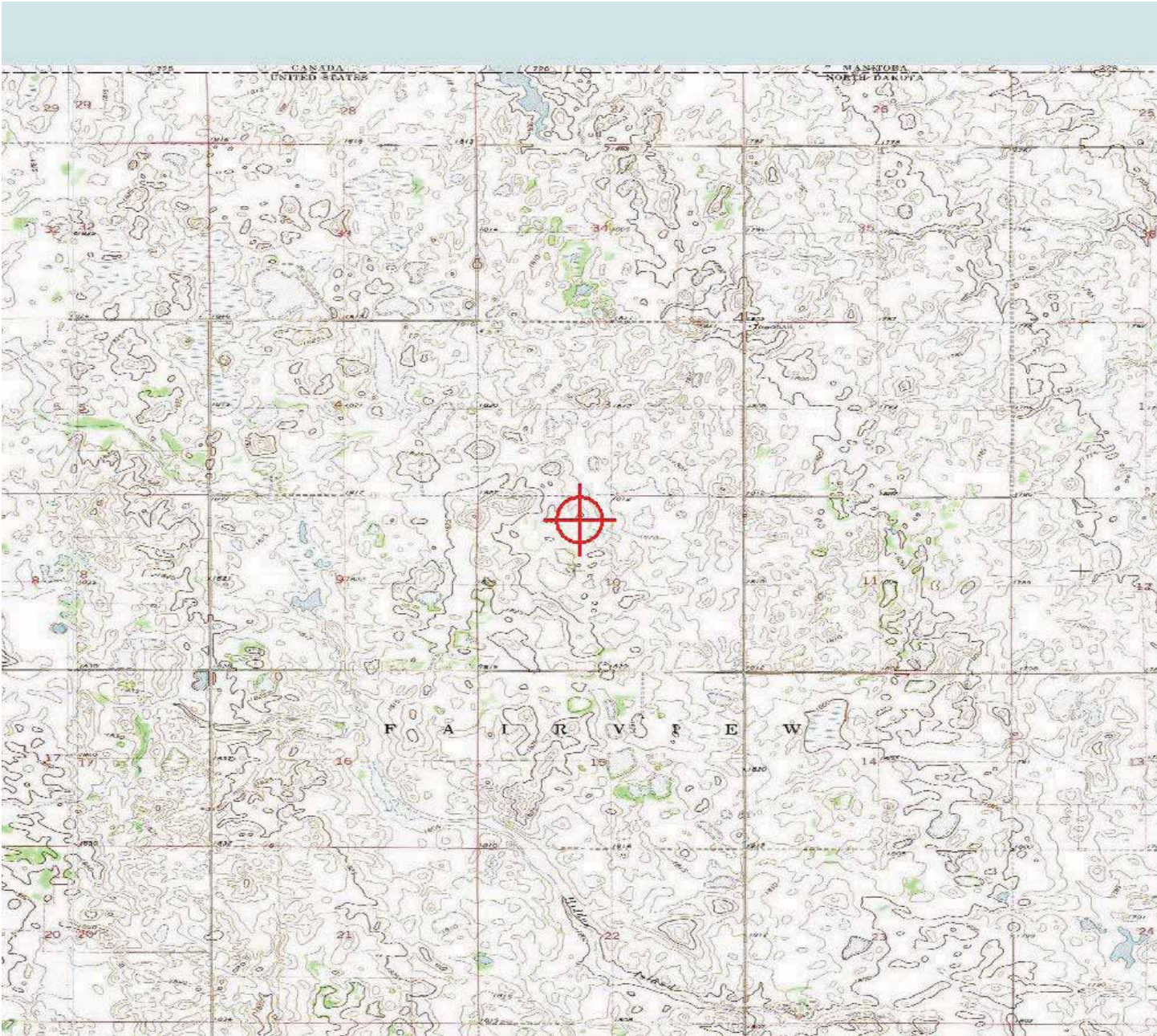
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

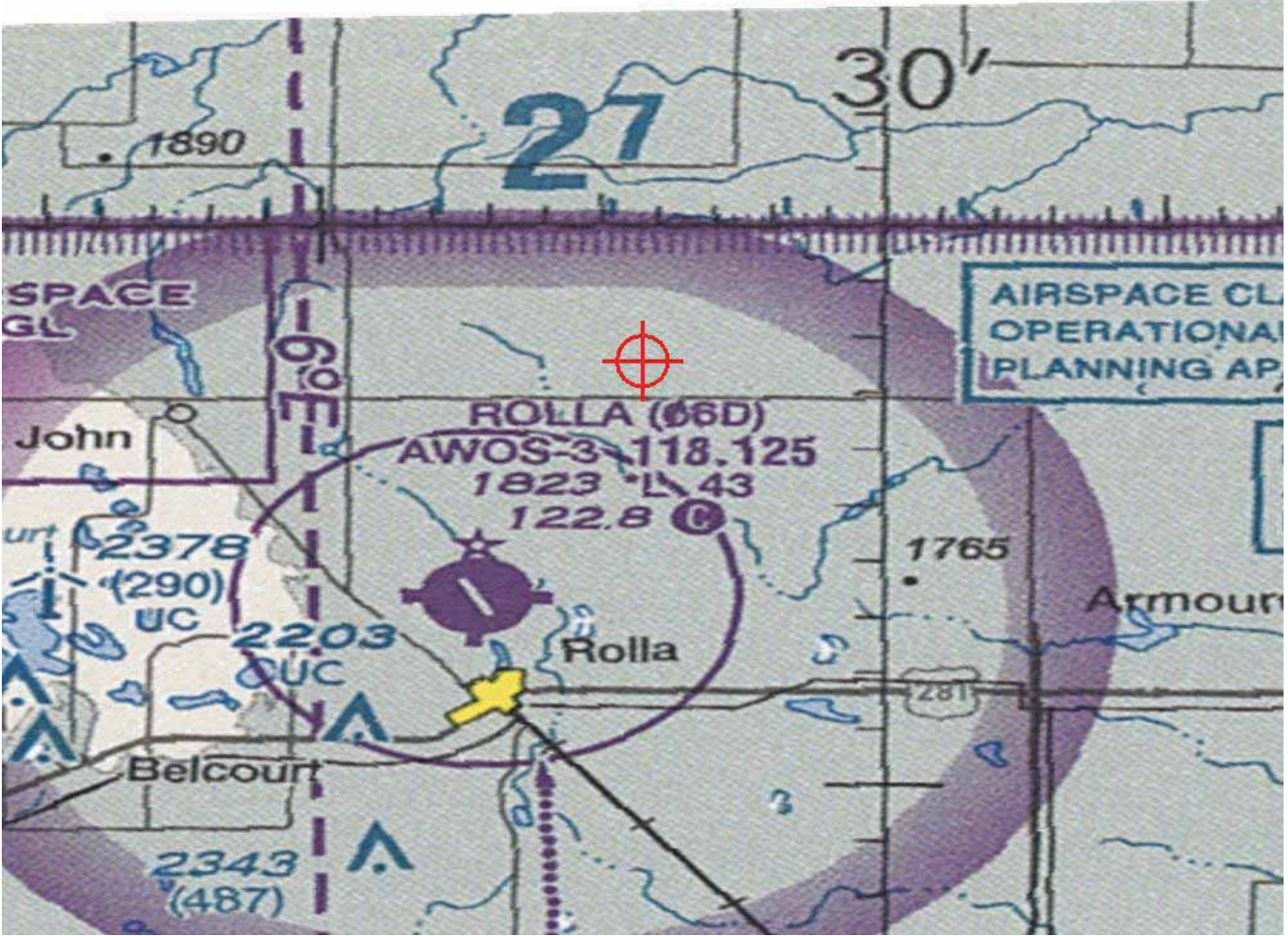
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1269-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1270-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T44
 Location: St. John, ND
 Latitude: 48-58-01.11N NAD 83
 Longitude: 99-34-45.13W
 Heights: 1813 feet site elevation (SE)
 481 feet above ground level (AGL)
 2294 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1270-OE.

Signature Control No: 208918671-220231832

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1270-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

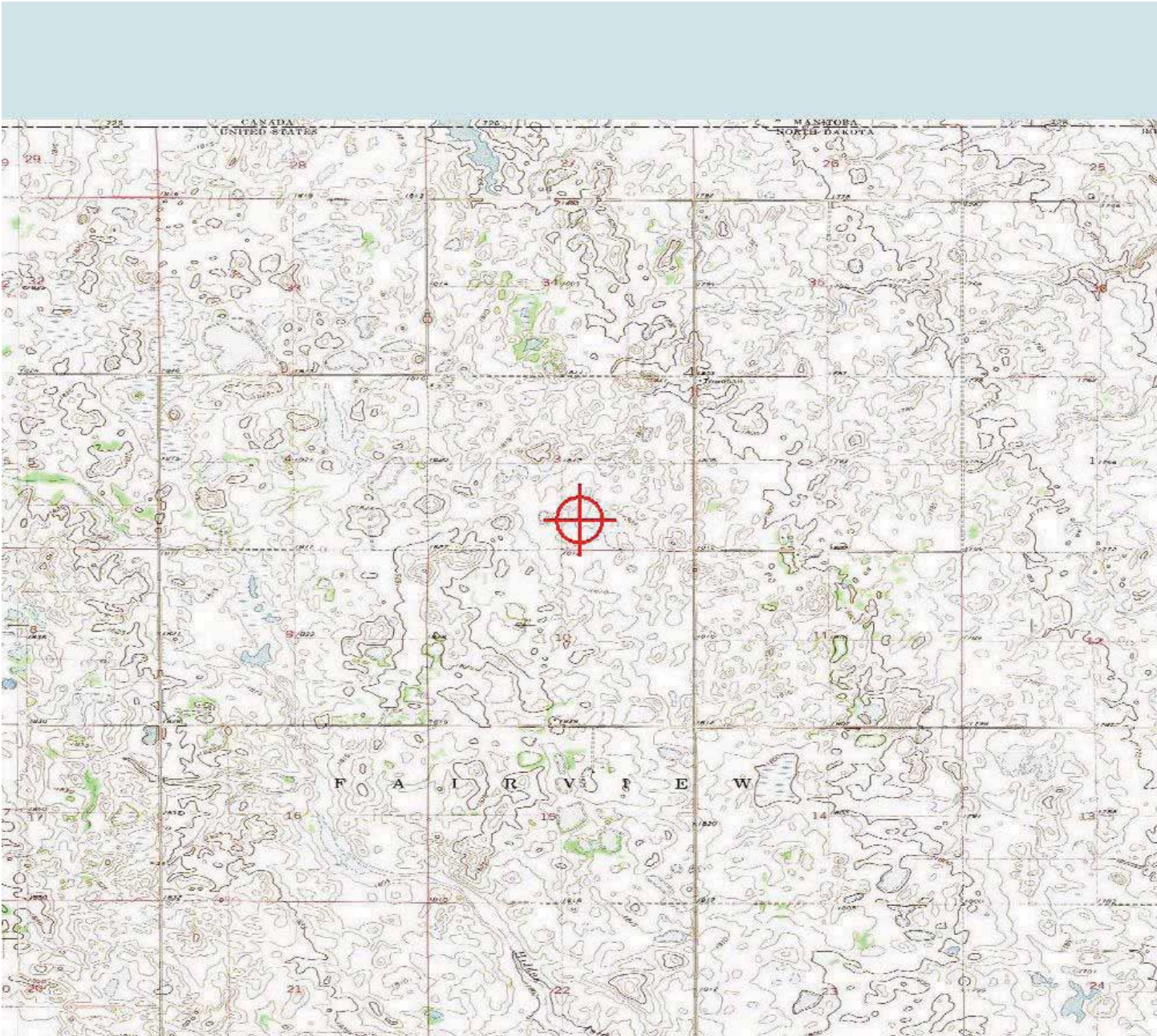
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

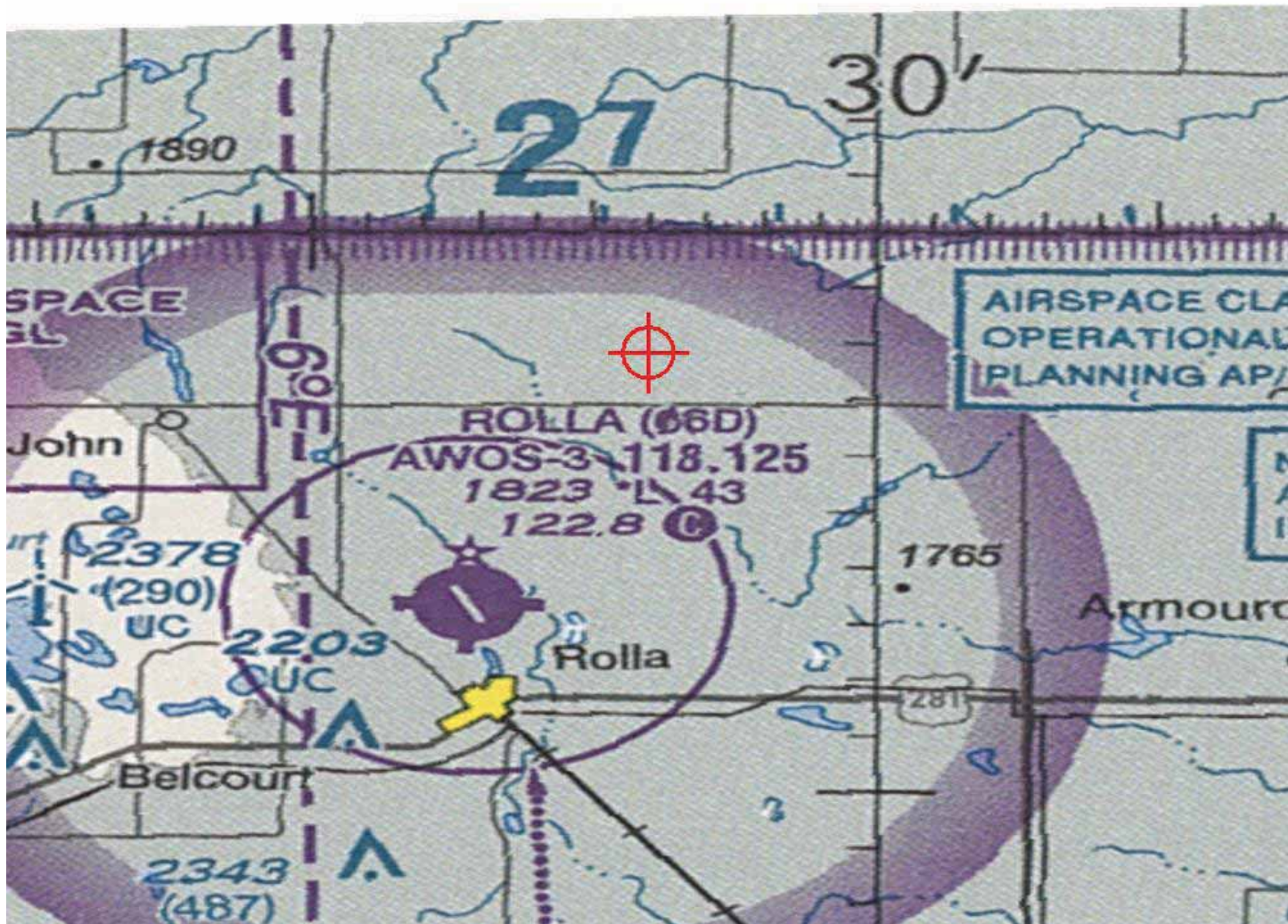
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1270-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1271-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T45
 Location: St. John, ND
 Latitude: 48-58-15.91N NAD 83
 Longitude: 99-34-24.80W
 Heights: 1810 feet site elevation (SE)
 481 feet above ground level (AGL)
 2291 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1271-OE.

Signature Control No: 208918672-220232149

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1271-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

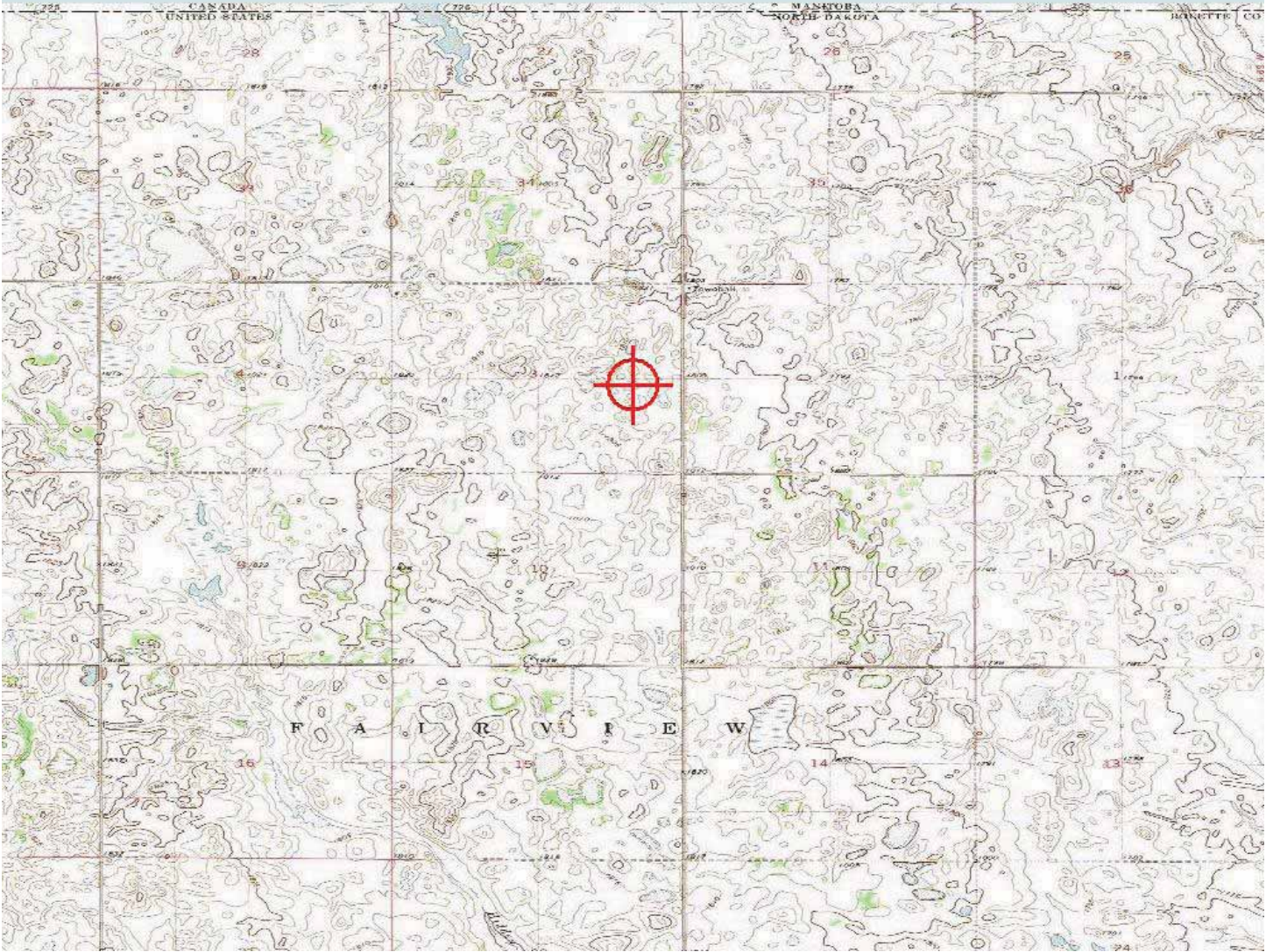
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

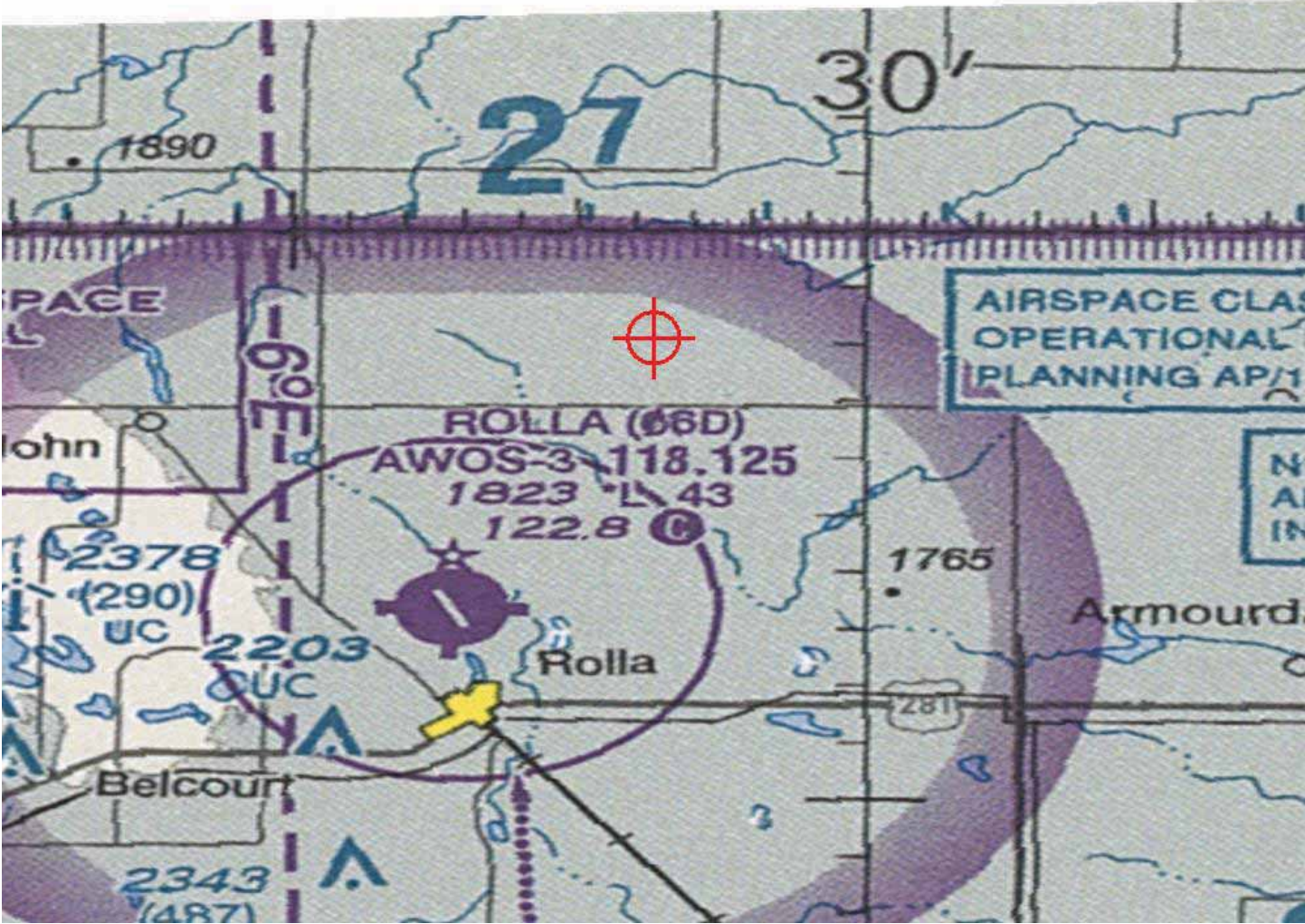
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1271-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1272-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T46
 Location: St. John, ND
 Latitude: 48-58-23.86N NAD 83
 Longitude: 99-33-59.94W
 Heights: 1799 feet site elevation (SE)
 481 feet above ground level (AGL)
 2280 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

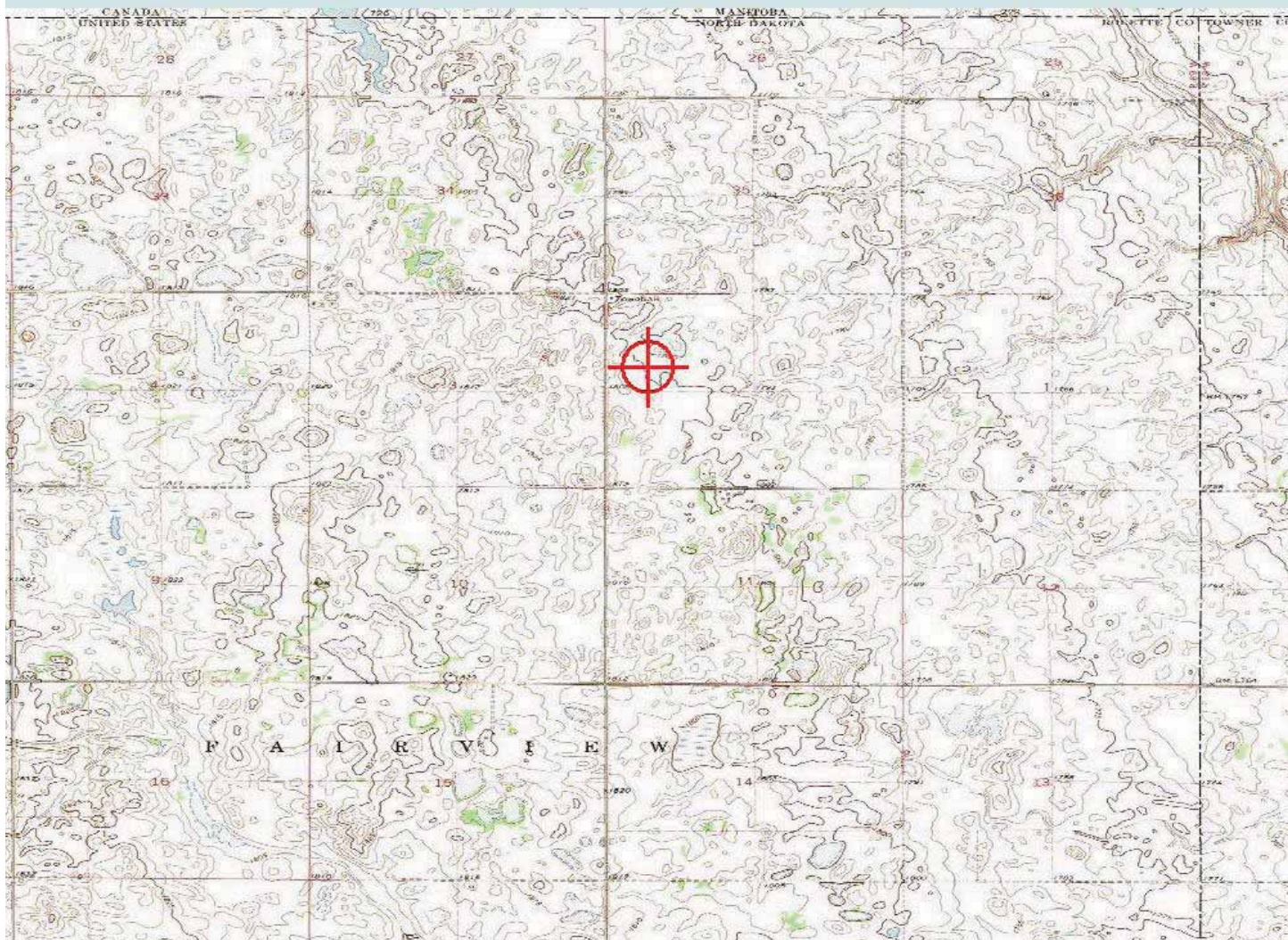
If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1272-OE.

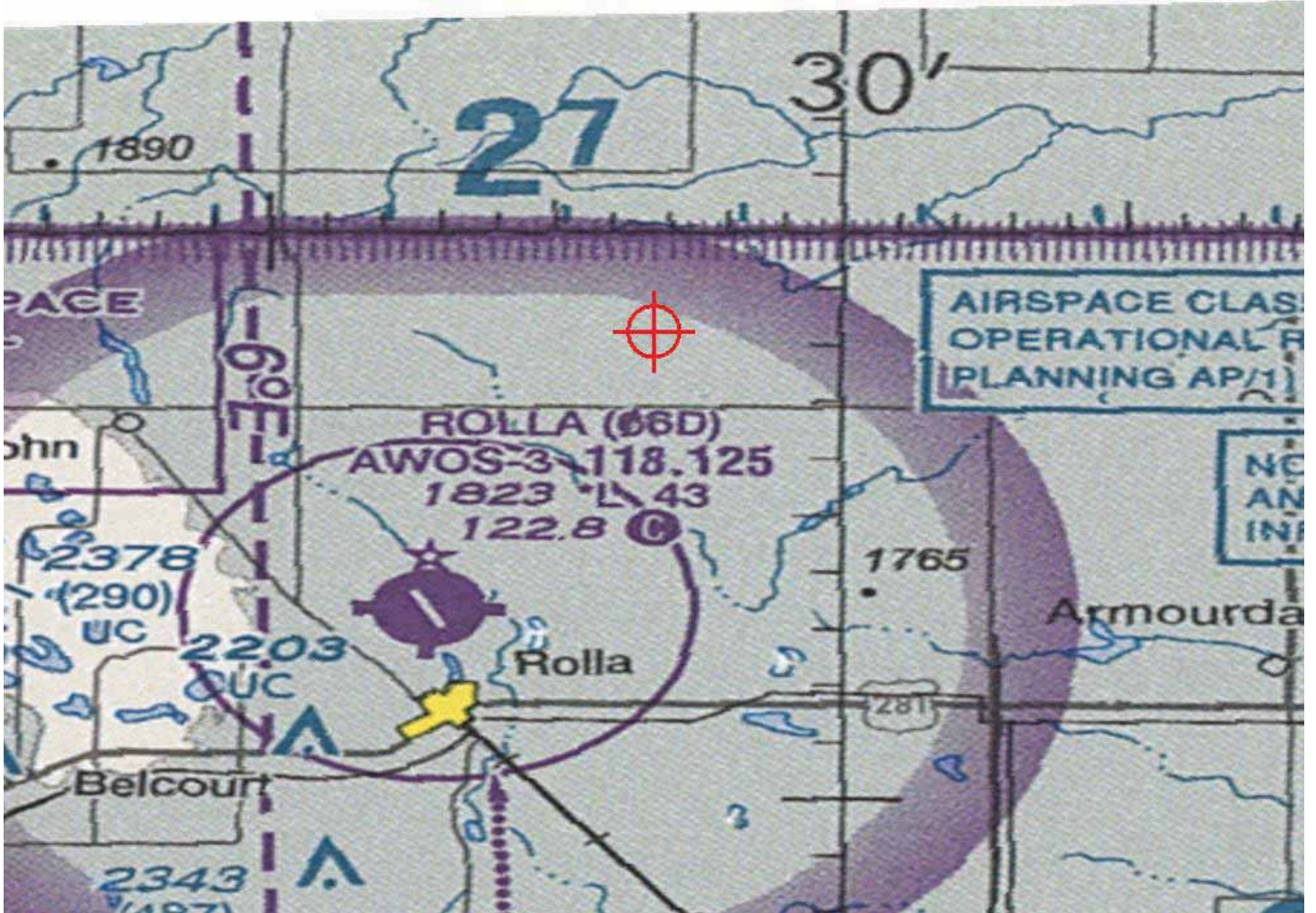
Signature Control No: 208918675-220232357

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1273-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T47
 Location: St. John, ND
 Latitude: 48-58-36.26N NAD 83
 Longitude: 99-33-49.28W
 Heights: 1800 feet site elevation (SE)
 481 feet above ground level (AGL)
 2281 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1273-OE.

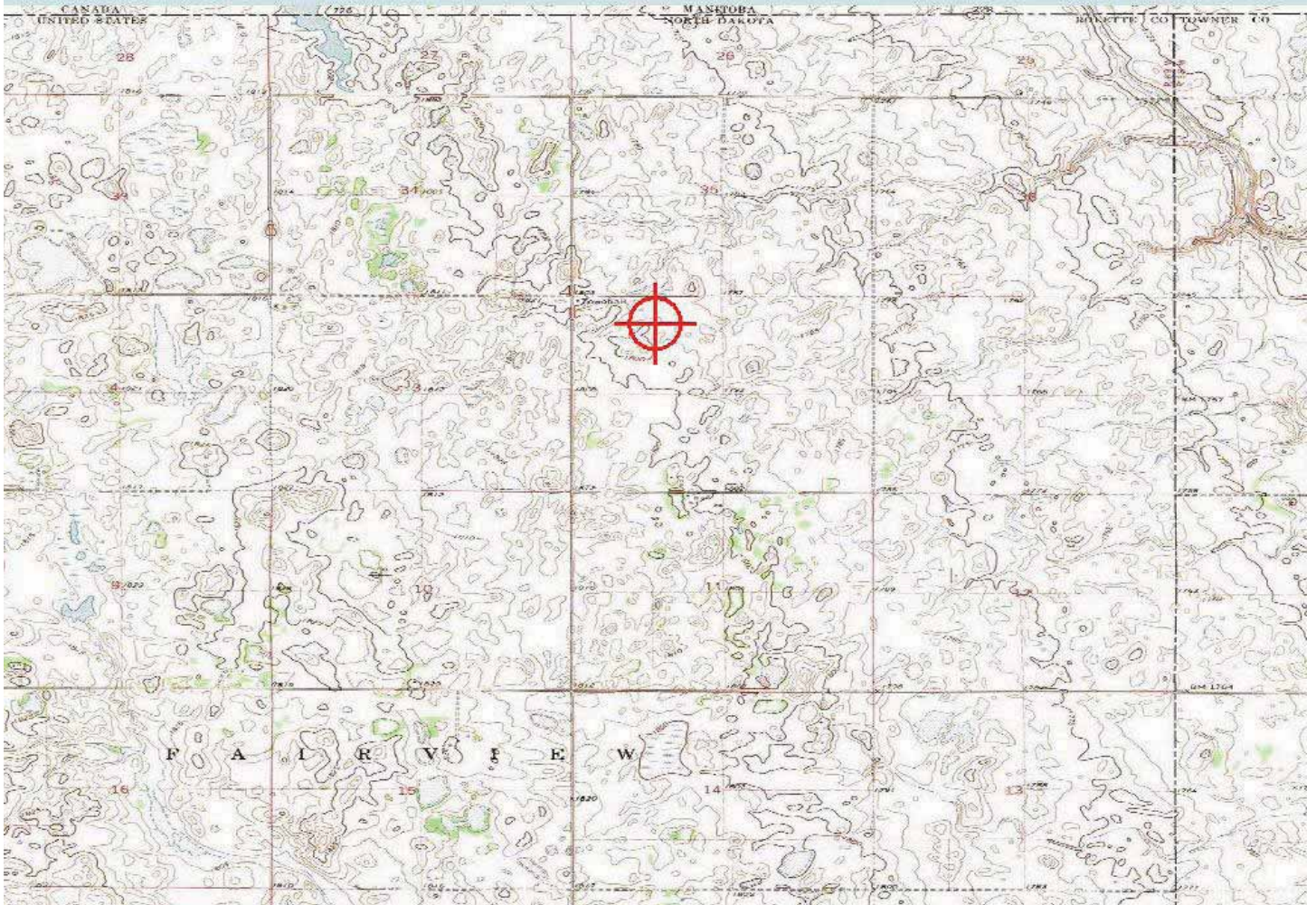
Signature Control No: 208918677-220233193

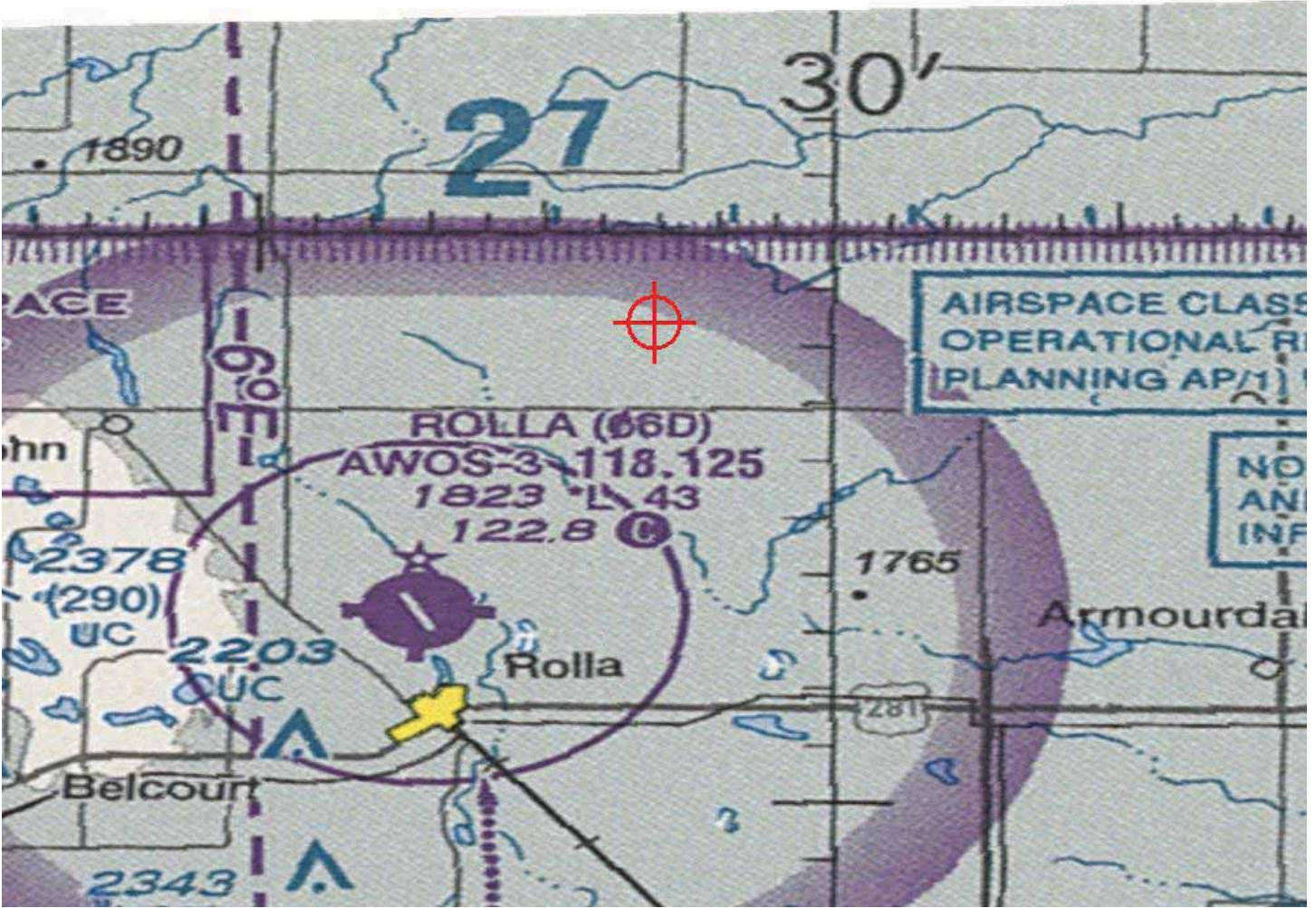
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1273-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1274-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T48
 Location: St. John, ND
 Latitude: 48-58-51.78N NAD 83
 Longitude: 99-33-20.06W
 Heights: 1783 feet site elevation (SE)
 481 feet above ground level (AGL)
 2264 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1274-OE.

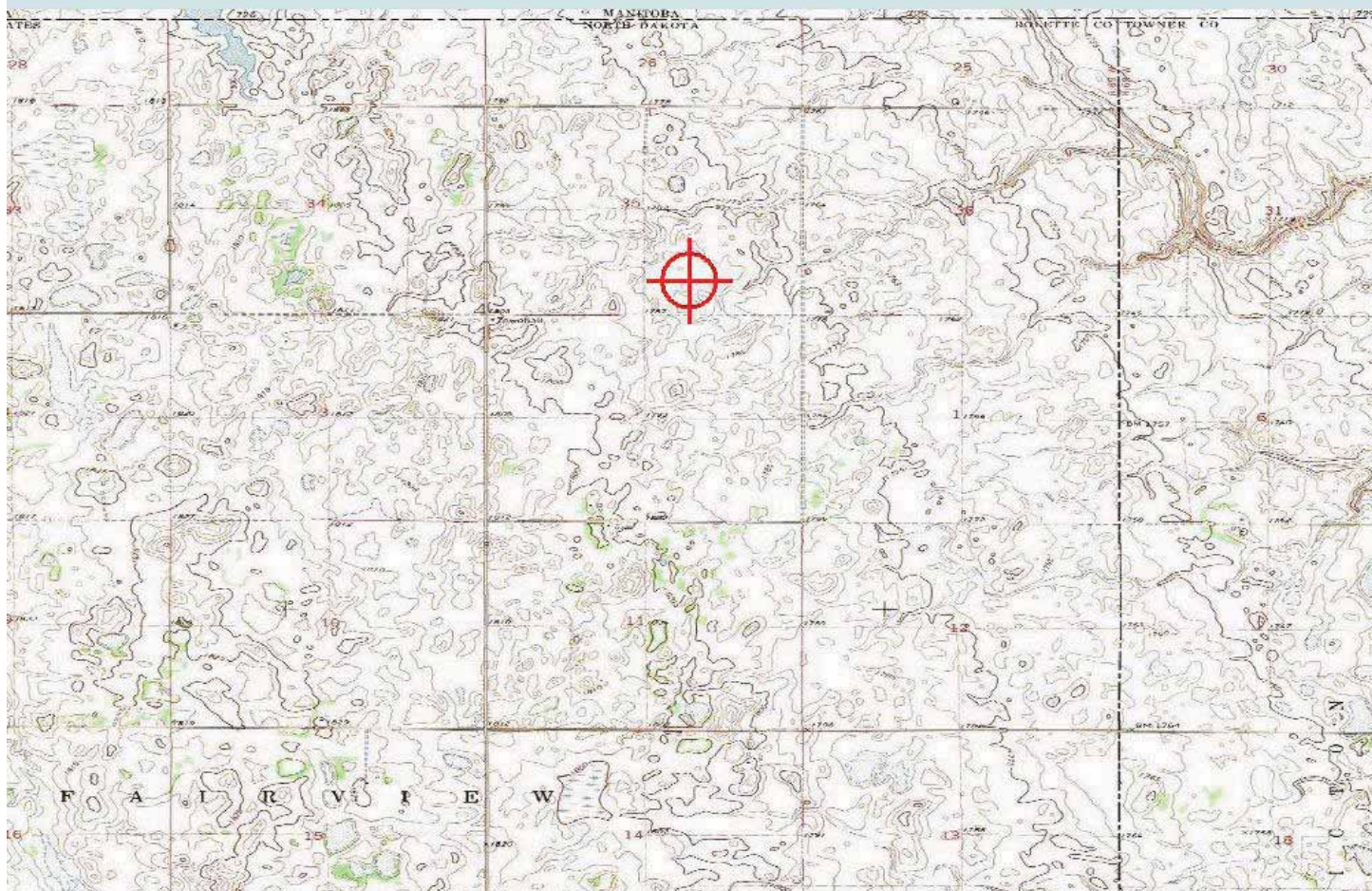
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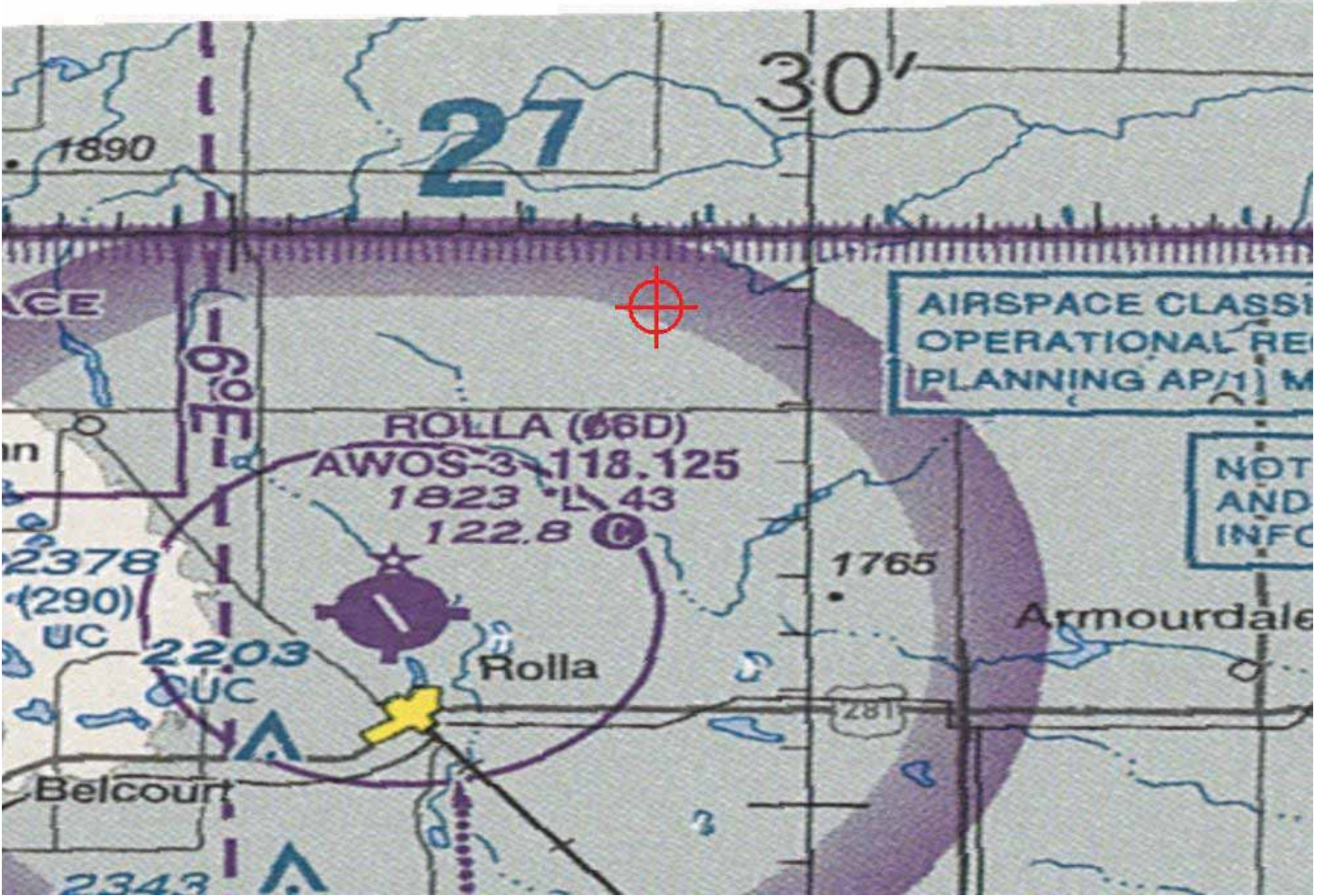
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1274-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1275-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T49
 Location: St. John, ND
 Latitude: 48-58-58.30N NAD 83
 Longitude: 99-33-02.78W
 Heights: 1774 feet site elevation (SE)
 481 feet above ground level (AGL)
 2255 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1275-OE.

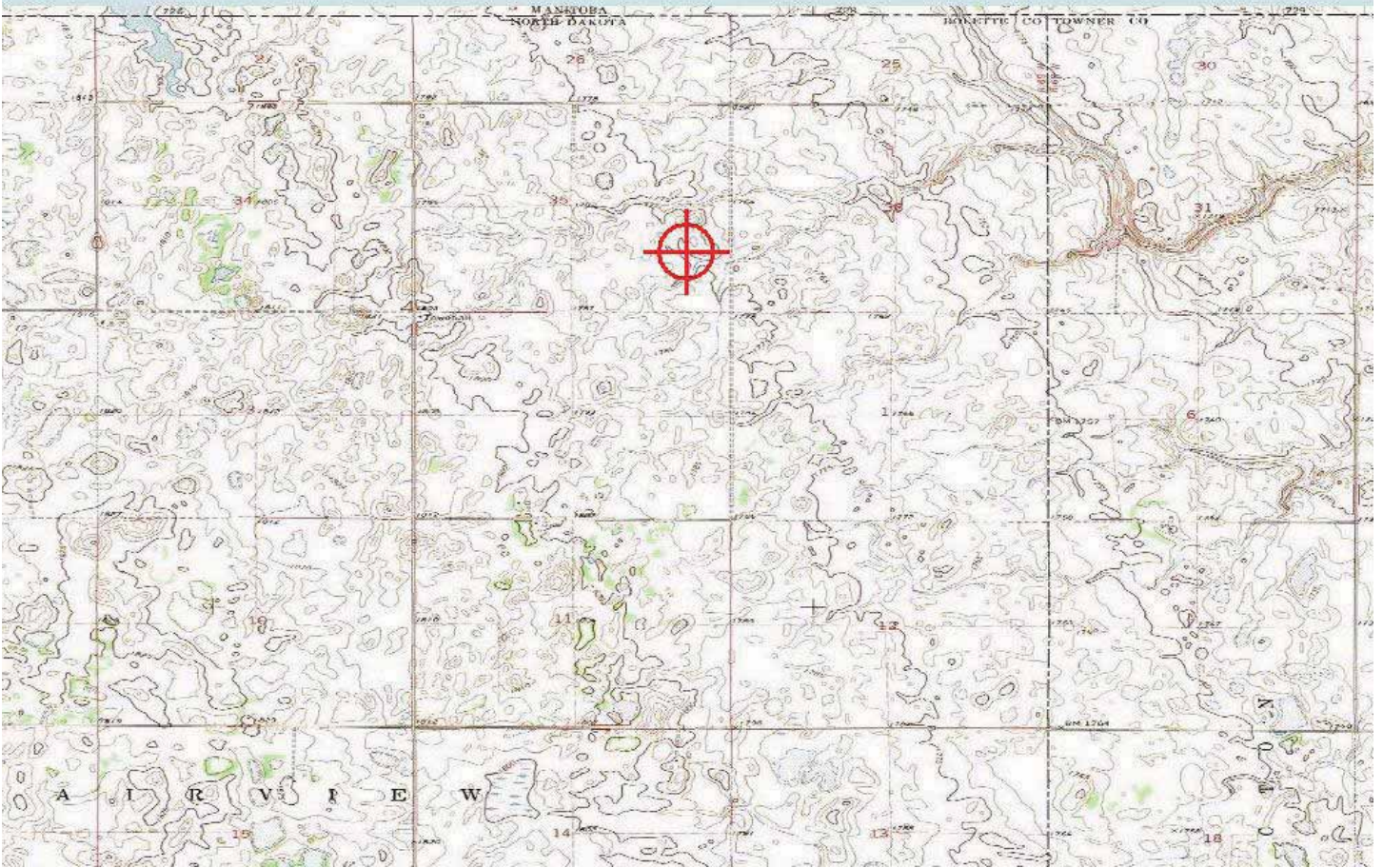
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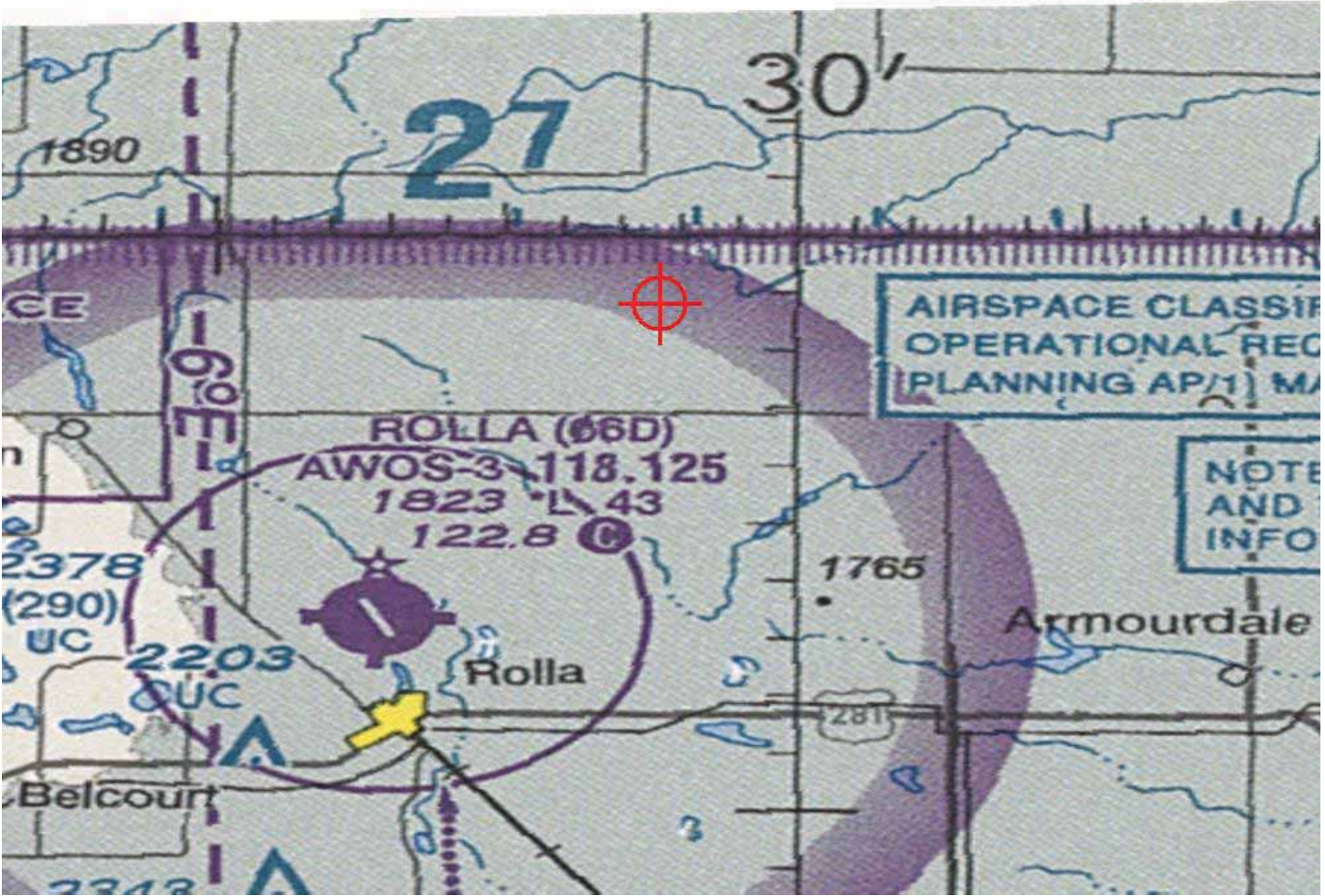
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1275-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1276-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T50
 Location: St. John, ND
 Latitude: 48-59-27.02N NAD 83
 Longitude: 99-33-19.16W
 Heights: 1775 feet site elevation (SE)
 481 feet above ground level (AGL)
 2256 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1276-OE.

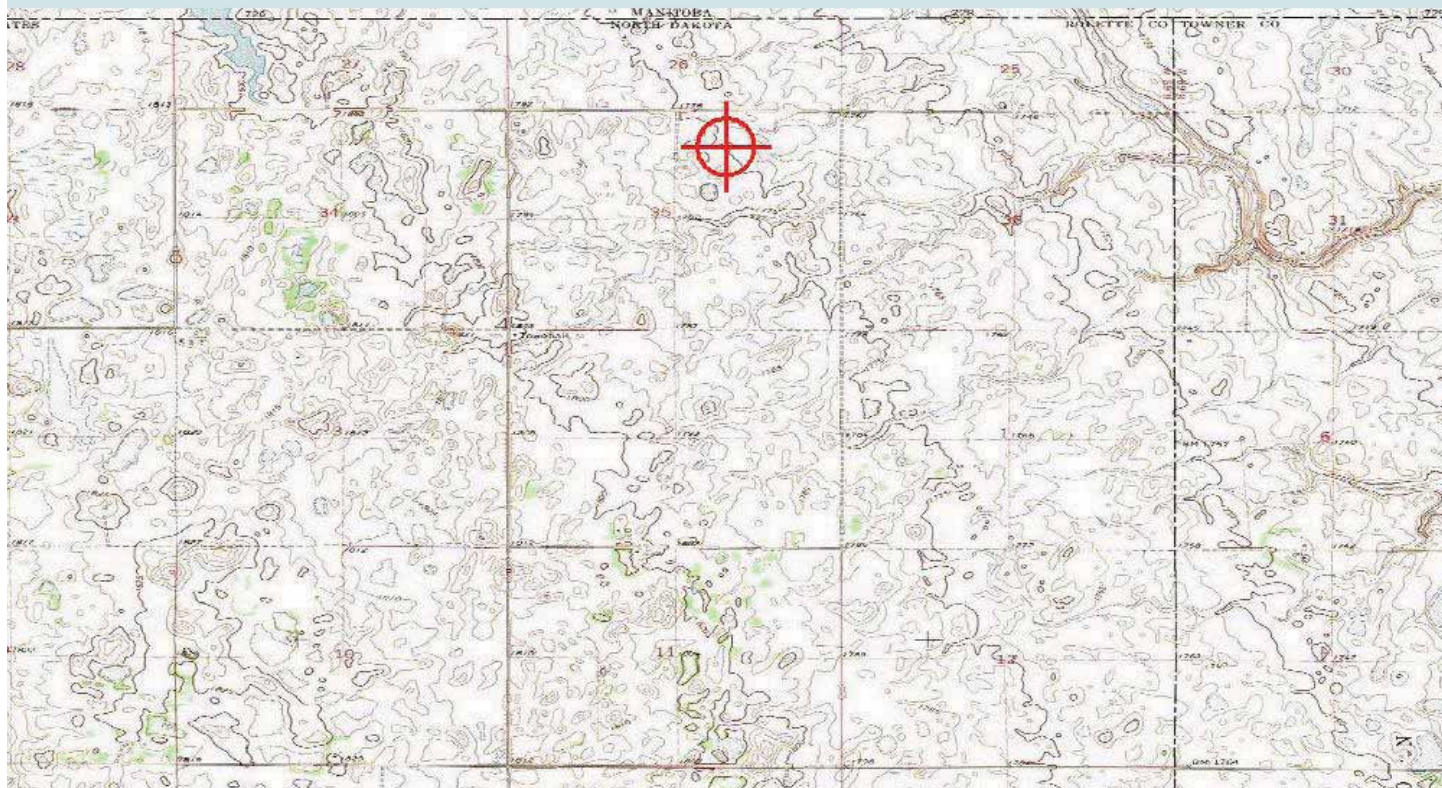
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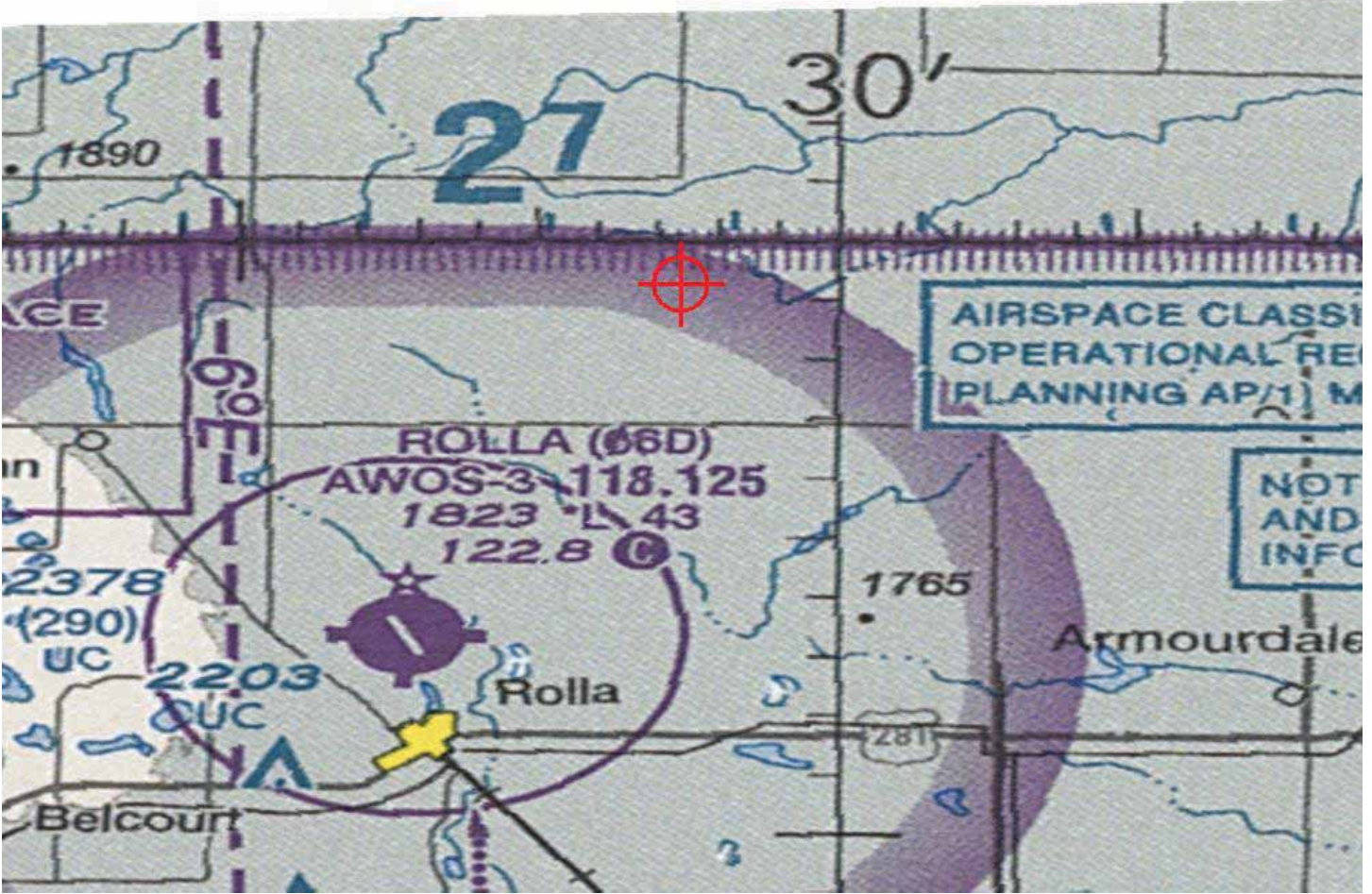
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1276-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1277-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T51
 Location: St. John, ND
 Latitude: 48-59-43.88N NAD 83
 Longitude: 99-33-05.66W
 Heights: 1761 feet site elevation (SE)
 481 feet above ground level (AGL)
 2242 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

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This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1277-OE.

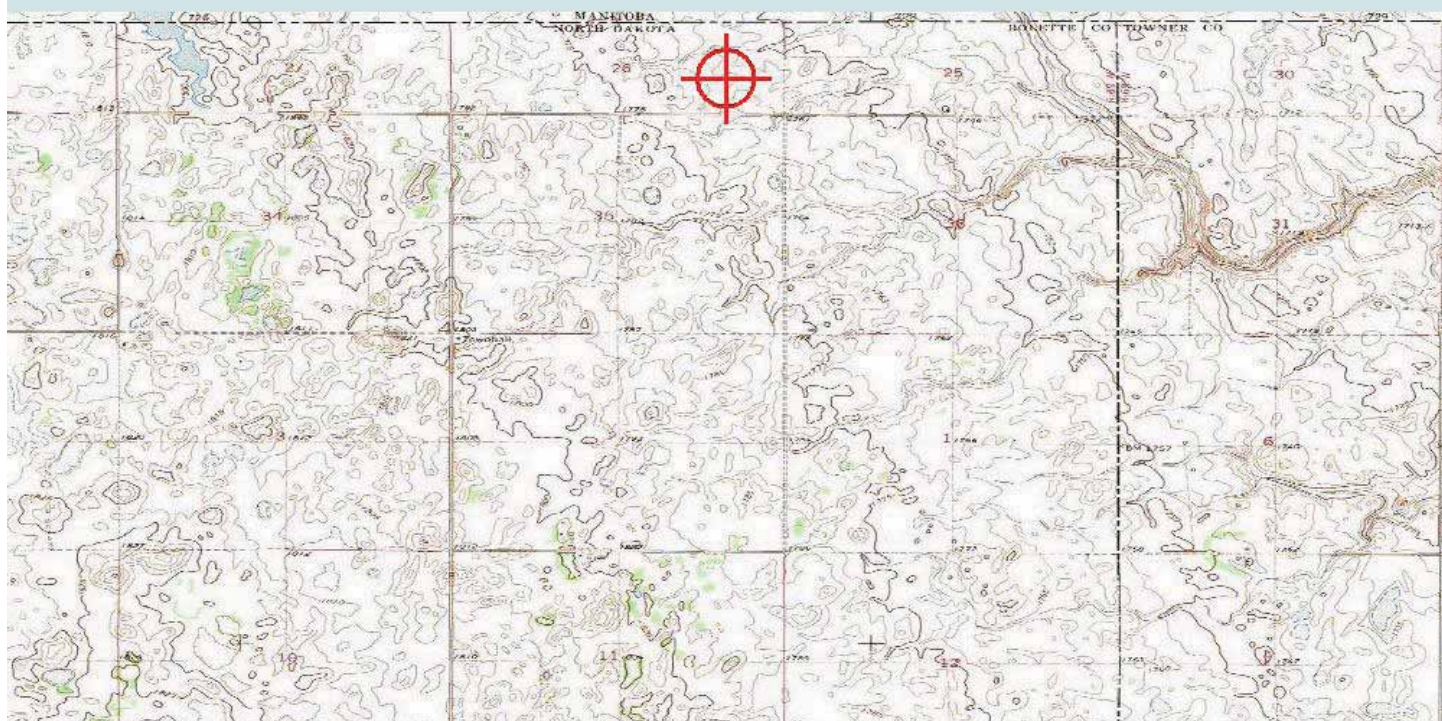
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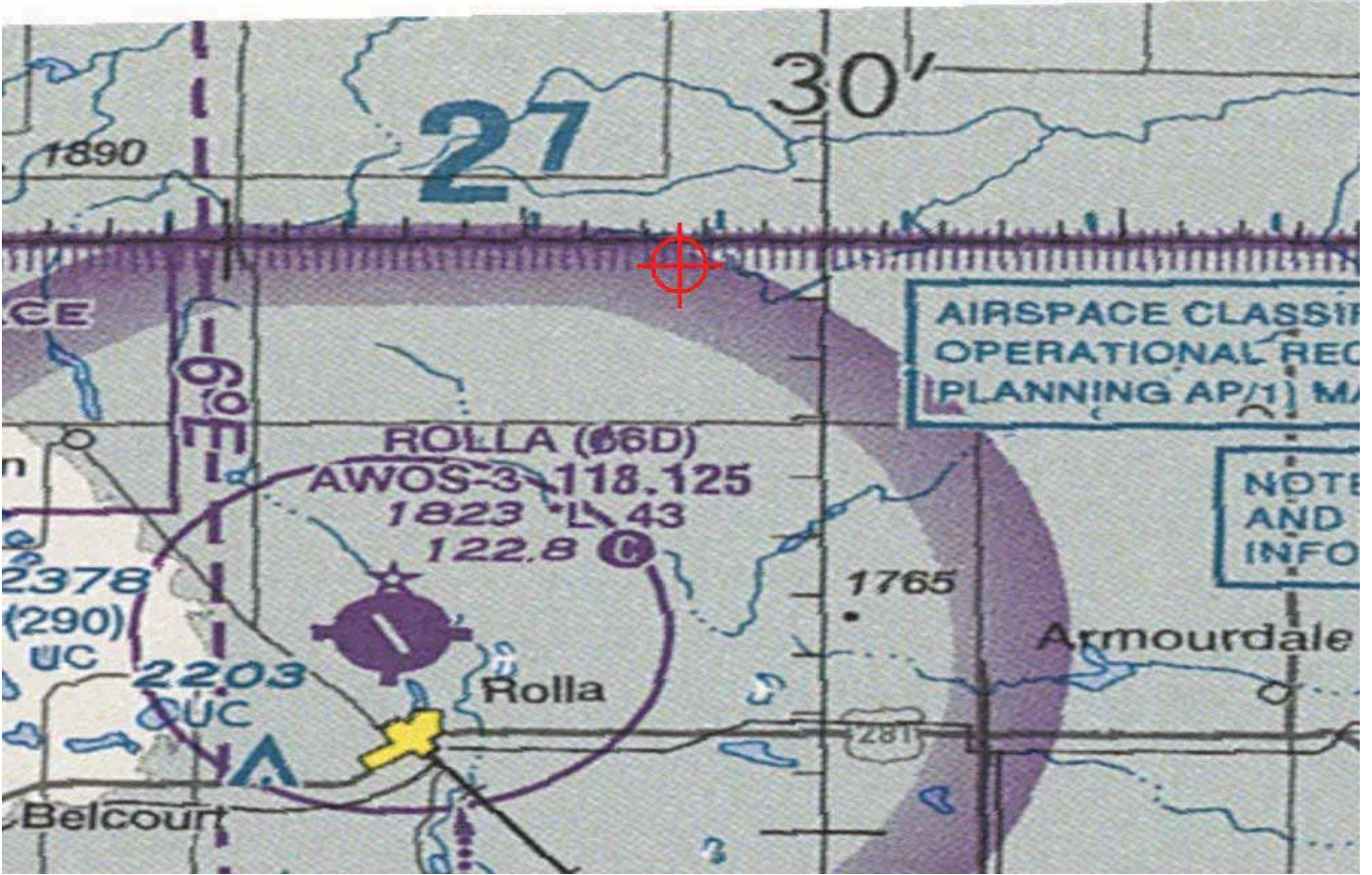
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1277-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1278-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T52
 Location: St. John, ND
 Latitude: 48-59-45.30N NAD 83
 Longitude: 99-32-37.07W
 Heights: 1751 feet site elevation (SE)
 481 feet above ground level (AGL)
 2232 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1278-OE.

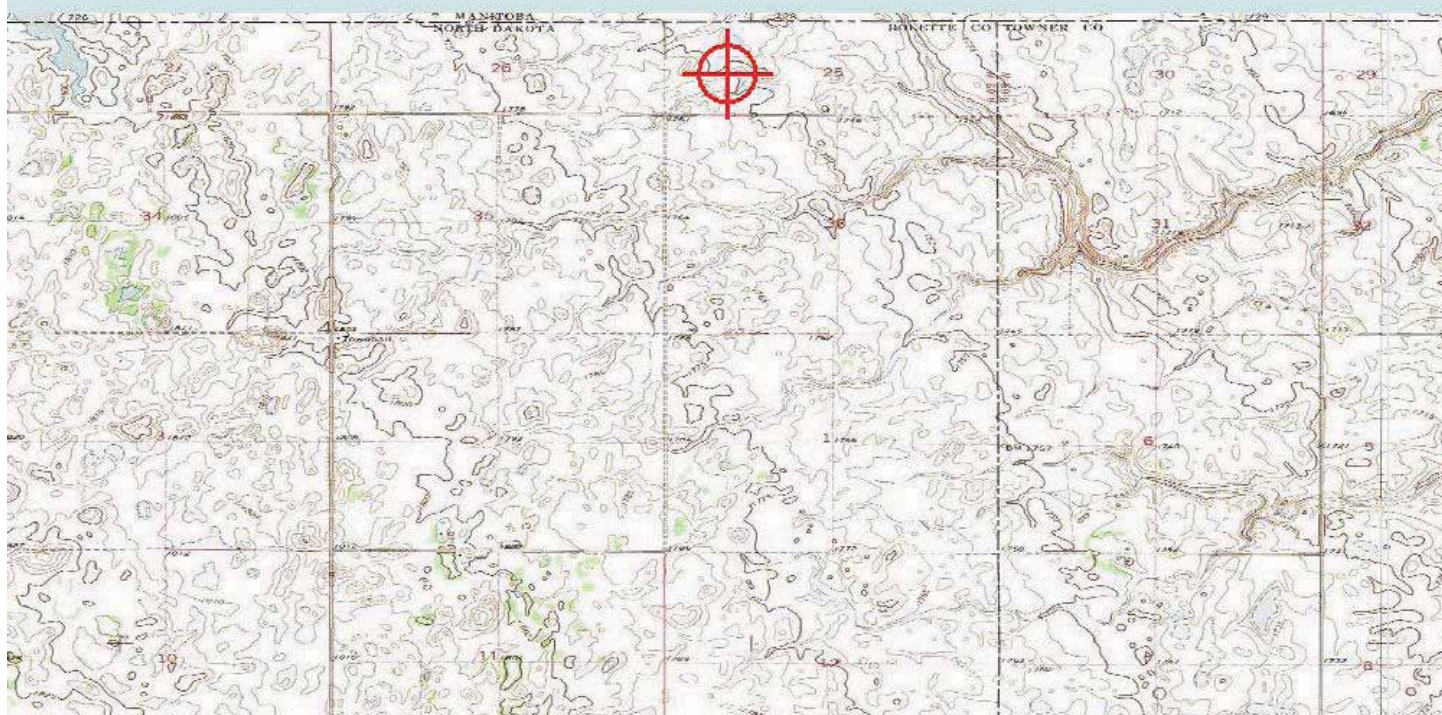
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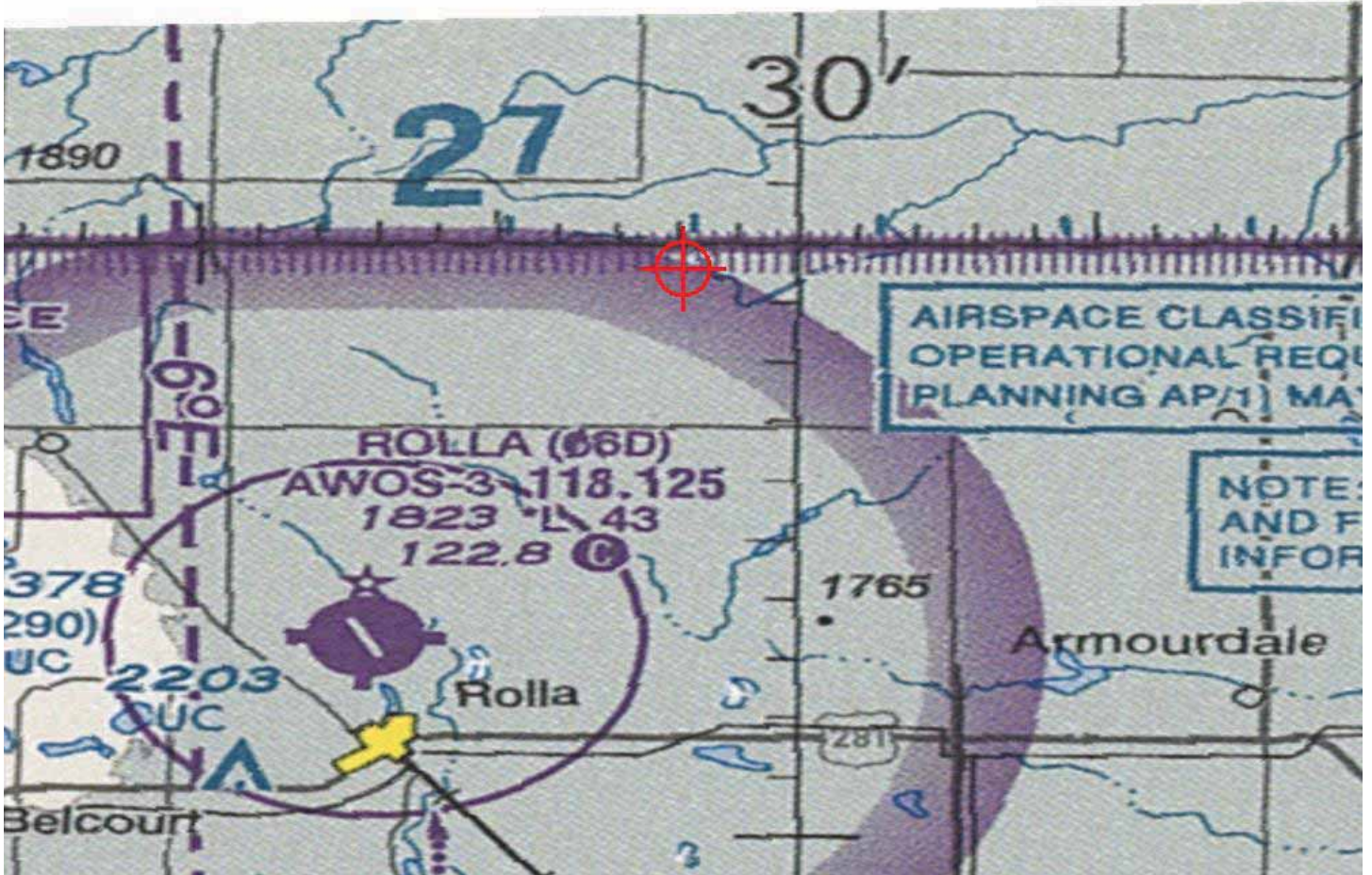
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1278-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1279-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T53
 Location: St. John, ND
 Latitude: 48-59-50.25N NAD 83
 Longitude: 99-32-17.51W
 Heights: 1738 feet site elevation (SE)
 481 feet above ground level (AGL)
 2219 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

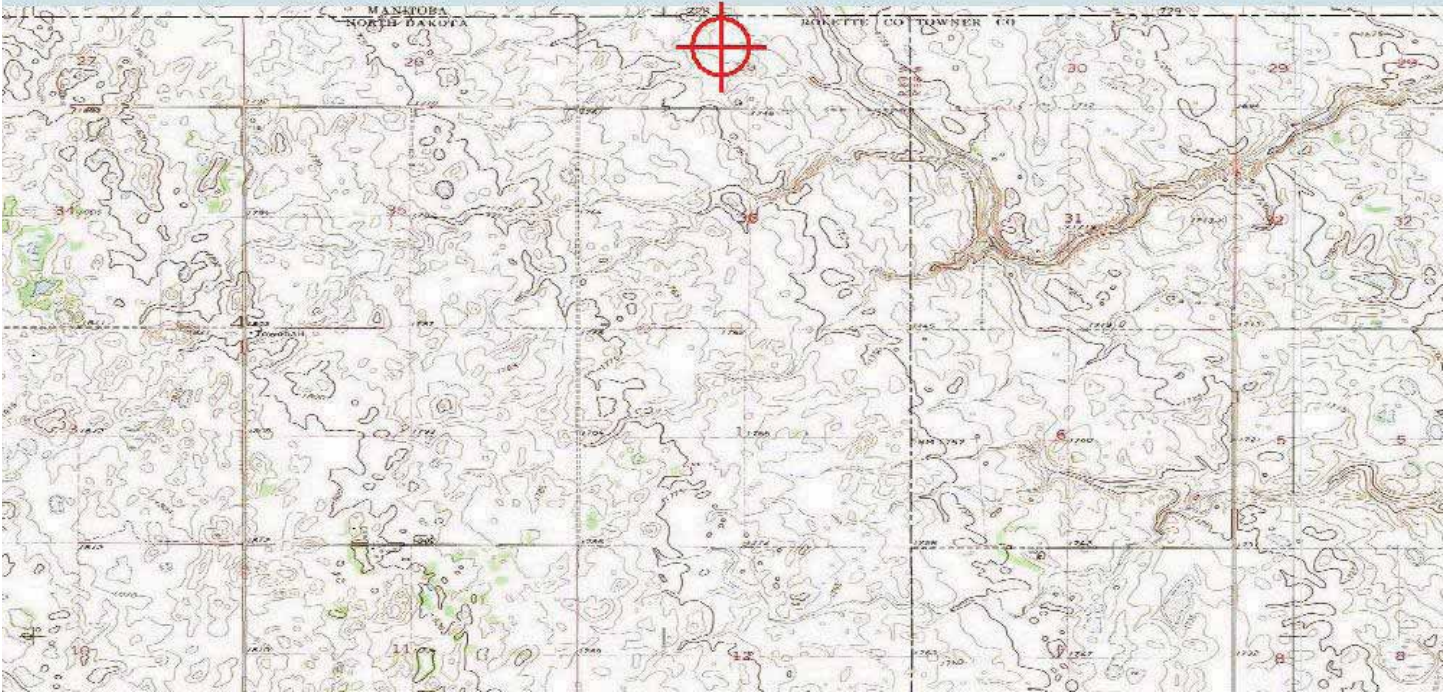
If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1279-OE.

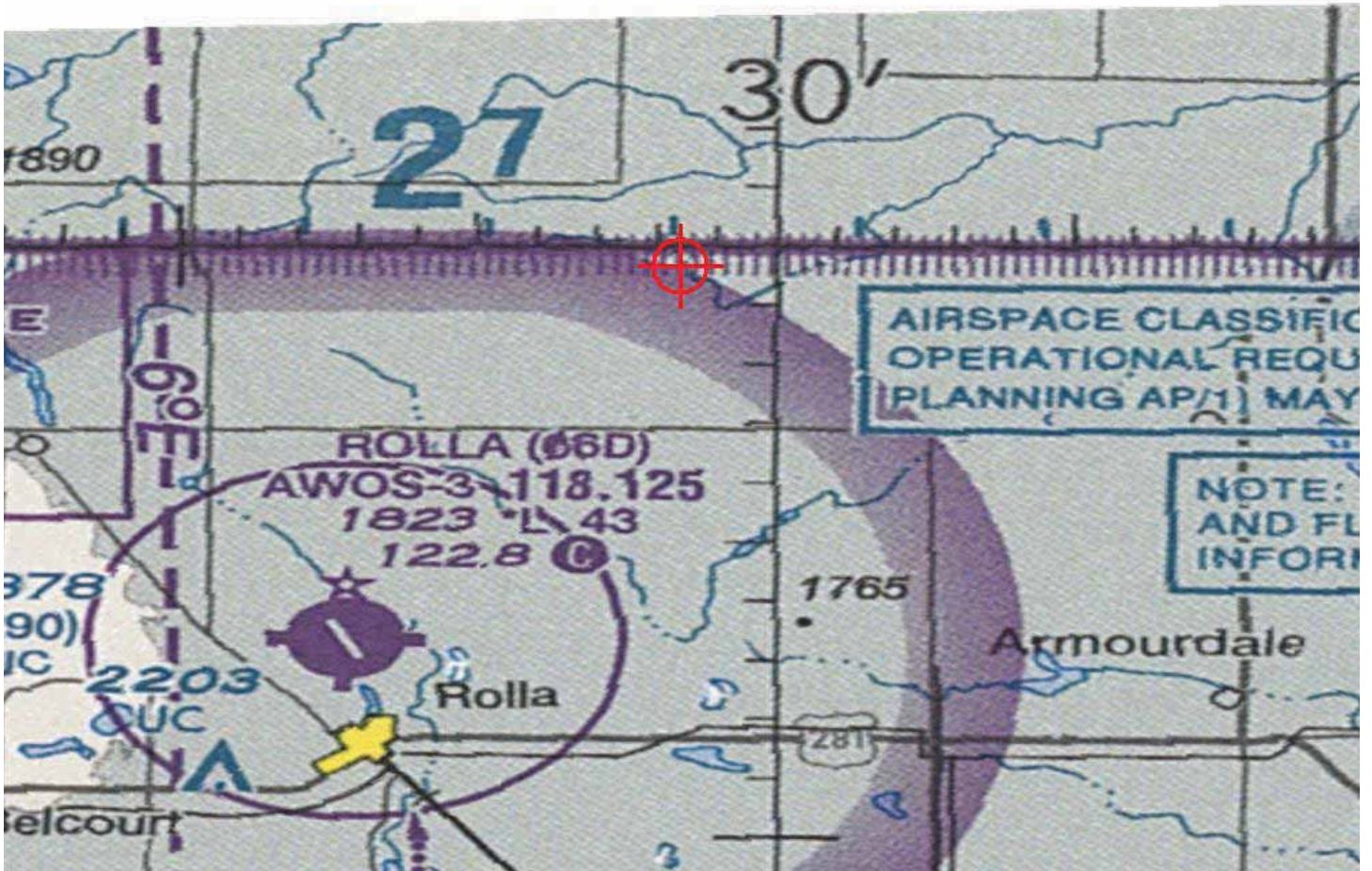
Signature Control No: 208918685-220232359

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1280-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T54
 Location: St. John, ND
 Latitude: 48-59-52.17N NAD 83
 Longitude: 99-32-00.23W
 Heights: 1733 feet site elevation (SE)
 481 feet above ground level (AGL)
 2214 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

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This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

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This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1280-OE.

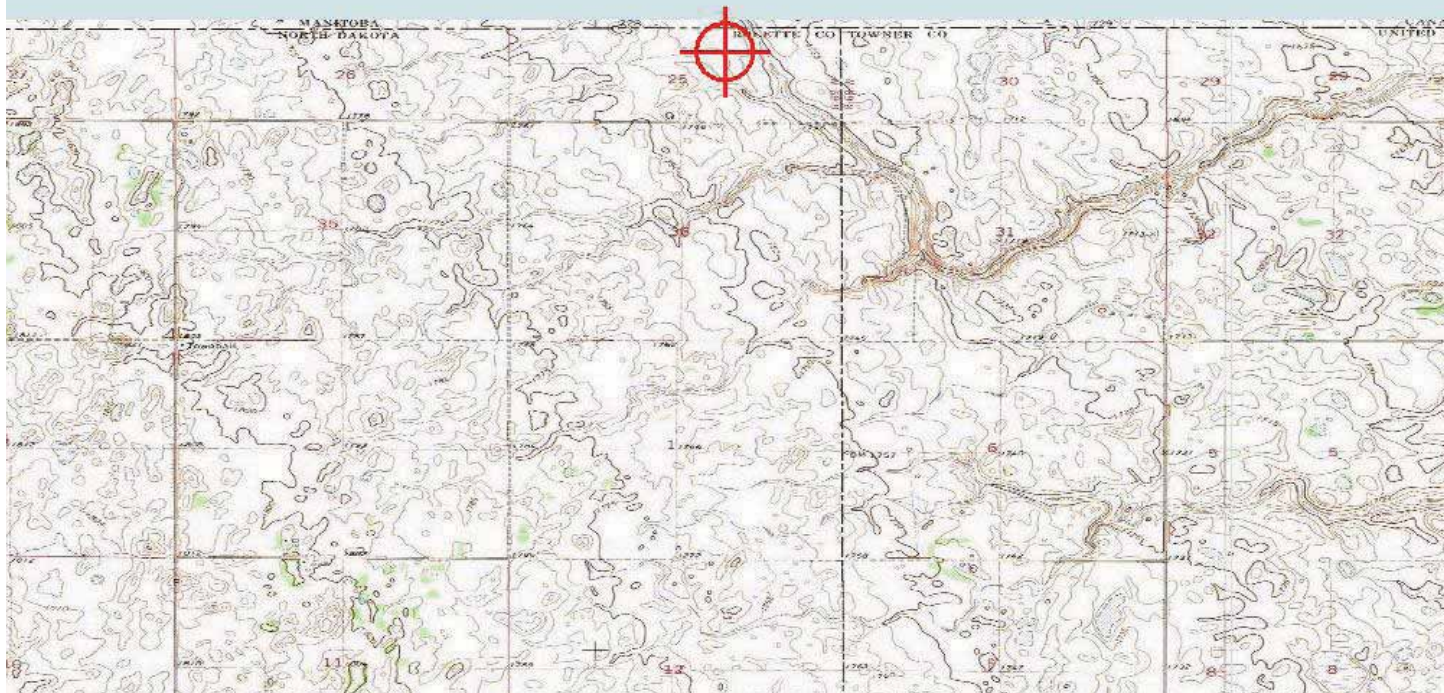
Signature Control No: 208918686-220233203

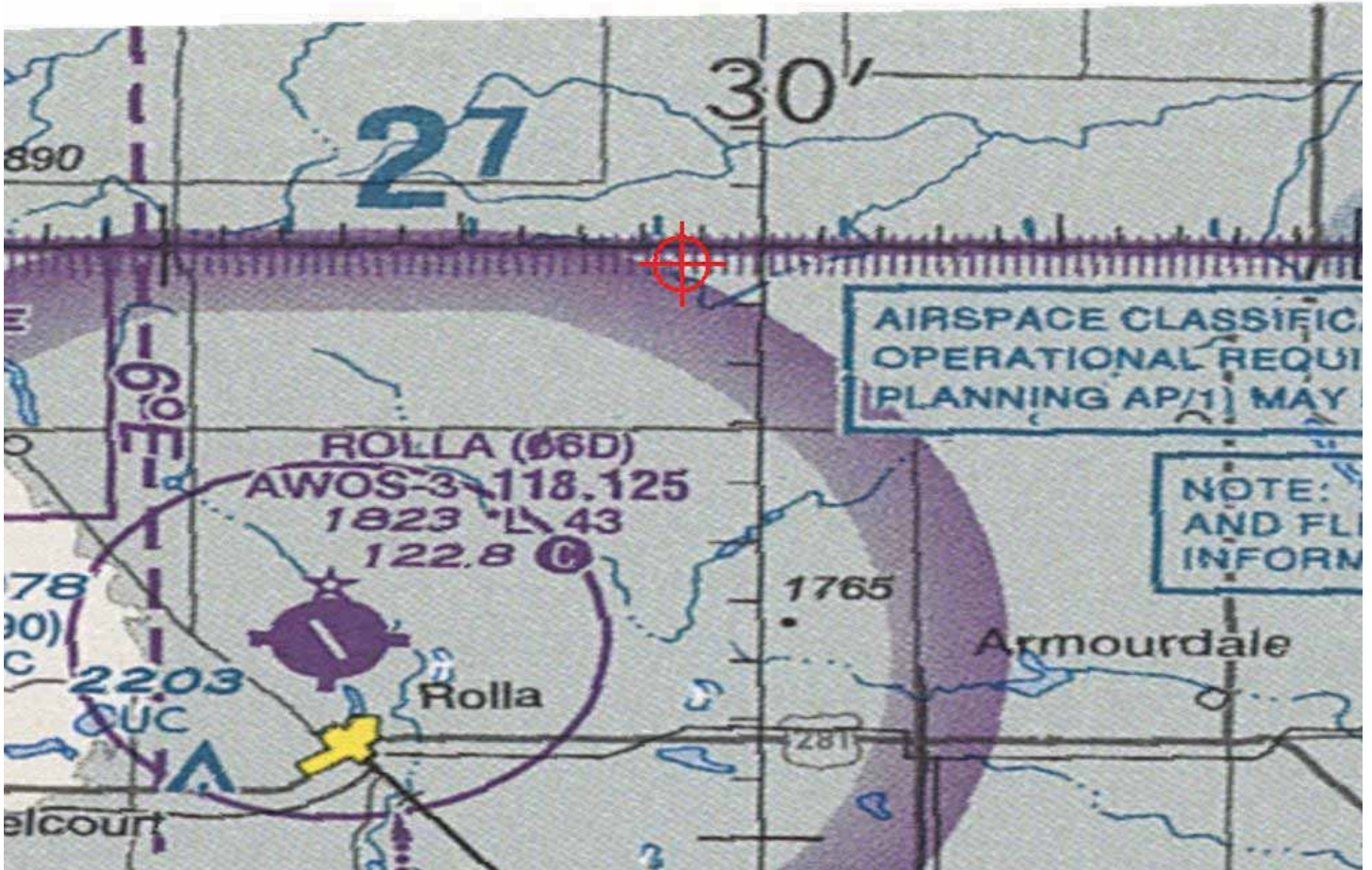
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1280-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1281-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T58
 Location: St. John, ND
 Latitude: 48-56-38.76N NAD 83
 Longitude: 99-35-55.14W
 Heights: 1813 feet site elevation (SE)
 481 feet above ground level (AGL)
 2294 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1281-OE.

Signature Control No: 208918687-220231839

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1281-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

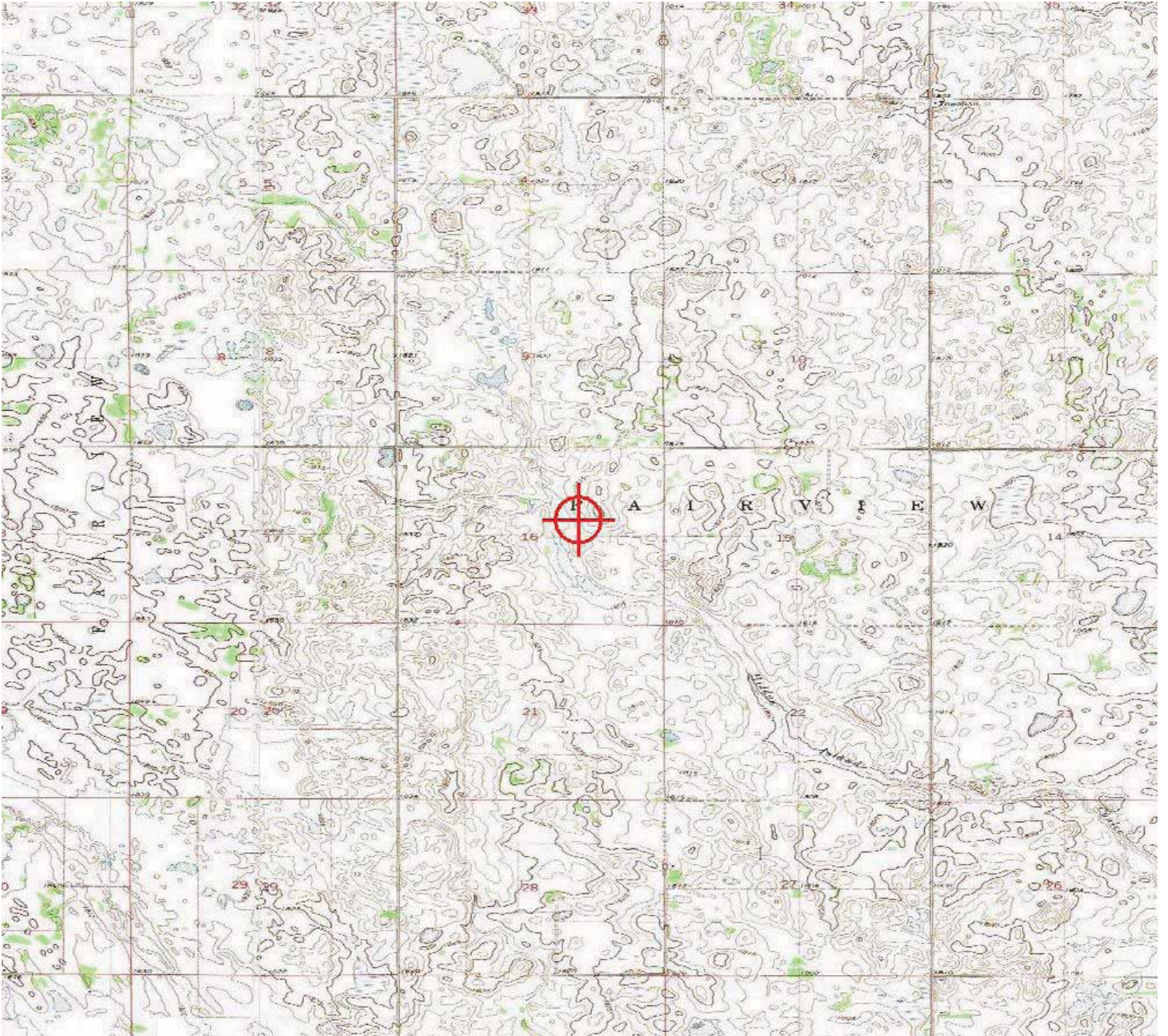
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

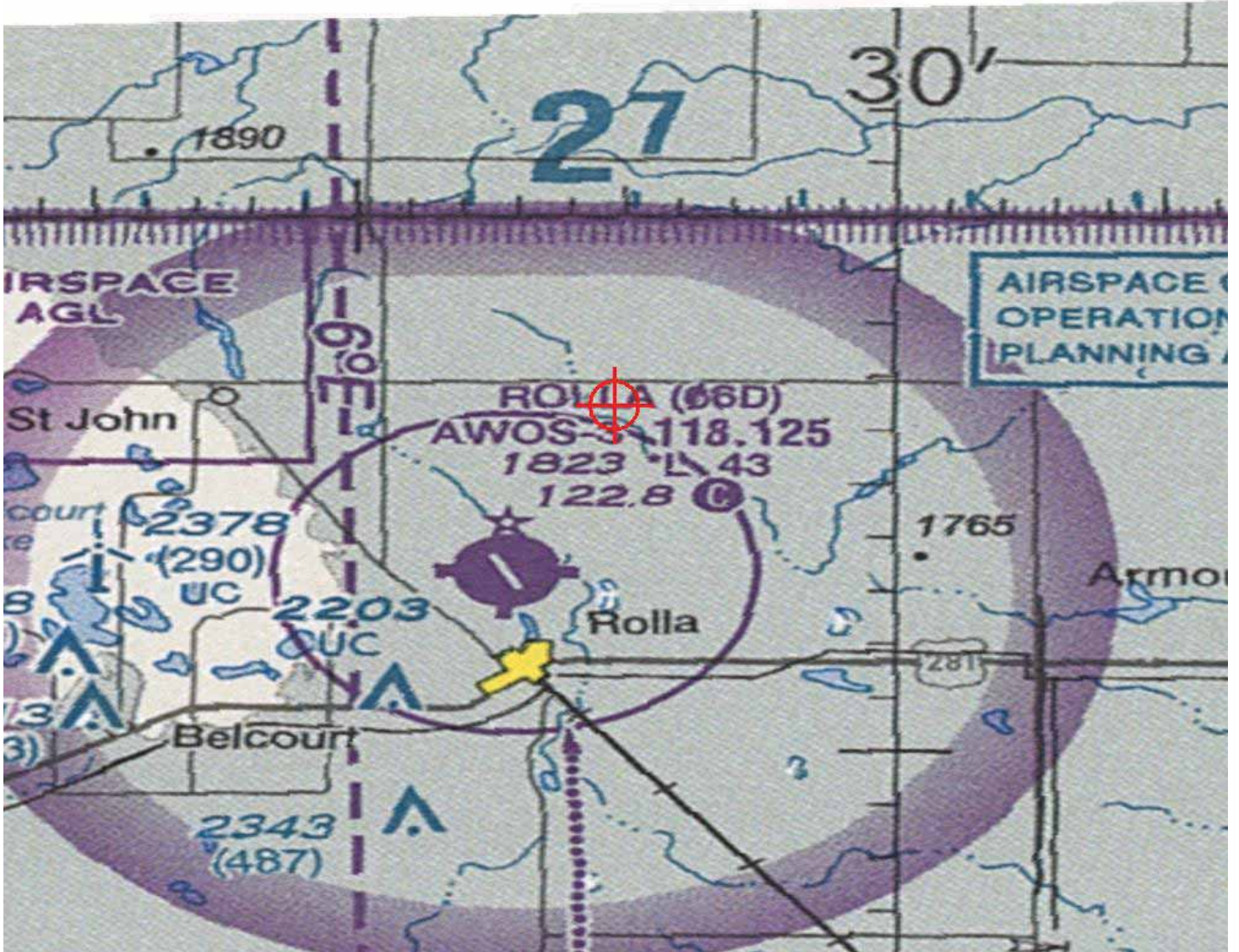
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1281-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1282-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T59
 Location: St. John, ND
 Latitude: 48-56-46.10N NAD 83
 Longitude: 99-35-36.74W
 Heights: 1820 feet site elevation (SE)
 481 feet above ground level (AGL)
 2301 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1282-OE.

Signature Control No: 208918688-220231840

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1282-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

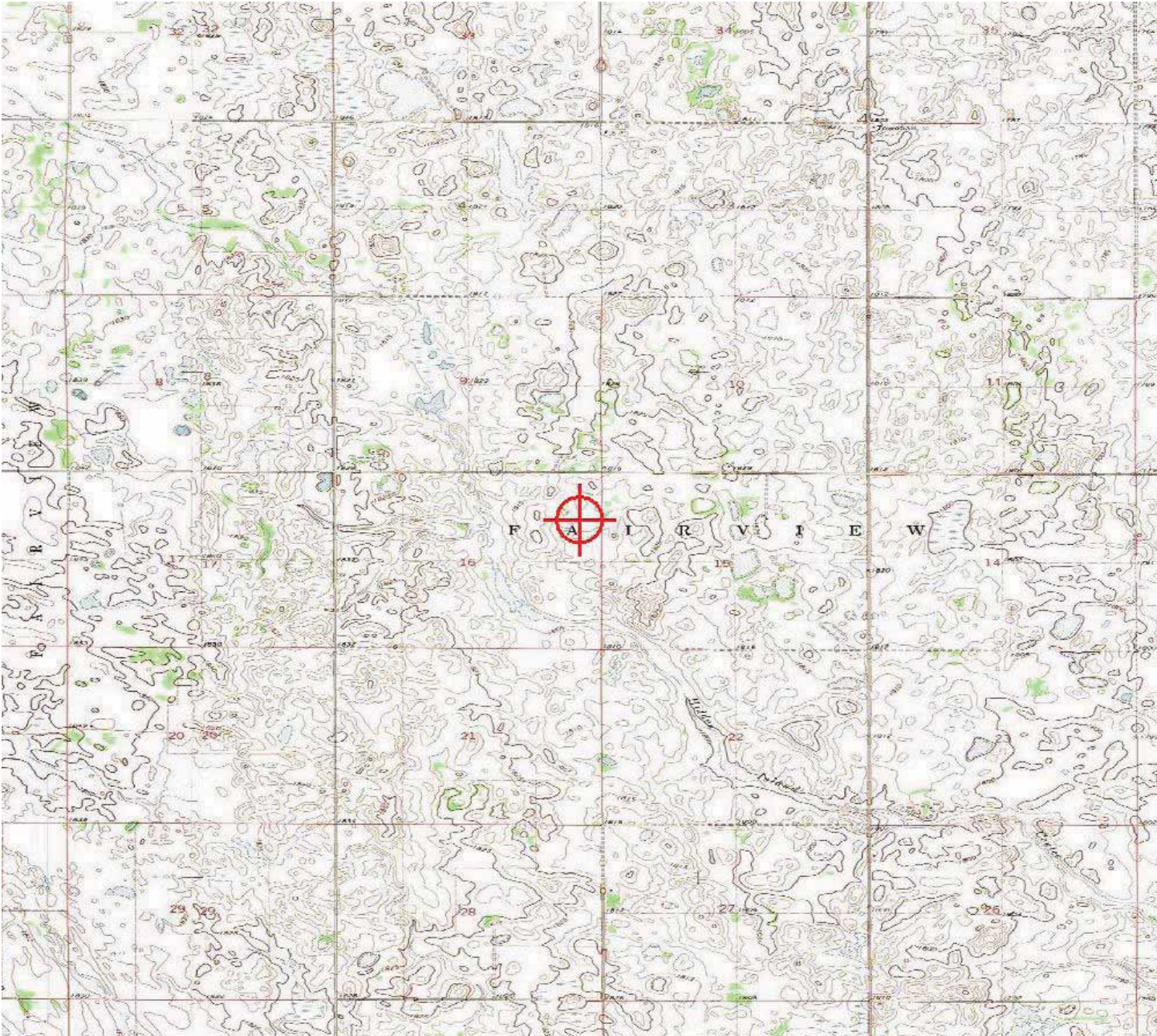
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

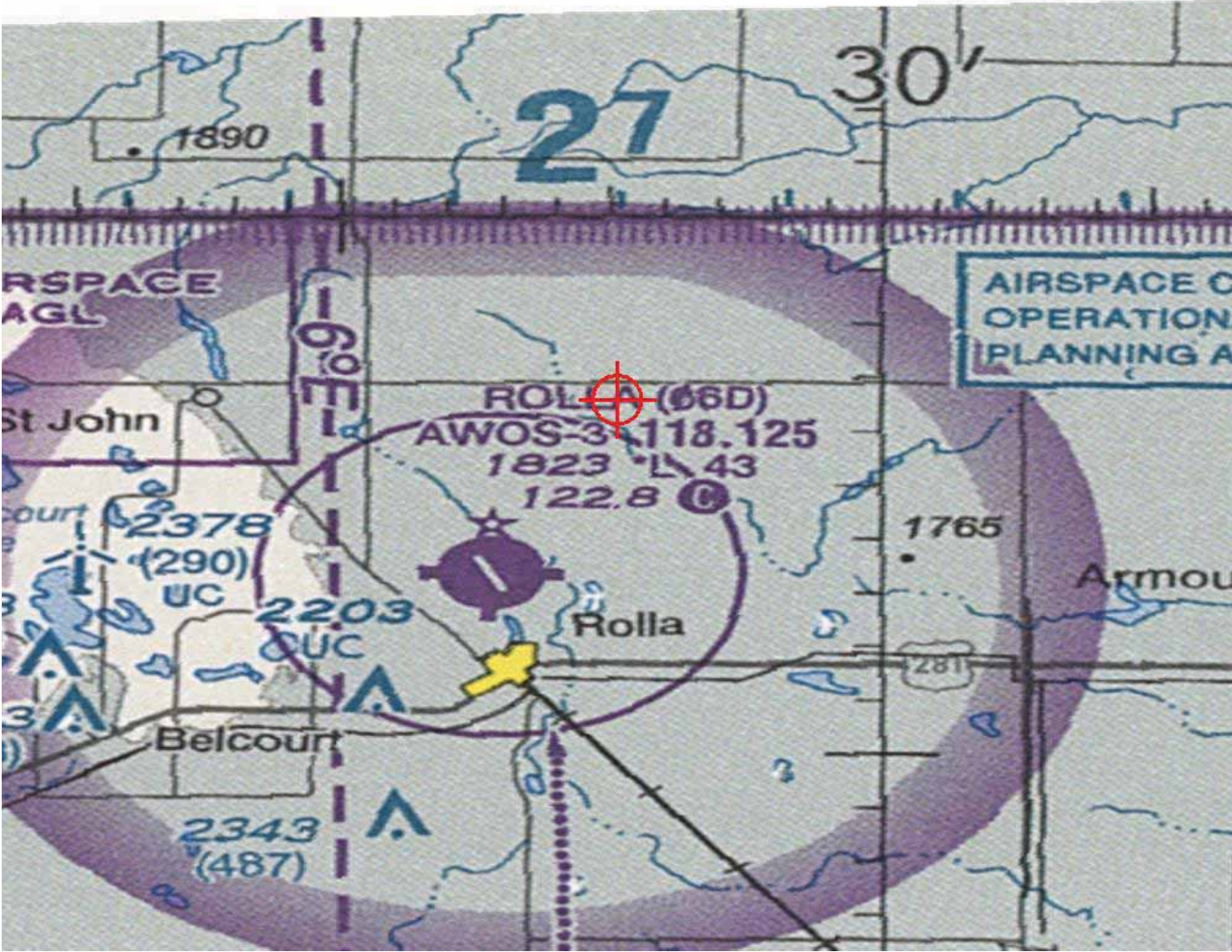
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1282-OE







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2014-WTE-1283-OE

Issued Date: 06/06/2014

Eric Wenger
Border Winds Energy, LLC
11101 W. 120th Ave
Suite 400
Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T60
Location: St. John, ND
Latitude: 48-56-25.45N NAD 83
Longitude: 99-34-28.62W
Heights: 1824 feet site elevation (SE)
481 feet above ground level (AGL)
2305 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1283-OE.

Signature Control No: 208918689-220231841

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1283-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

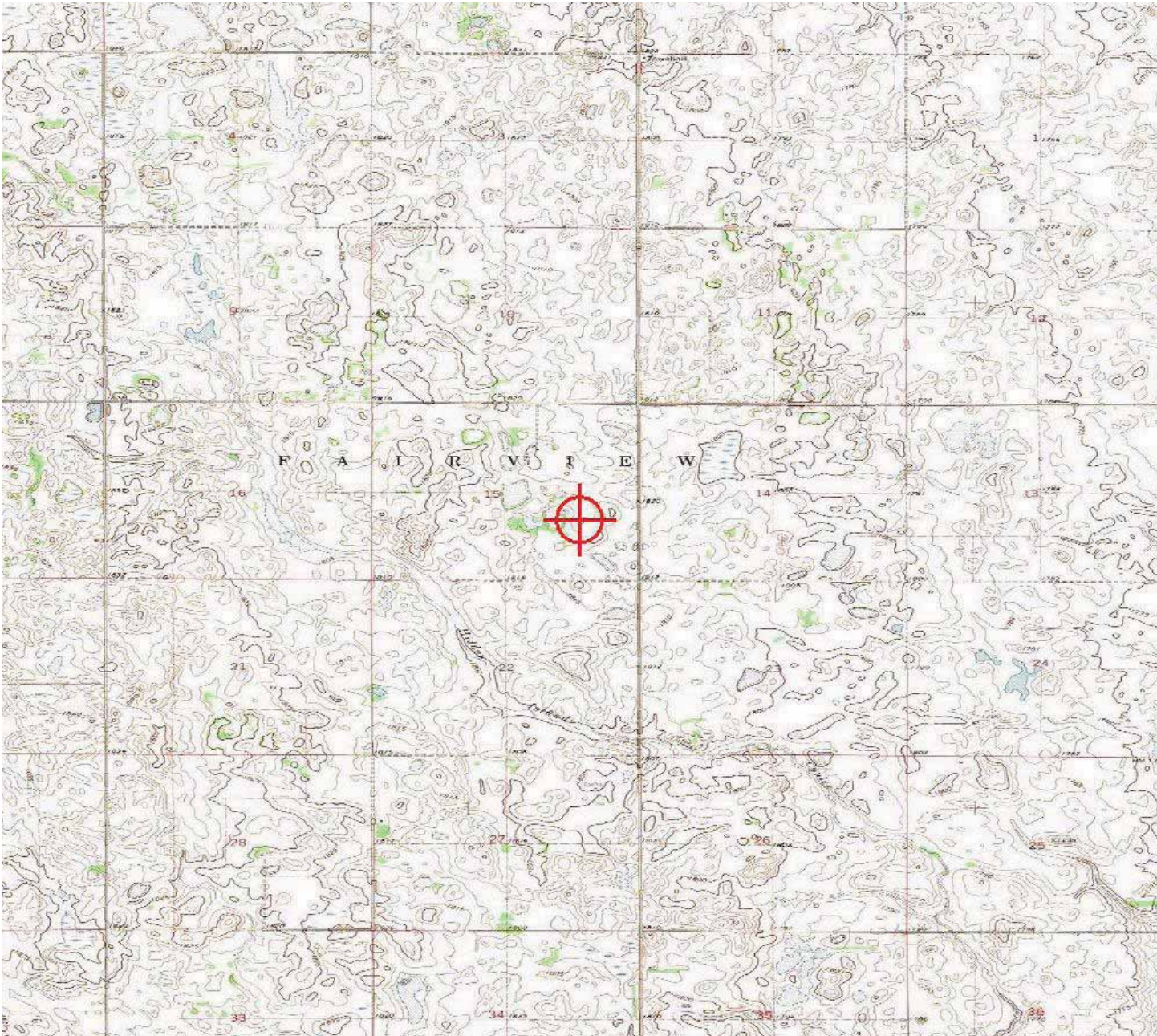
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1283-OE





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1284-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T61
 Location: St. John, ND
 Latitude: 48-56-24.35N NAD 83
 Longitude: 99-33-56.48W
 Heights: 1815 feet site elevation (SE)
 481 feet above ground level (AGL)
 2296 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1284-OE.

Signature Control No: 208918690-220231842

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1284-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

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2014-WTE-1263-OE / 149 ft.
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2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

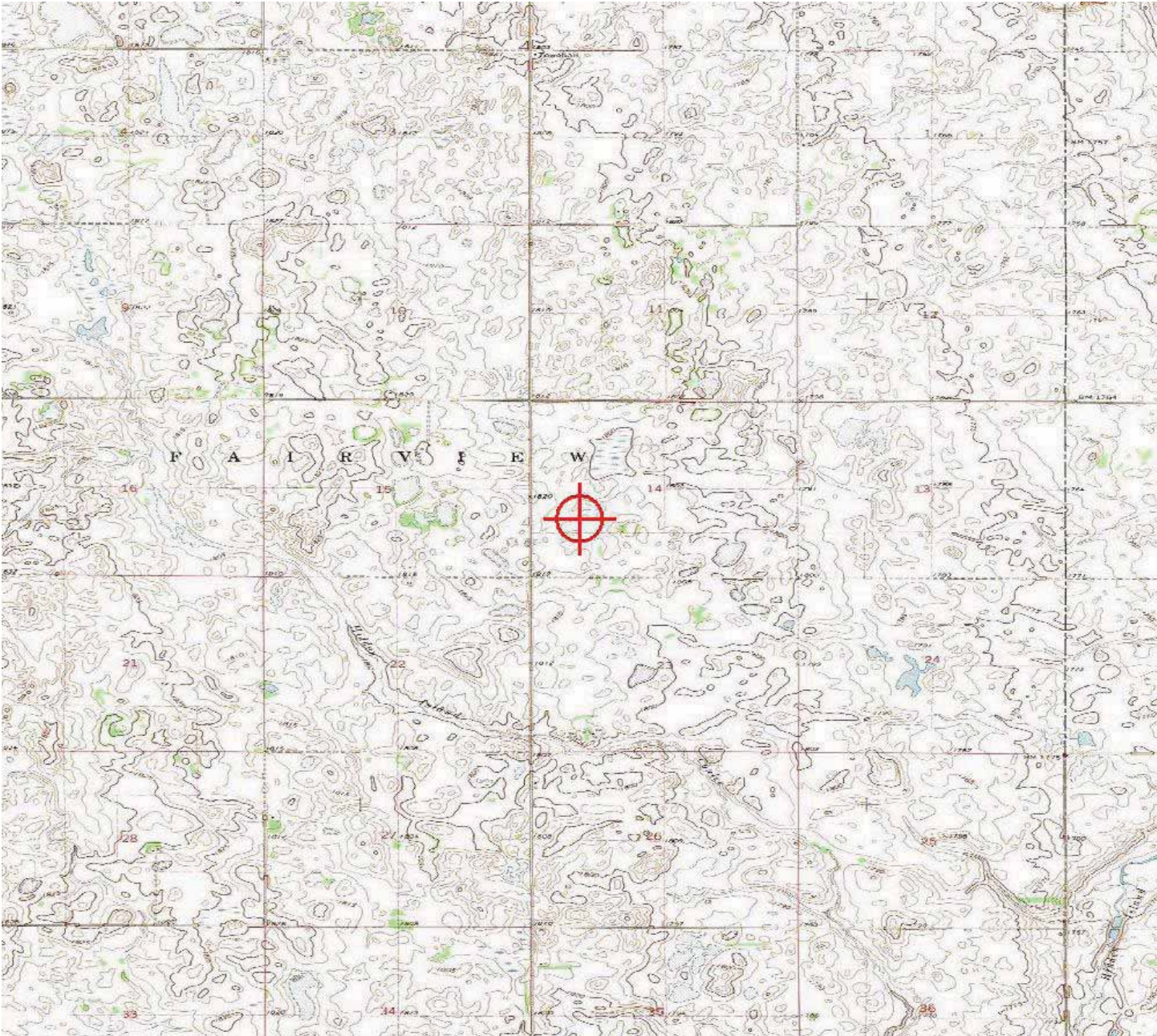
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

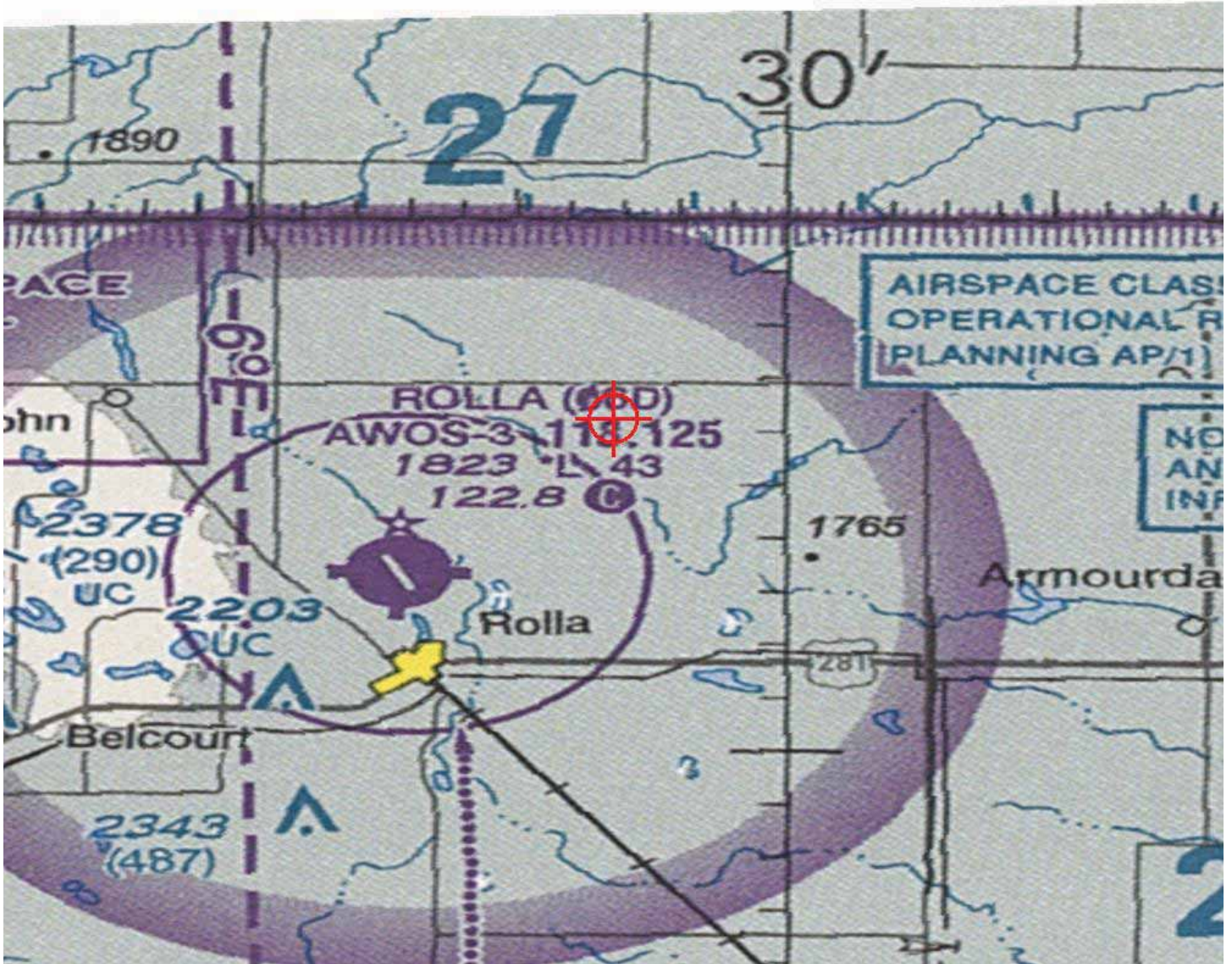
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1284-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1285-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T62
 Location: St. John, ND
 Latitude: 48-56-33.23N NAD 83
 Longitude: 99-33-43.12W
 Heights: 1805 feet site elevation (SE)
 481 feet above ground level (AGL)
 2286 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1285-OE.

Signature Control No: 208918691-220231843

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1285-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

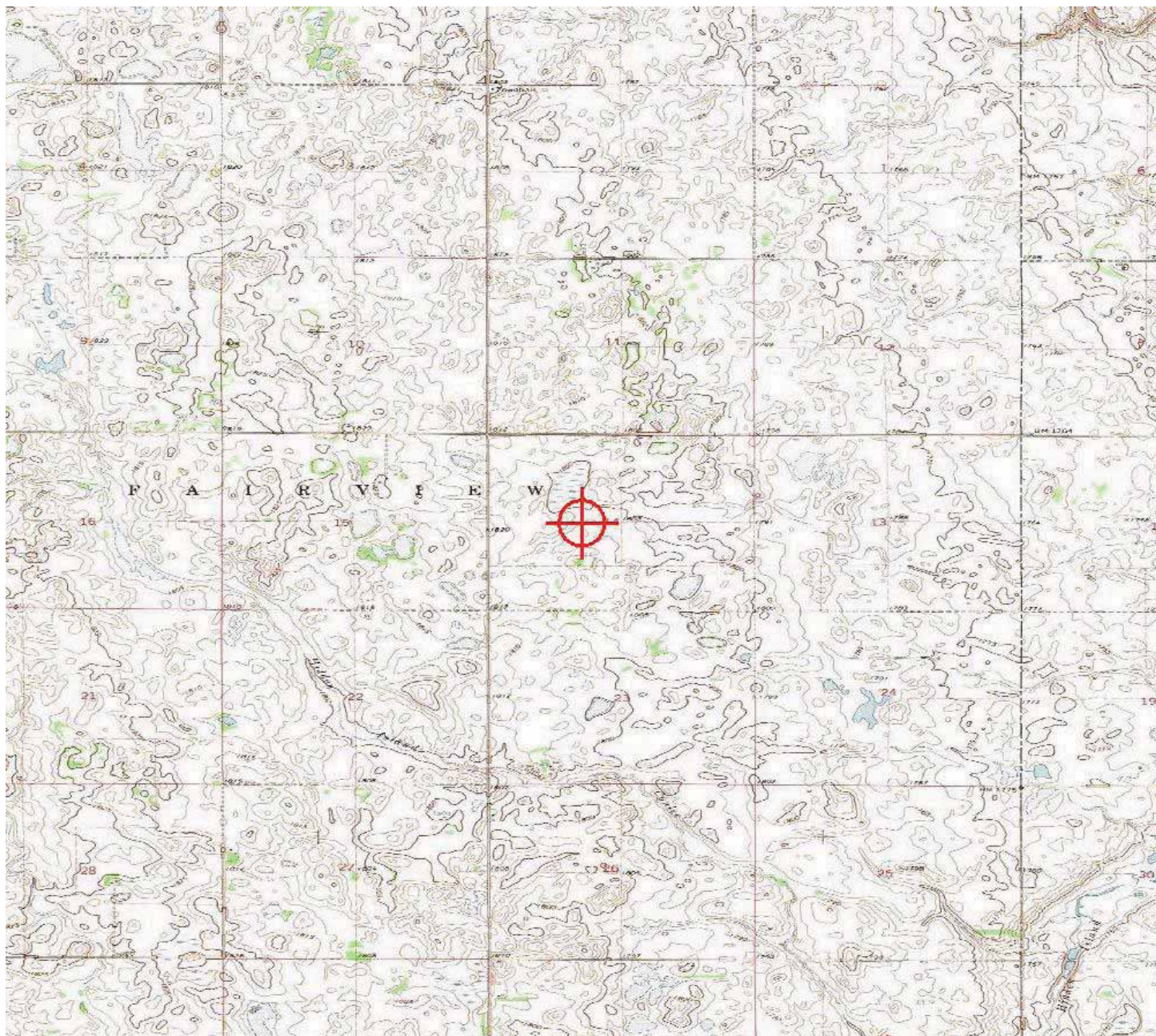
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

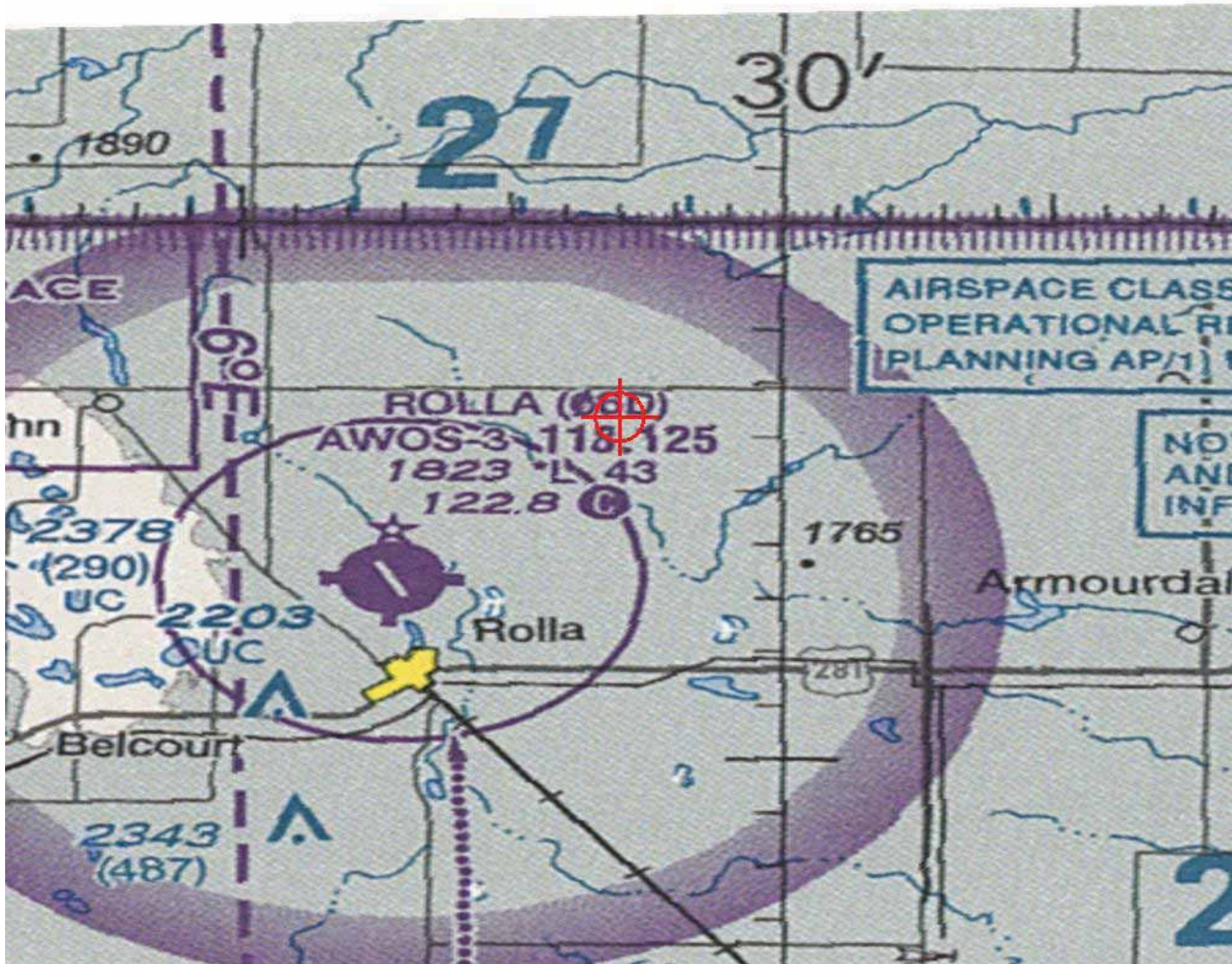
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1285-OE







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2014-WTE-1286-OE

Issued Date: 06/06/2014

Eric Wenger
Border Winds Energy, LLC
11101 W. 120th Ave
Suite 400
Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T63
Location: St. John, ND
Latitude: 48-57-07.67N NAD 83
Longitude: 99-33-11.74W
Heights: 1806 feet site elevation (SE)
481 feet above ground level (AGL)
2287 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1286-OE.

Signature Control No: 208918692-220231844

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1286-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
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2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

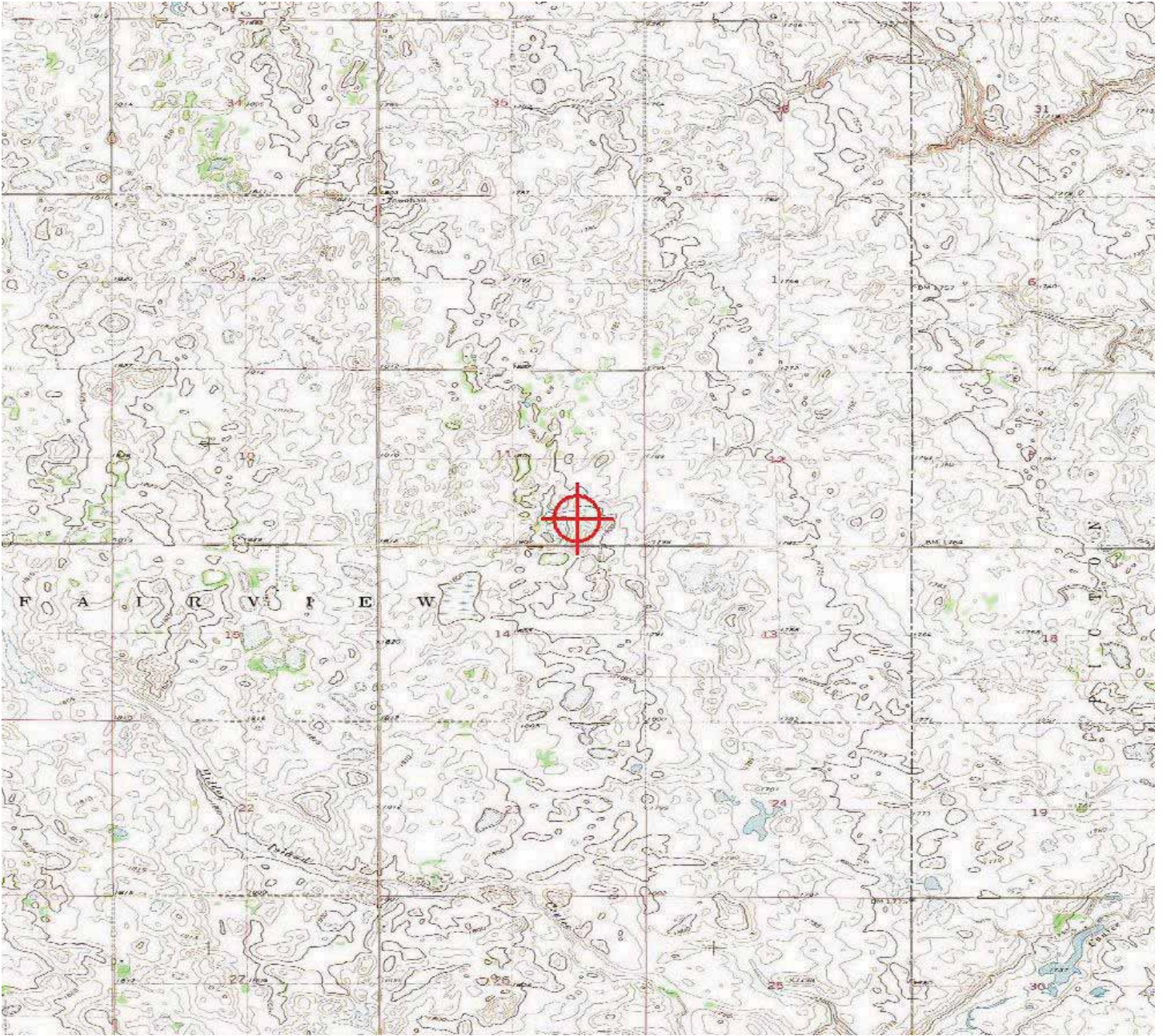
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1286-OE





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1287-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T64
 Location: St. John, ND
 Latitude: 48-57-16.04N NAD 83
 Longitude: 99-32-59.22W
 Heights: 1791 feet site elevation (SE)
 481 feet above ground level (AGL)
 2272 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1287-OE.

Signature Control No: 208918696-220232146

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1287-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
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2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

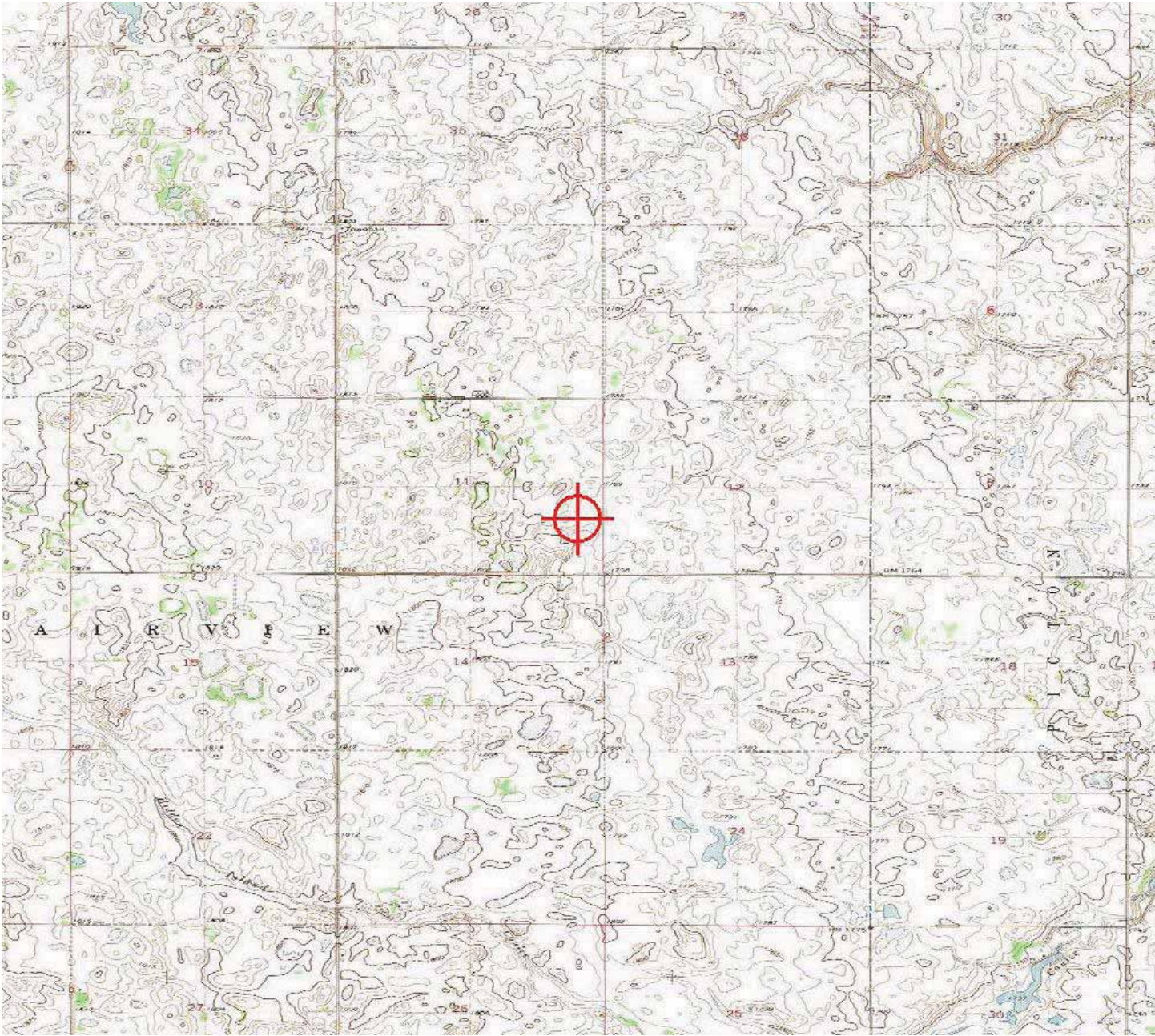
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

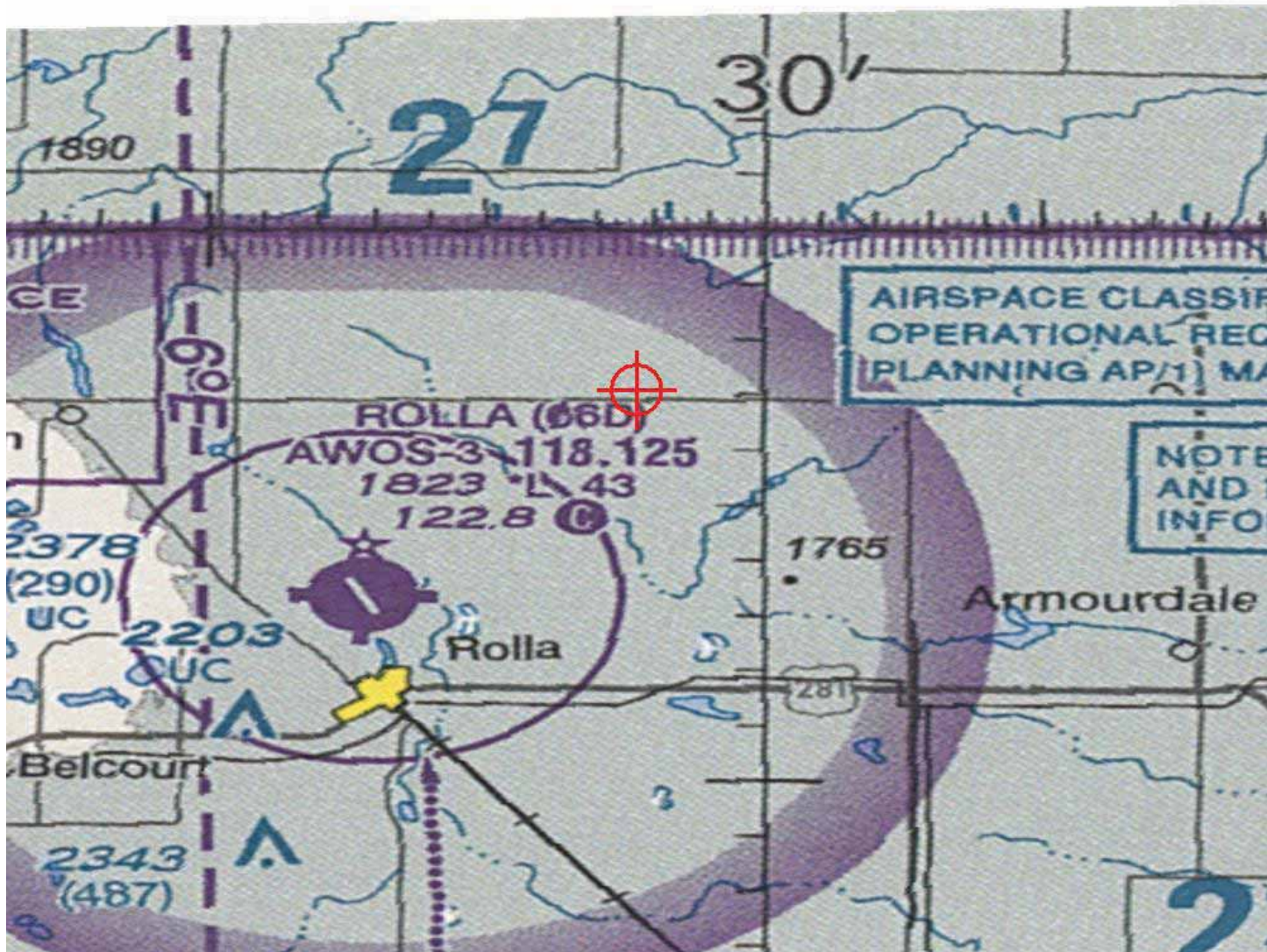
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1288-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T65
 Location: St. John, ND
 Latitude: 48-57-23.00N NAD 83
 Longitude: 99-32-44.34W
 Heights: 1789 feet site elevation (SE)
 481 feet above ground level (AGL)
 2270 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1288-OE.

Signature Control No: 208918701-220232145

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1288-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

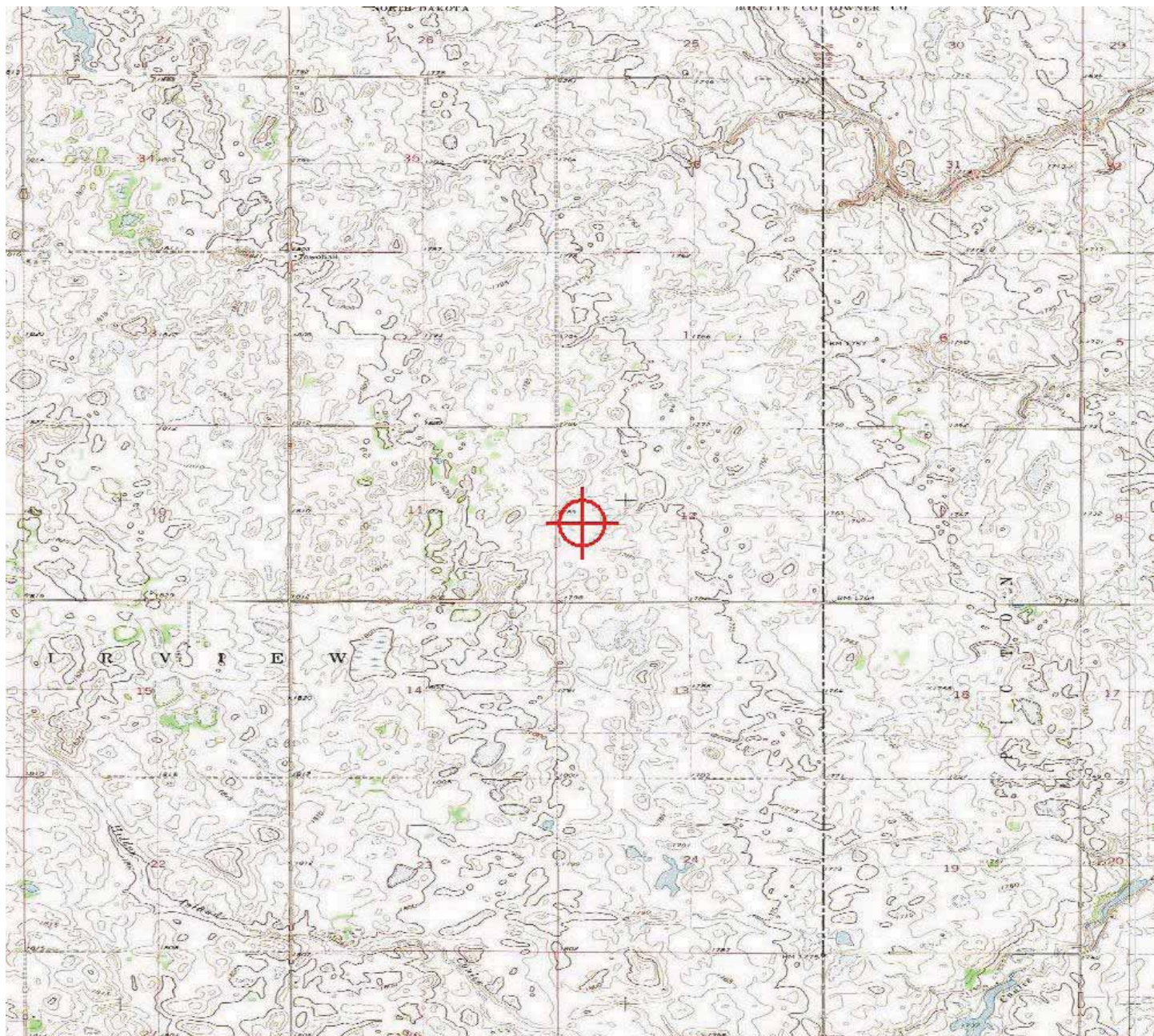
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

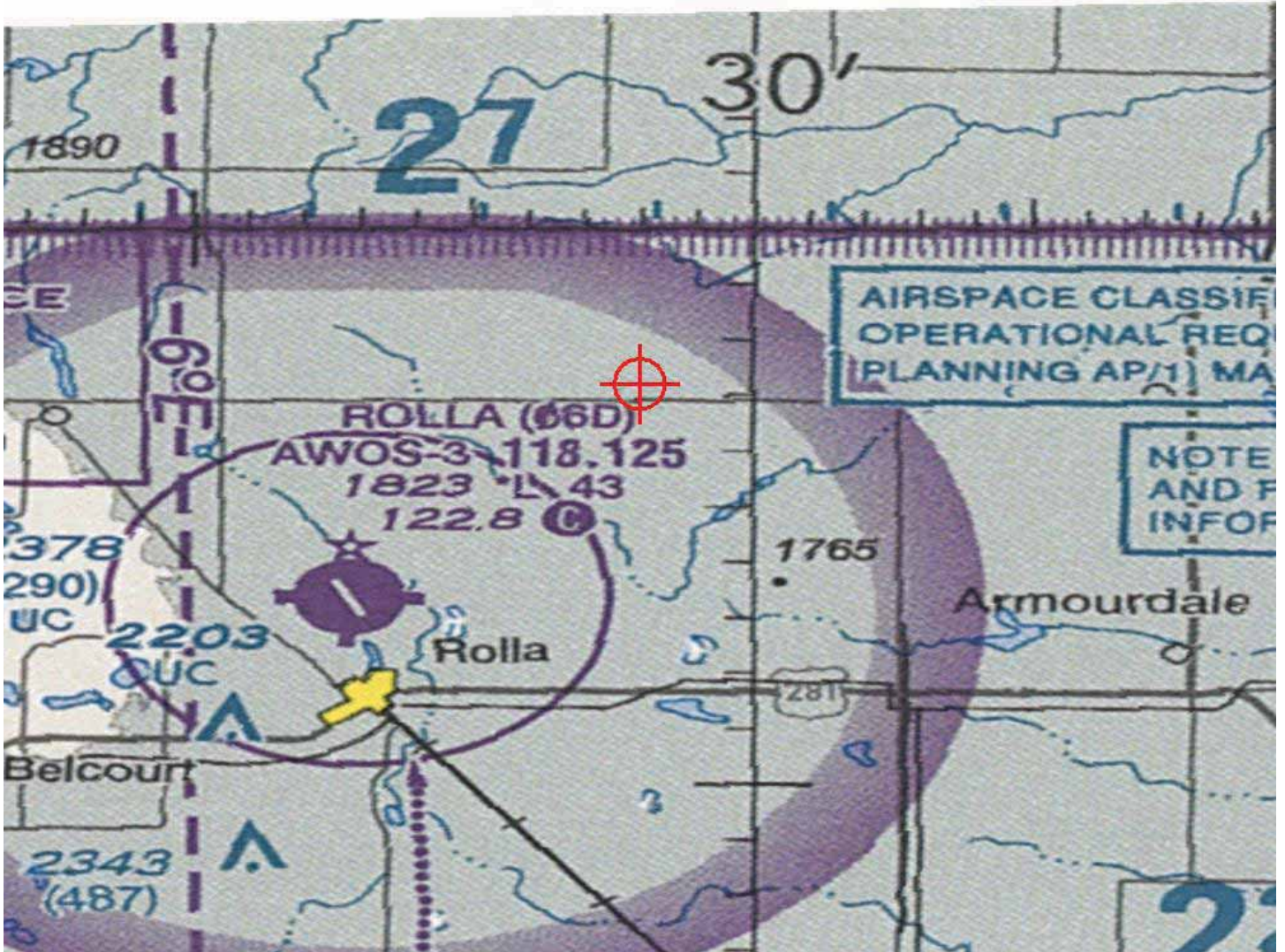
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1289-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T66
 Location: St. John, ND
 Latitude: 48-57-32.66N NAD 83
 Longitude: 99-32-24.09W
 Heights: 1787 feet site elevation (SE)
 481 feet above ground level (AGL)
 2268 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1289-OE.

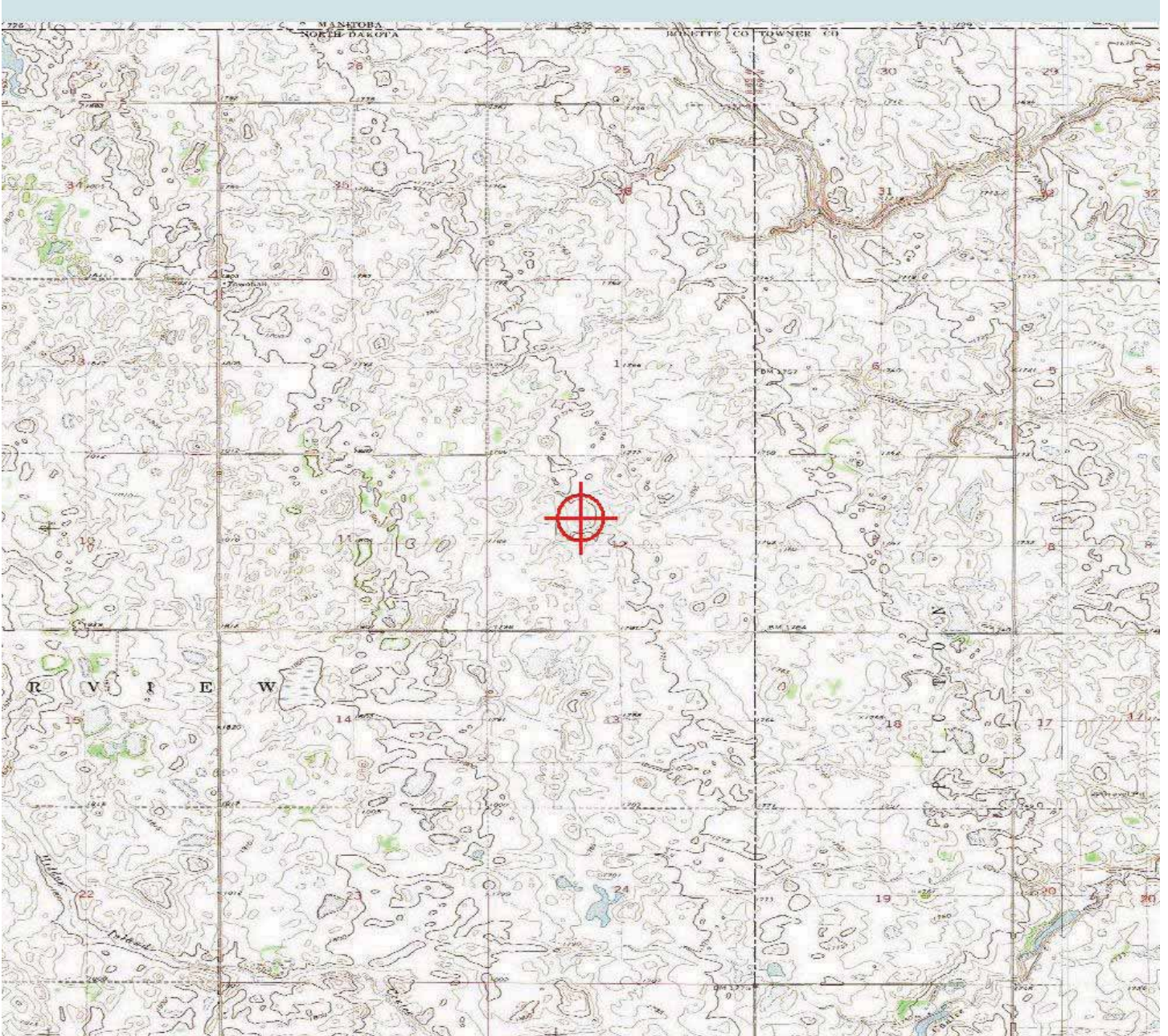
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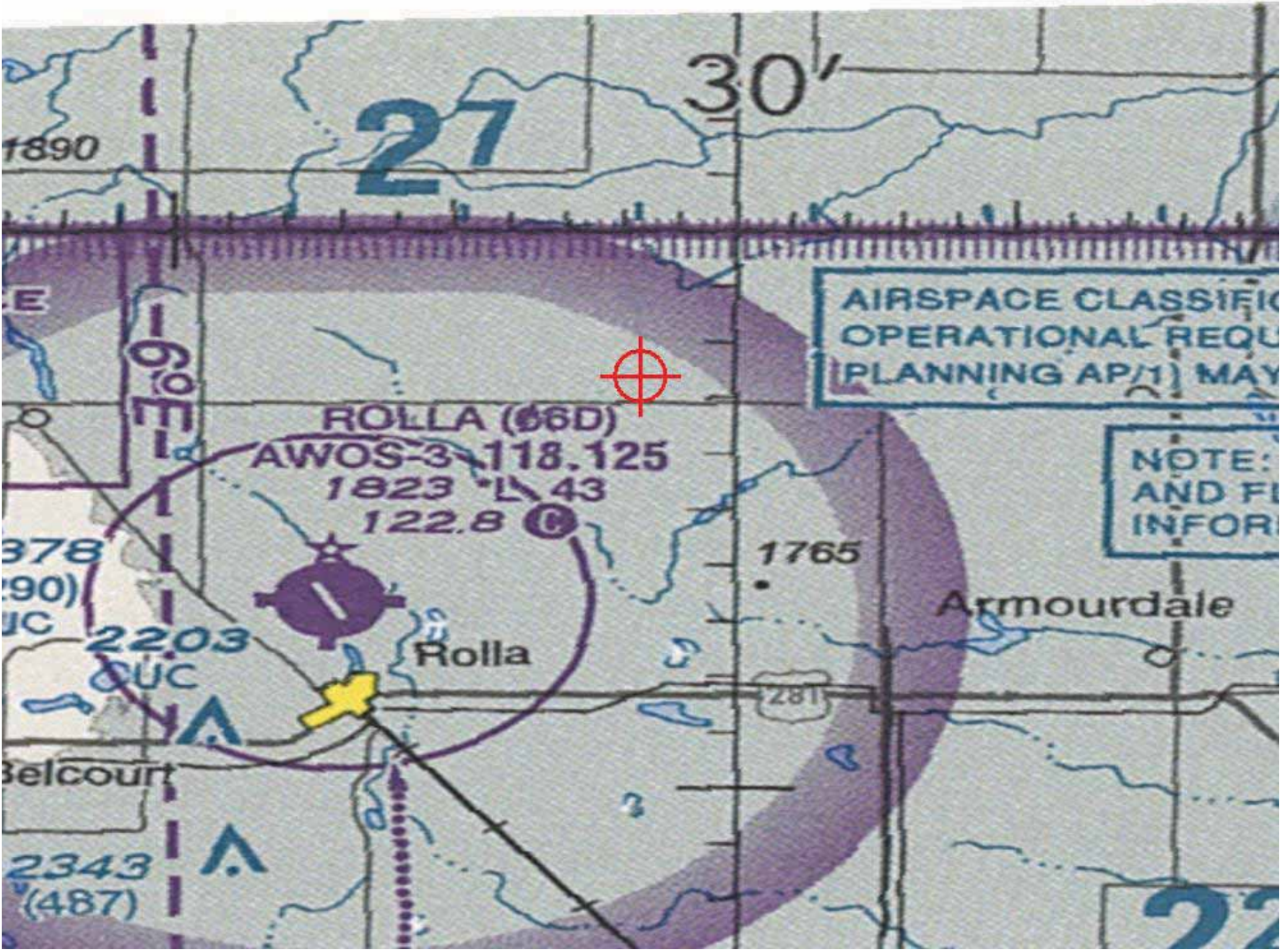
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1289-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1290-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T67
 Location: St. John, ND
 Latitude: 48-57-38.17N NAD 83
 Longitude: 99-32-03.38W
 Heights: 1769 feet site elevation (SE)
 481 feet above ground level (AGL)
 2250 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1290-OE.

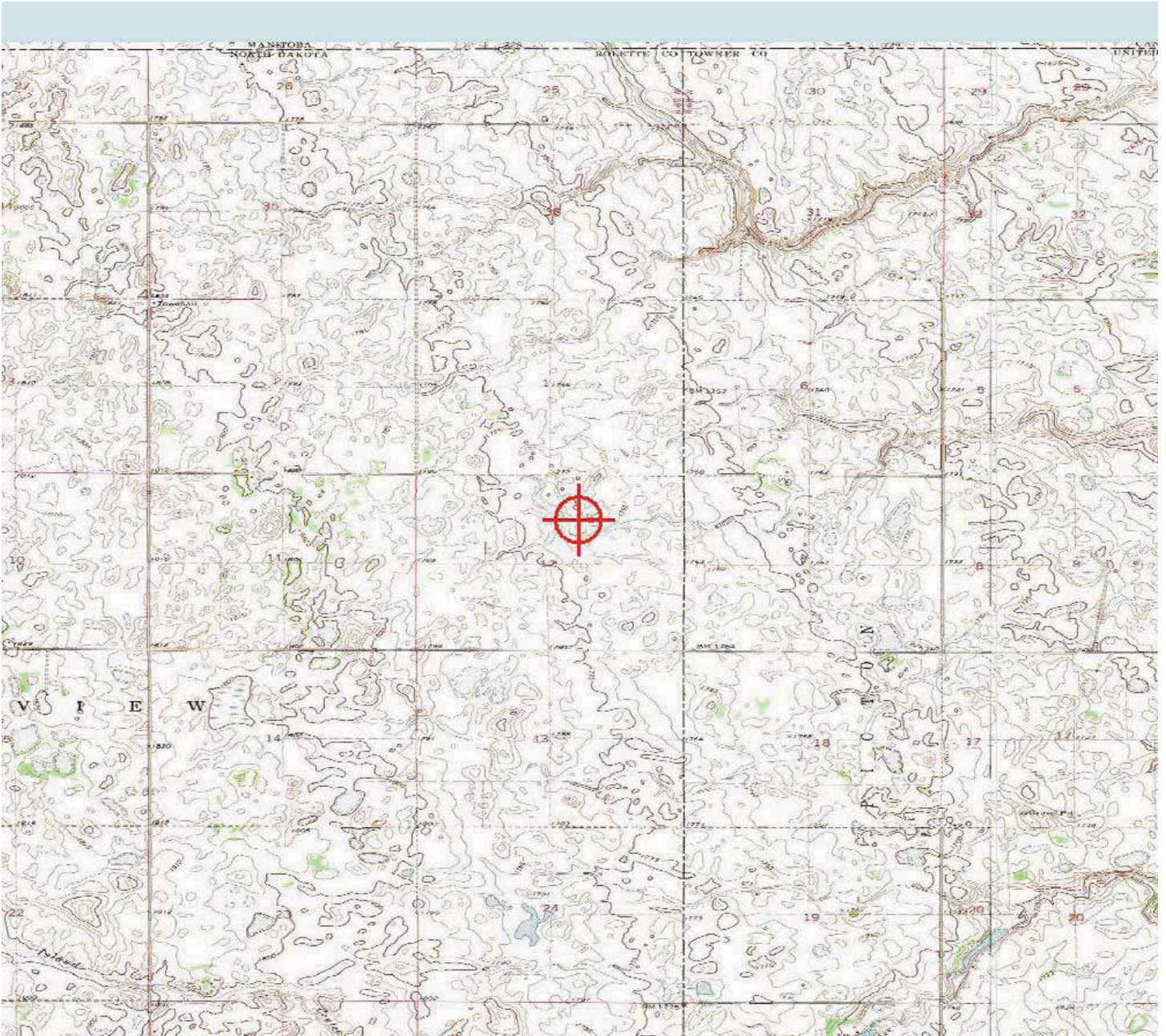
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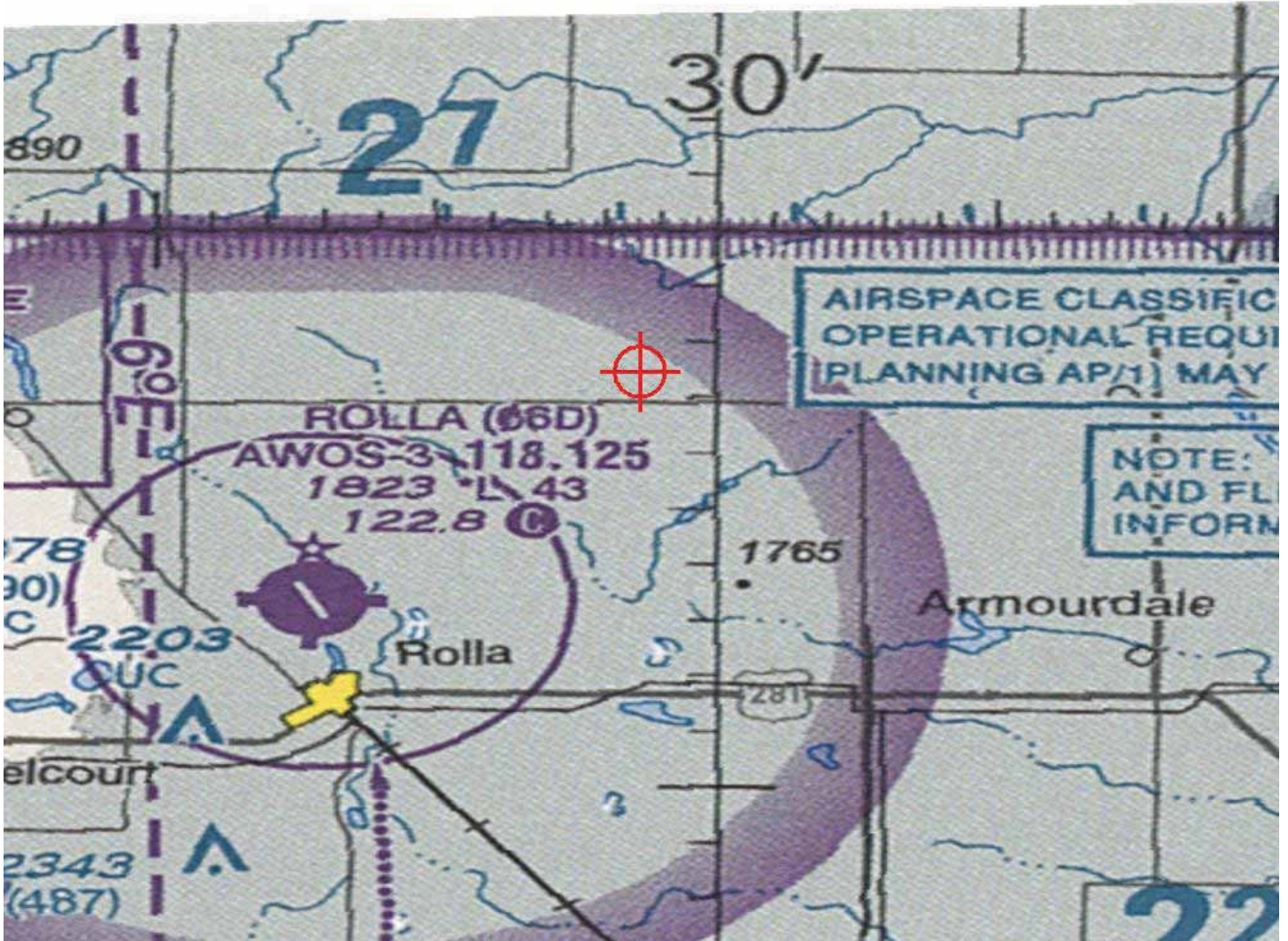
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1290-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1291-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T68
 Location: St. John, ND
 Latitude: 48-57-43.84N NAD 83
 Longitude: 99-31-43.03W
 Heights: 1764 feet site elevation (SE)
 481 feet above ground level (AGL)
 2245 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1291-OE.

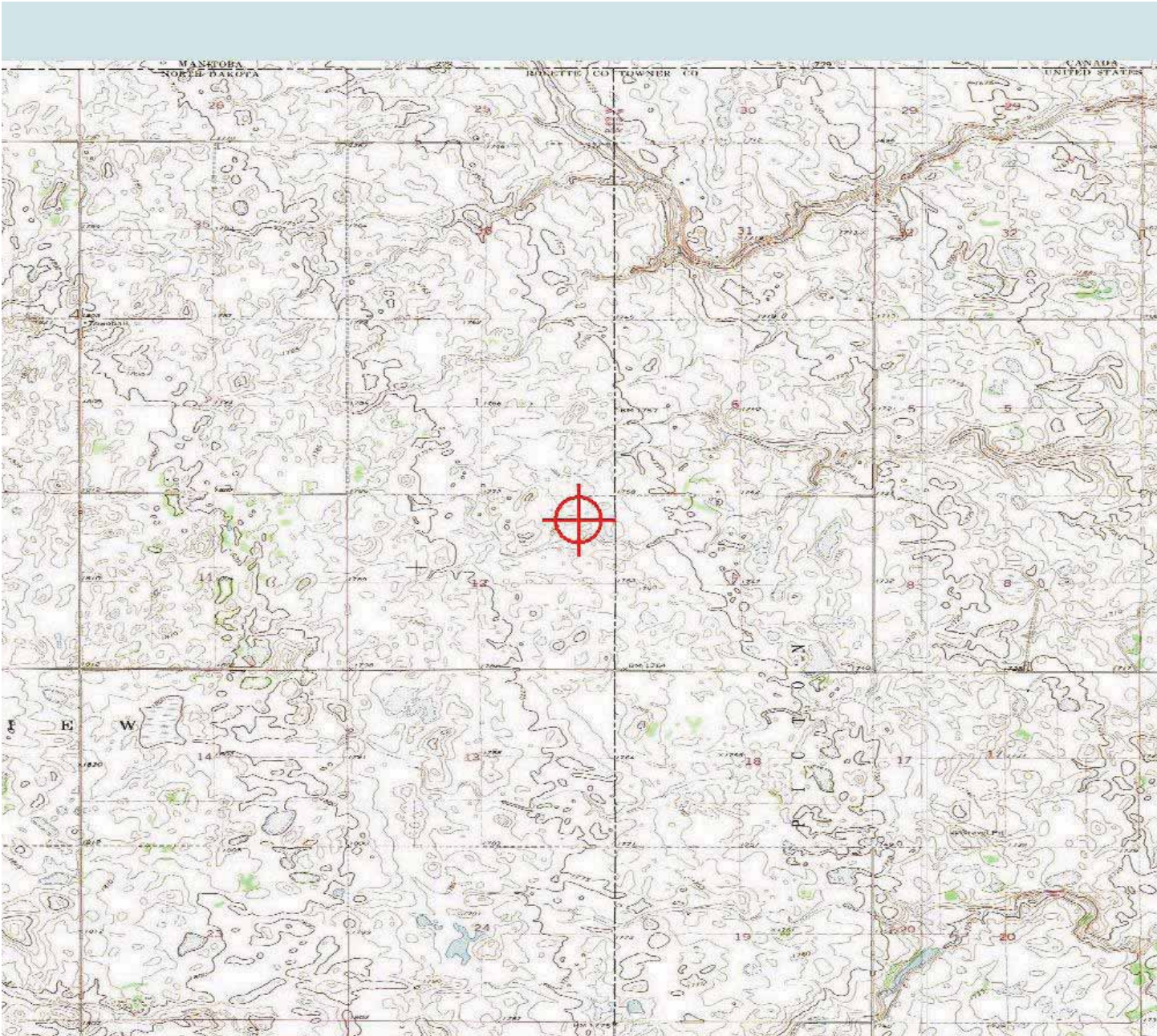
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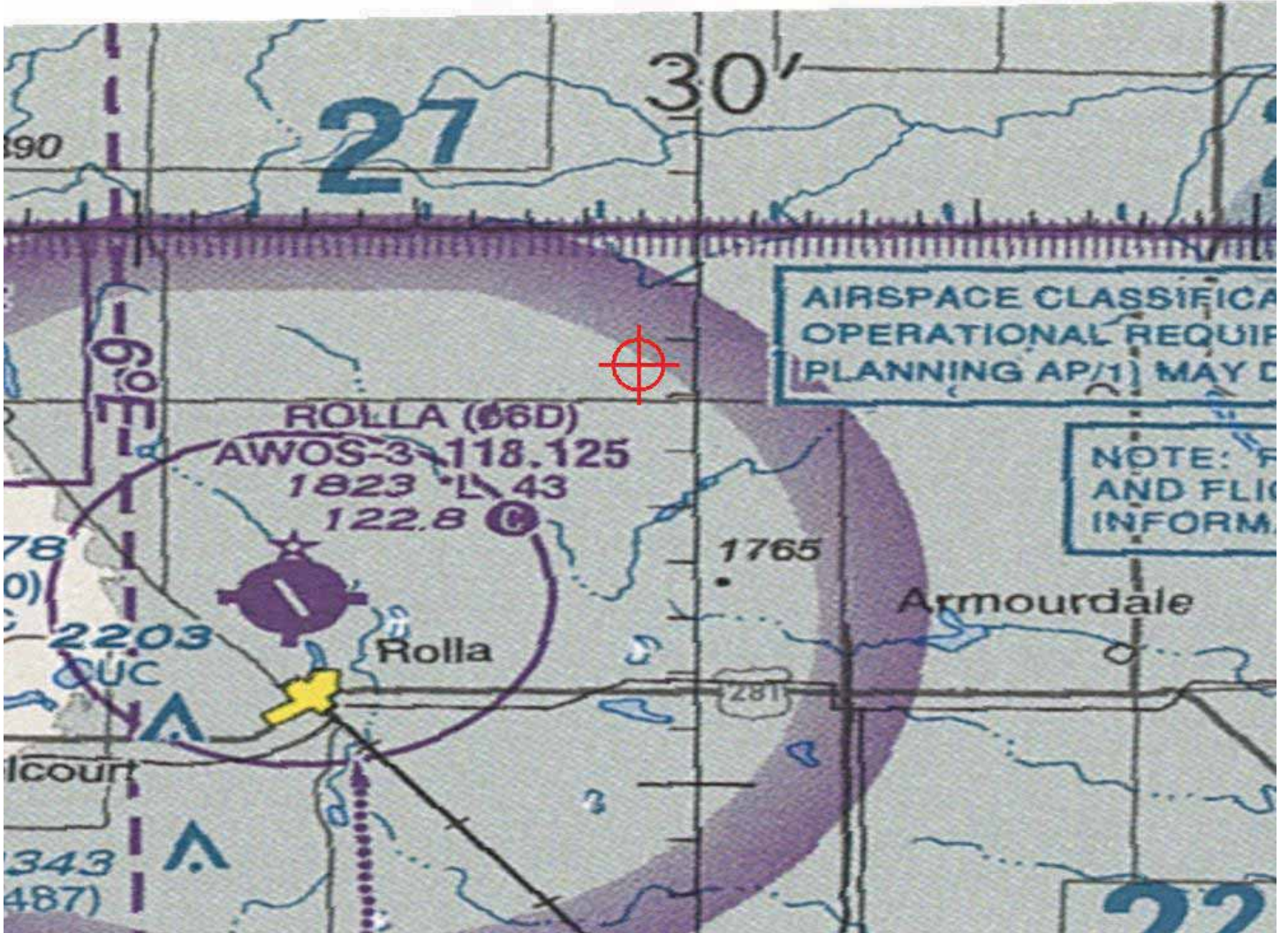
(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2014-WTE-1291-OE







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2014-WTE-1292-OE

Issued Date: 06/06/2014

Eric Wenger
Border Winds Energy, LLC
11101 W. 120th Ave
Suite 400
Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T71
Location: St. John, ND
Latitude: 48-55-17.94N NAD 83
Longitude: 99-33-05.49W
Heights: 1806 feet site elevation (SE)
481 feet above ground level (AGL)
2287 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1292-OE.

Signature Control No: 208918707-220231845

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1292-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

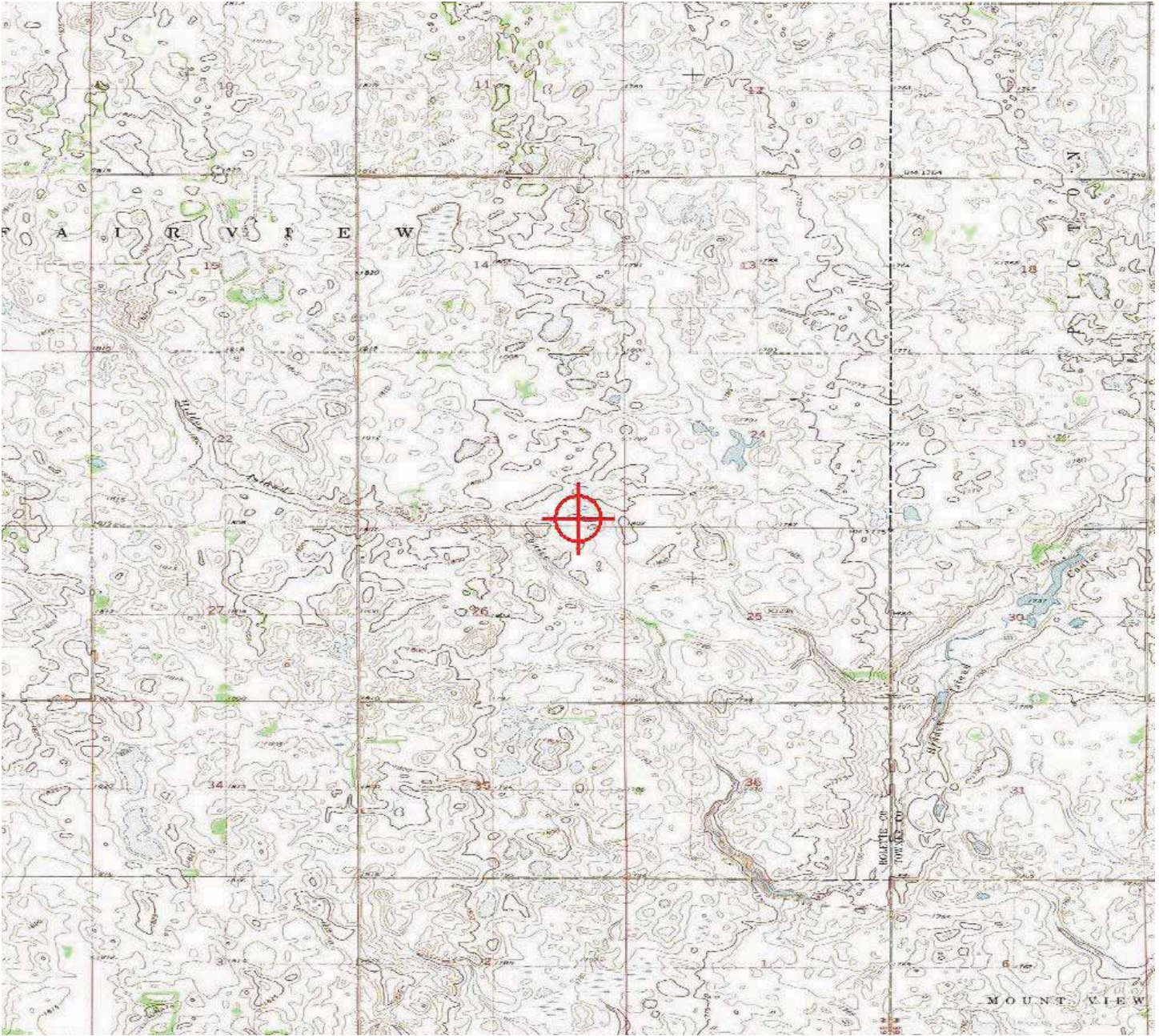
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

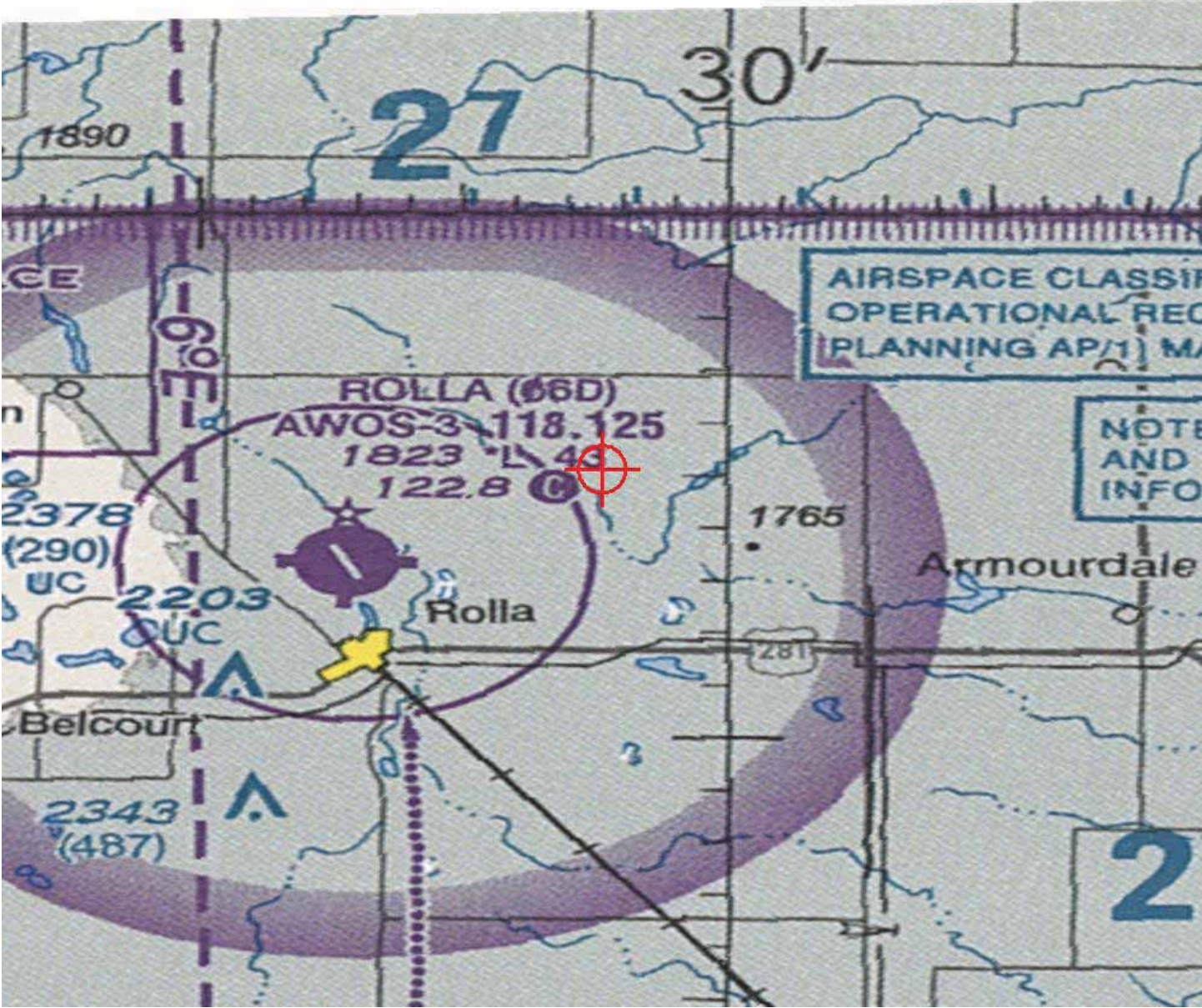
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1292-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1293-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T72
 Location: St. John, ND
 Latitude: 48-55-32.90N NAD 83
 Longitude: 99-32-46.23W
 Heights: 1804 feet site elevation (SE)
 481 feet above ground level (AGL)
 2285 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1293-OE.

Signature Control No: 208918708-220232150

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1293-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.
2014-WTE-1238-OE / 57 ft.
2014-WTE-1239-OE / 78 ft.
2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.
2014-WTE-1242-OE / 75 ft.
2014-WTE-1243-OE / 76 ft.
2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.
2014-WTE-1246-OE / 43 ft.
2014-WTE-1247-OE / 35 ft.
2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.
2014-WTE-1250-OE / 2 ft.
2014-WTE-1261-OE / 170 ft.
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2014-WTE-1263-OE / 149 ft.
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2014-WTE-1267-OE / 128 ft.
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2014-WTE-1271-OE / 16 ft.
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2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

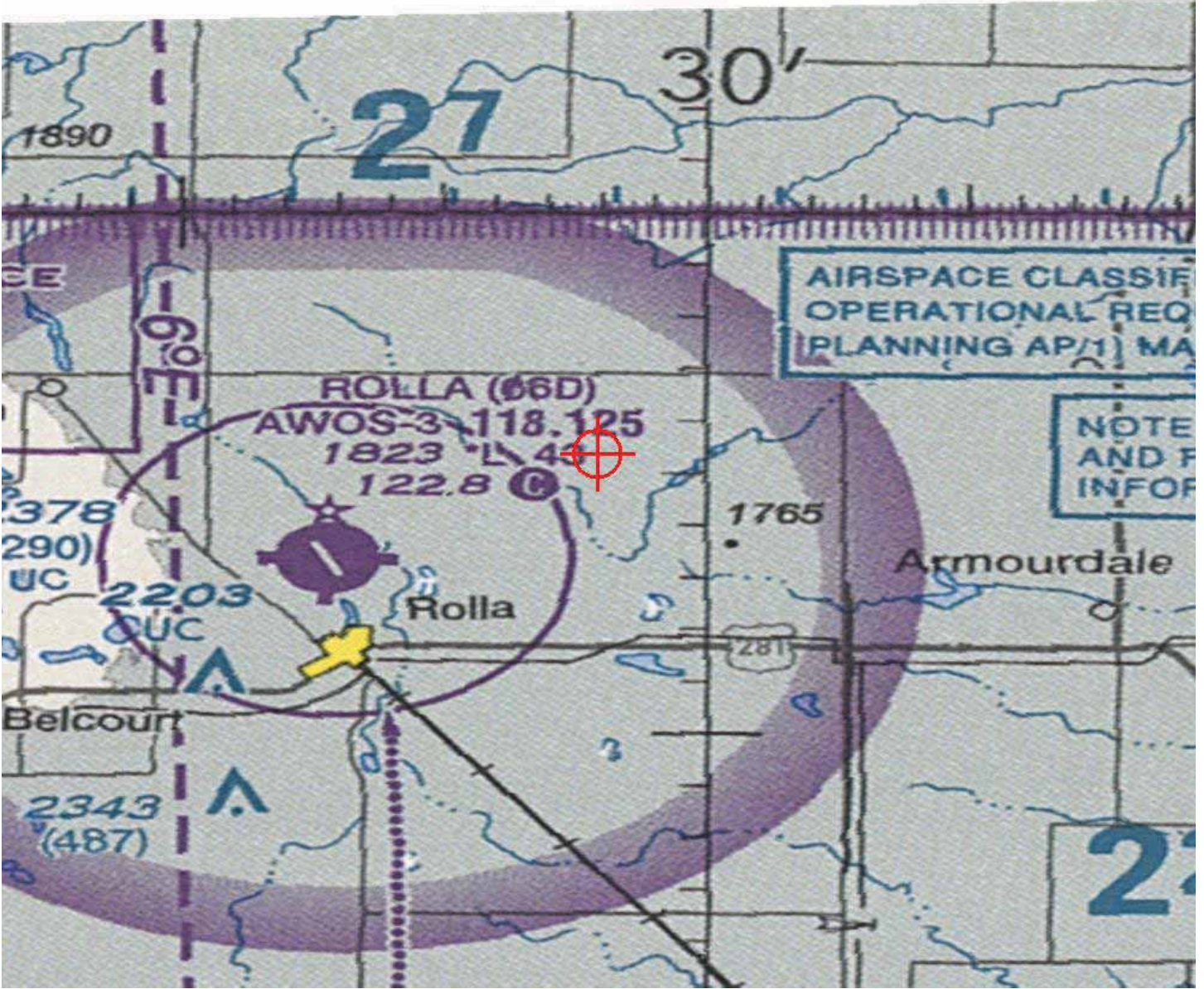
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1294-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T73
 Location: St. John, ND
 Latitude: 48-55-40.50N NAD 83
 Longitude: 99-32-28.48W
 Heights: 1797 feet site elevation (SE)
 481 feet above ground level (AGL)
 2278 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1294-OE.

Signature Control No: 208918709-220231848

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1294-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
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2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

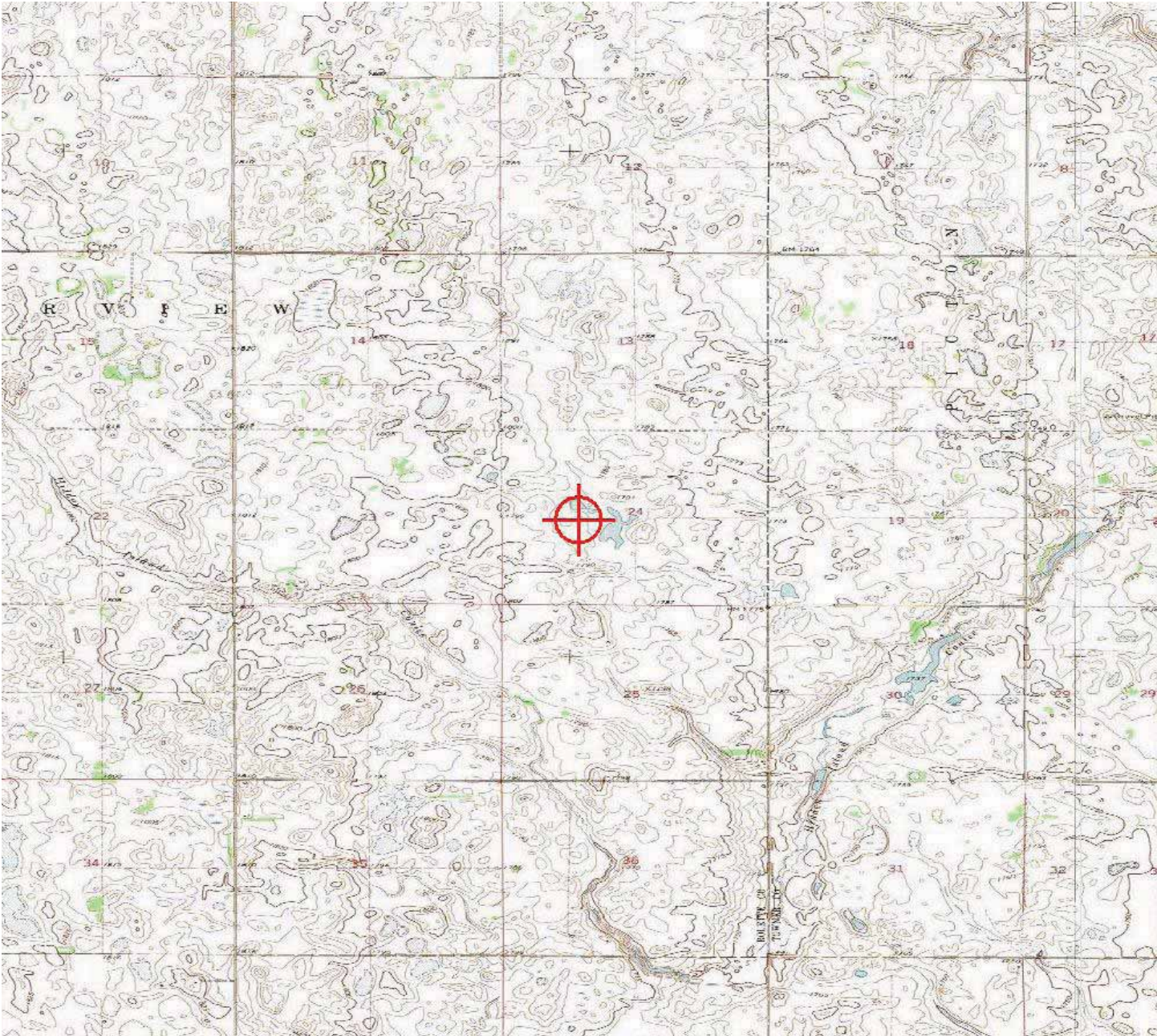
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

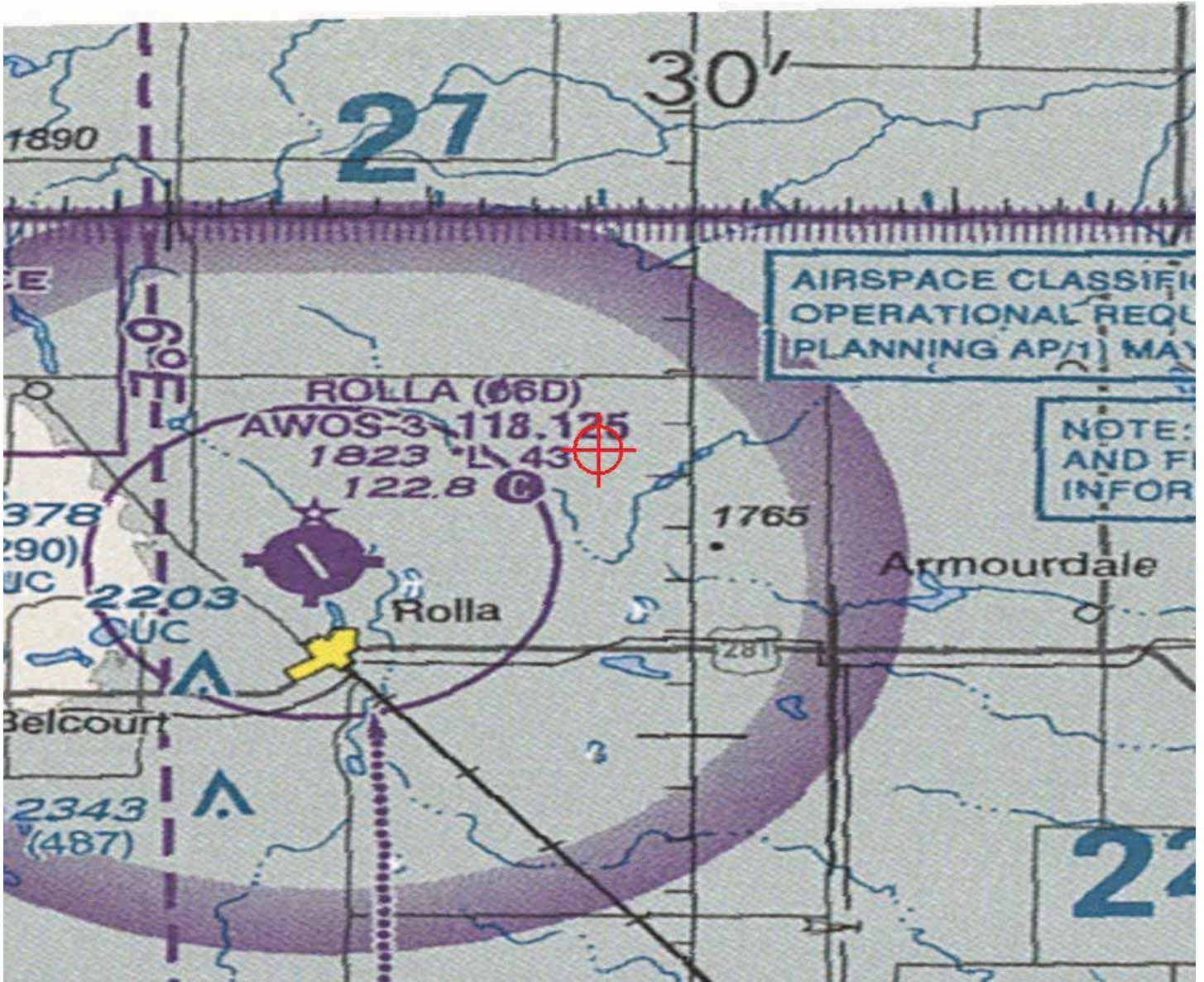
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1294-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1295-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T74
 Location: St. John, ND
 Latitude: 48-55-50.75N NAD 83
 Longitude: 99-32-11.03W
 Heights: 1790 feet site elevation (SE)
 481 feet above ground level (AGL)
 2271 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1295-OE.

Signature Control No: 208918710-220232144

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1295-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.
2014-WTE-1226-OE / 197 ft.
2014-WTE-1227-OE / 60 ft.
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2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

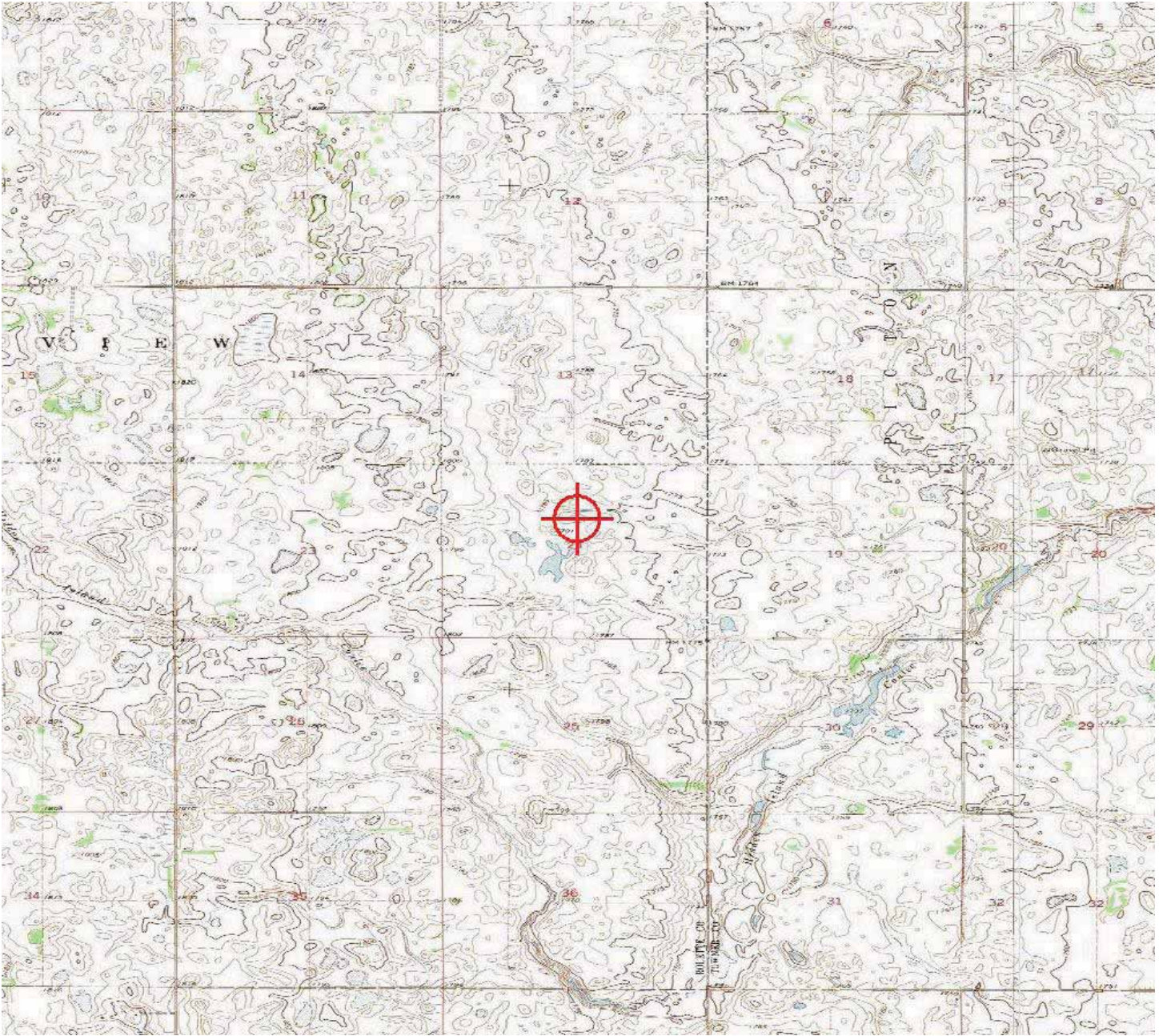
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

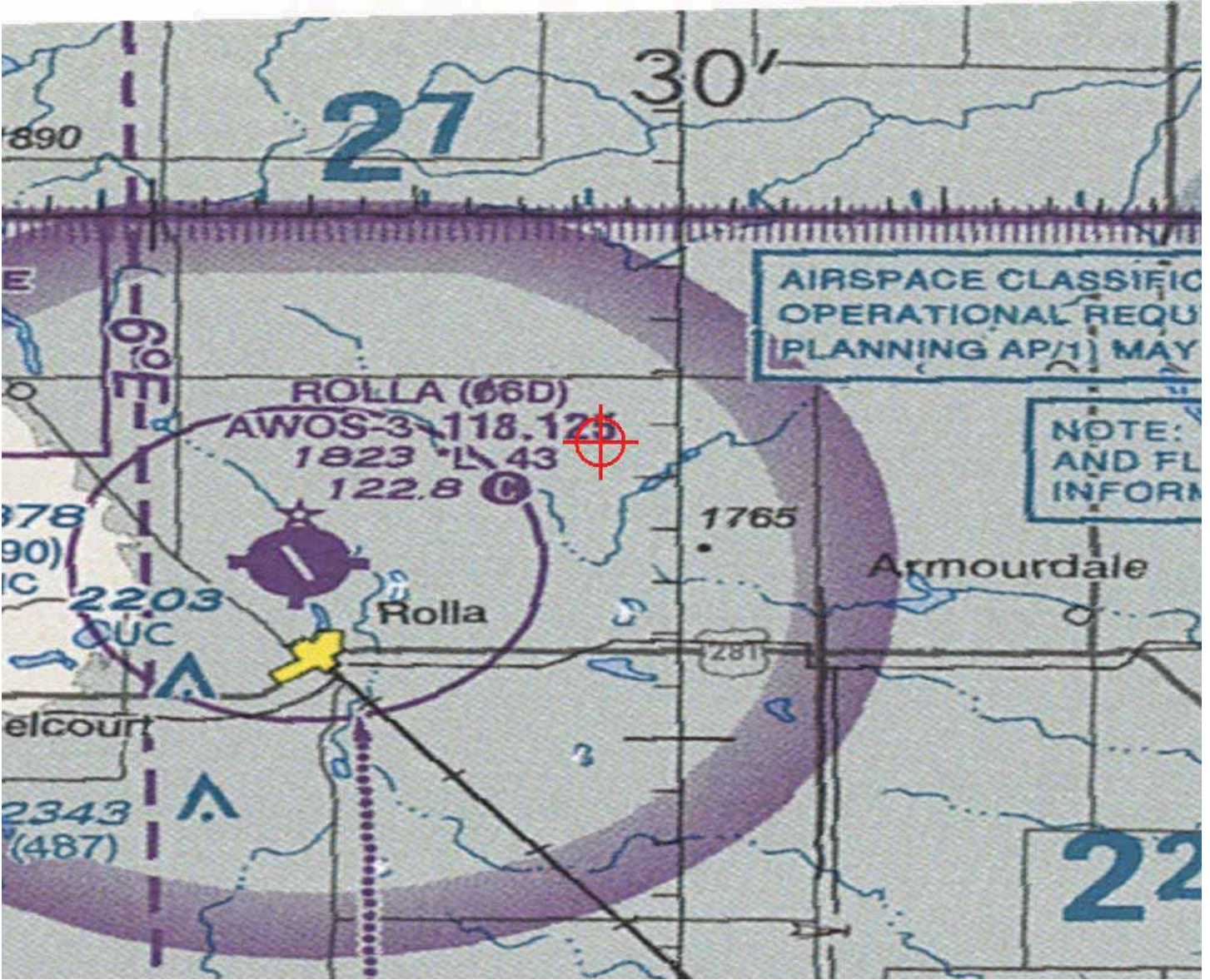
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1295-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1296-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T75
 Location: St. John, ND
 Latitude: 48-55-59.64N NAD 83
 Longitude: 99-31-52.87W
 Heights: 1782 feet site elevation (SE)
 481 feet above ground level (AGL)
 2263 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1296-OE.

Signature Control No: 208918726-220231849

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1296-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

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2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

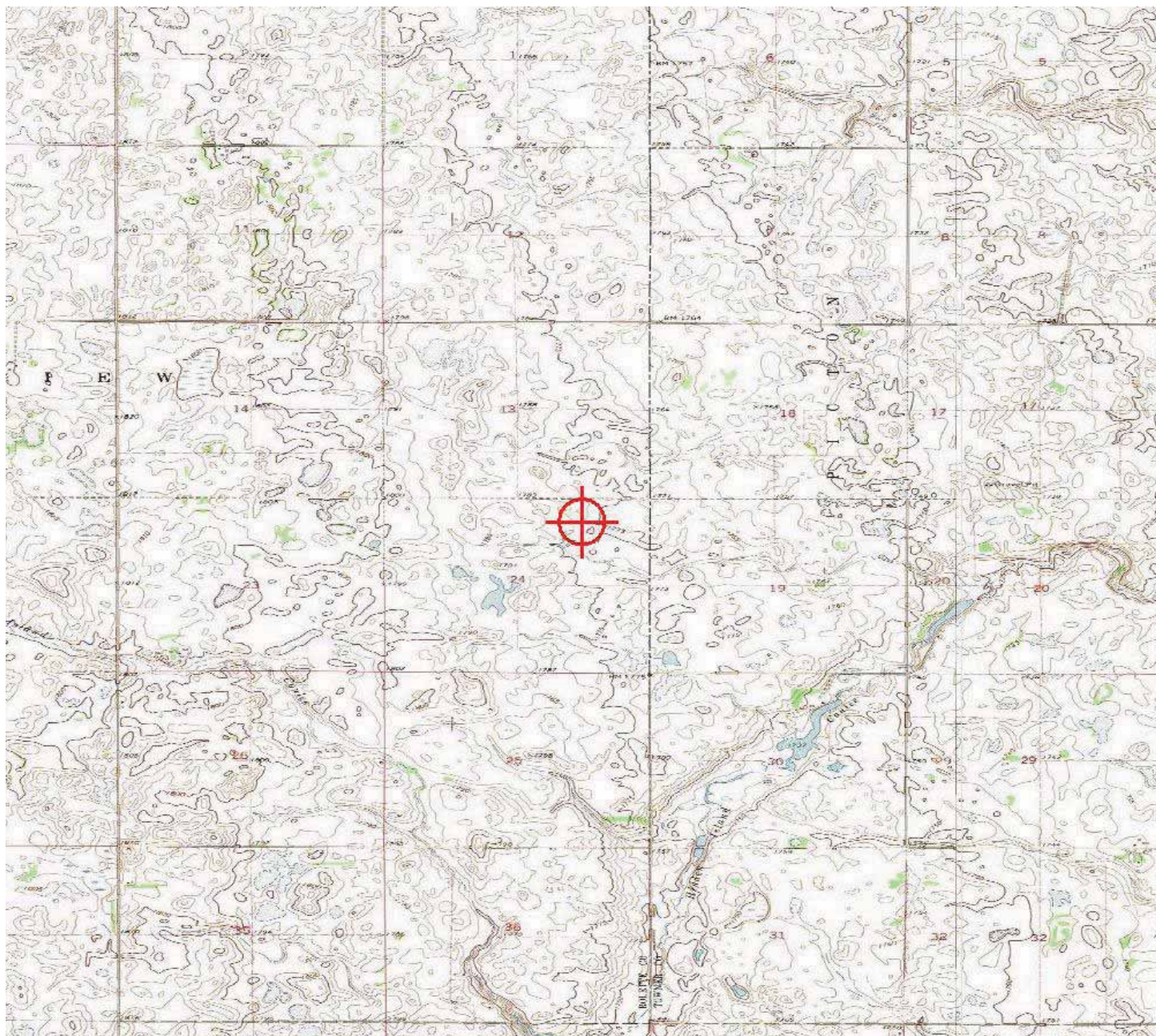
Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

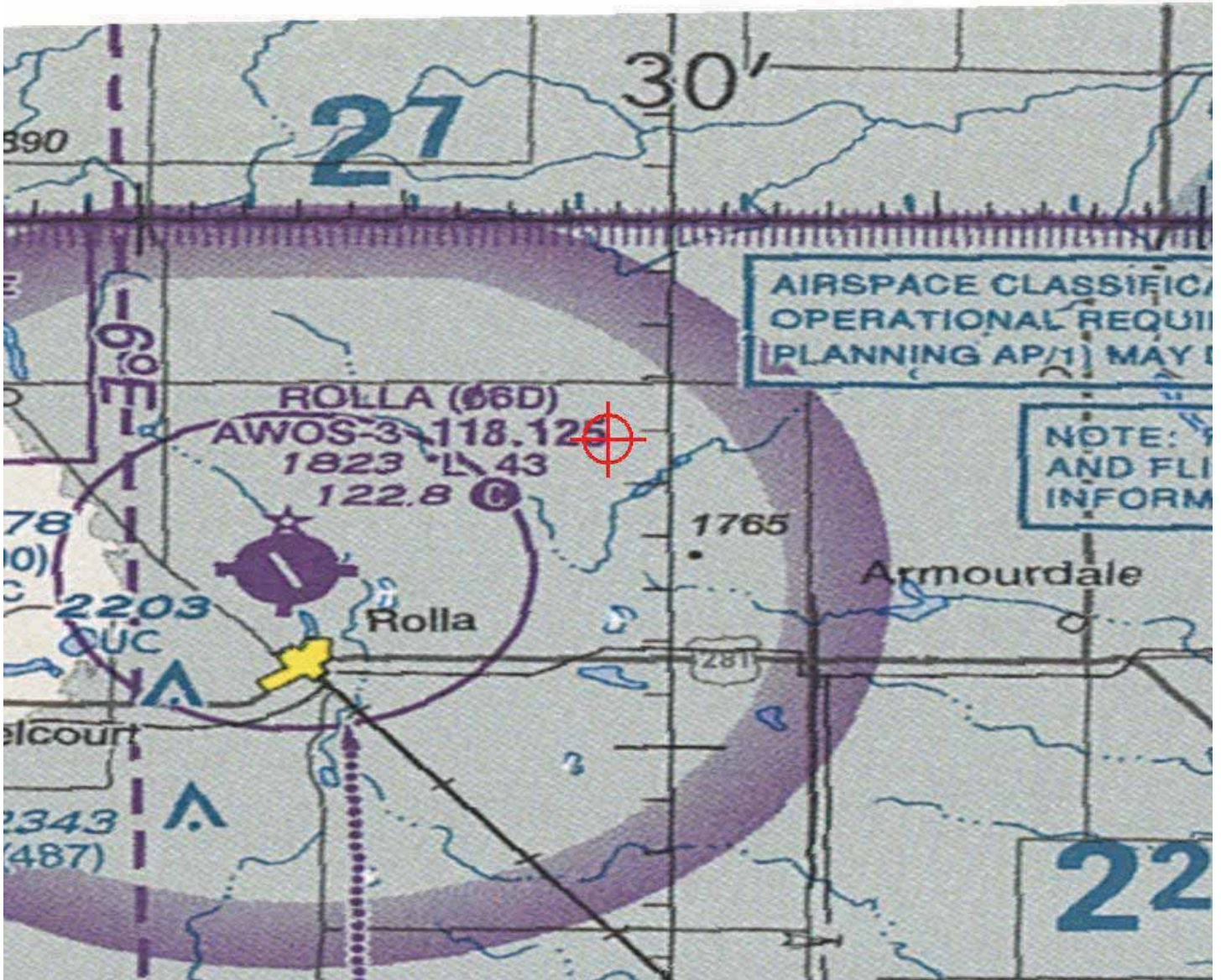
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1297-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T76
 Location: St. John, ND
 Latitude: 48-54-30.59N NAD 83
 Longitude: 99-32-58.95W
 Heights: 1789 feet site elevation (SE)
 481 feet above ground level (AGL)
 2270 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1297-OE.

Signature Control No: 208918727-220231850

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1297-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

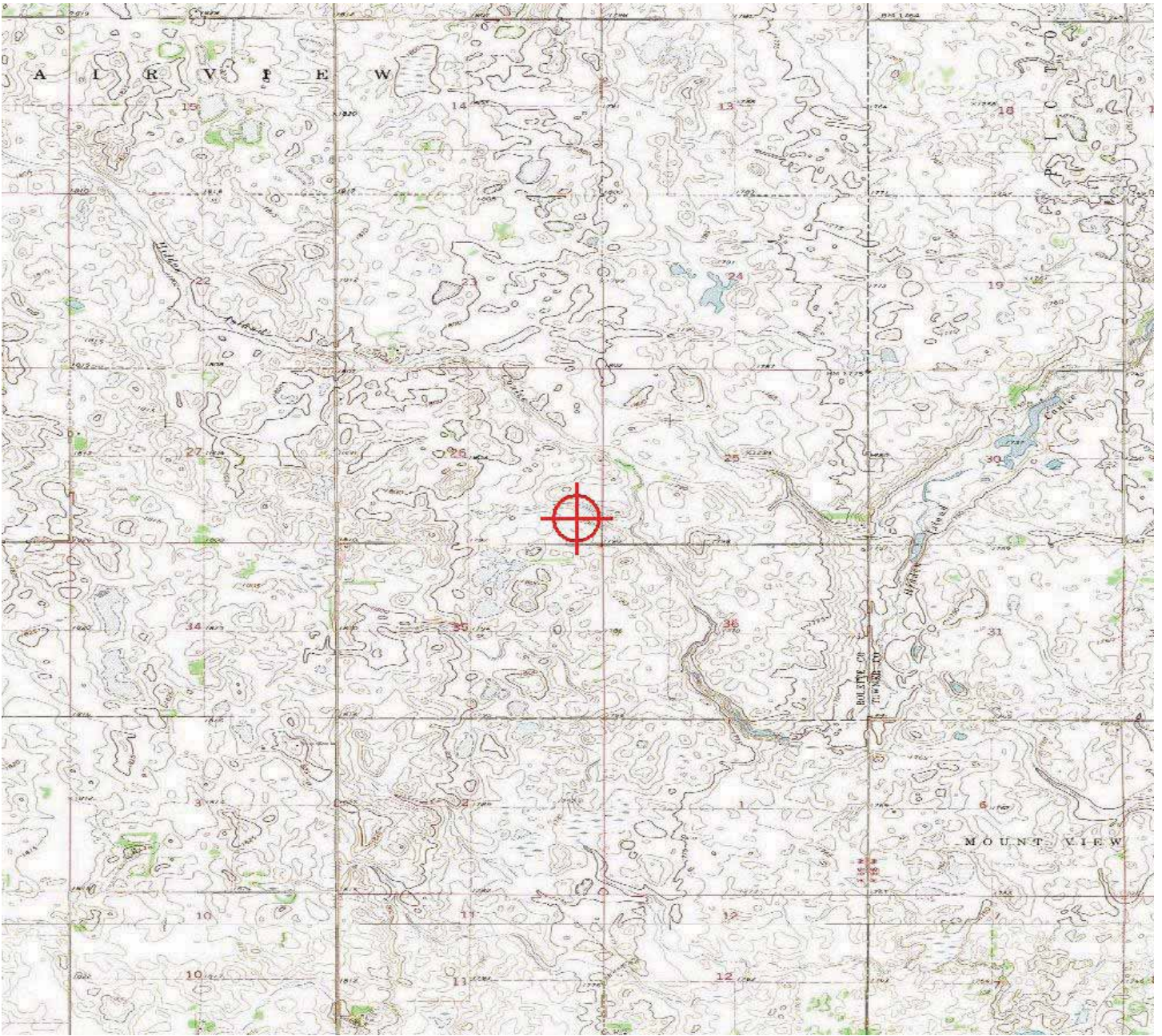
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

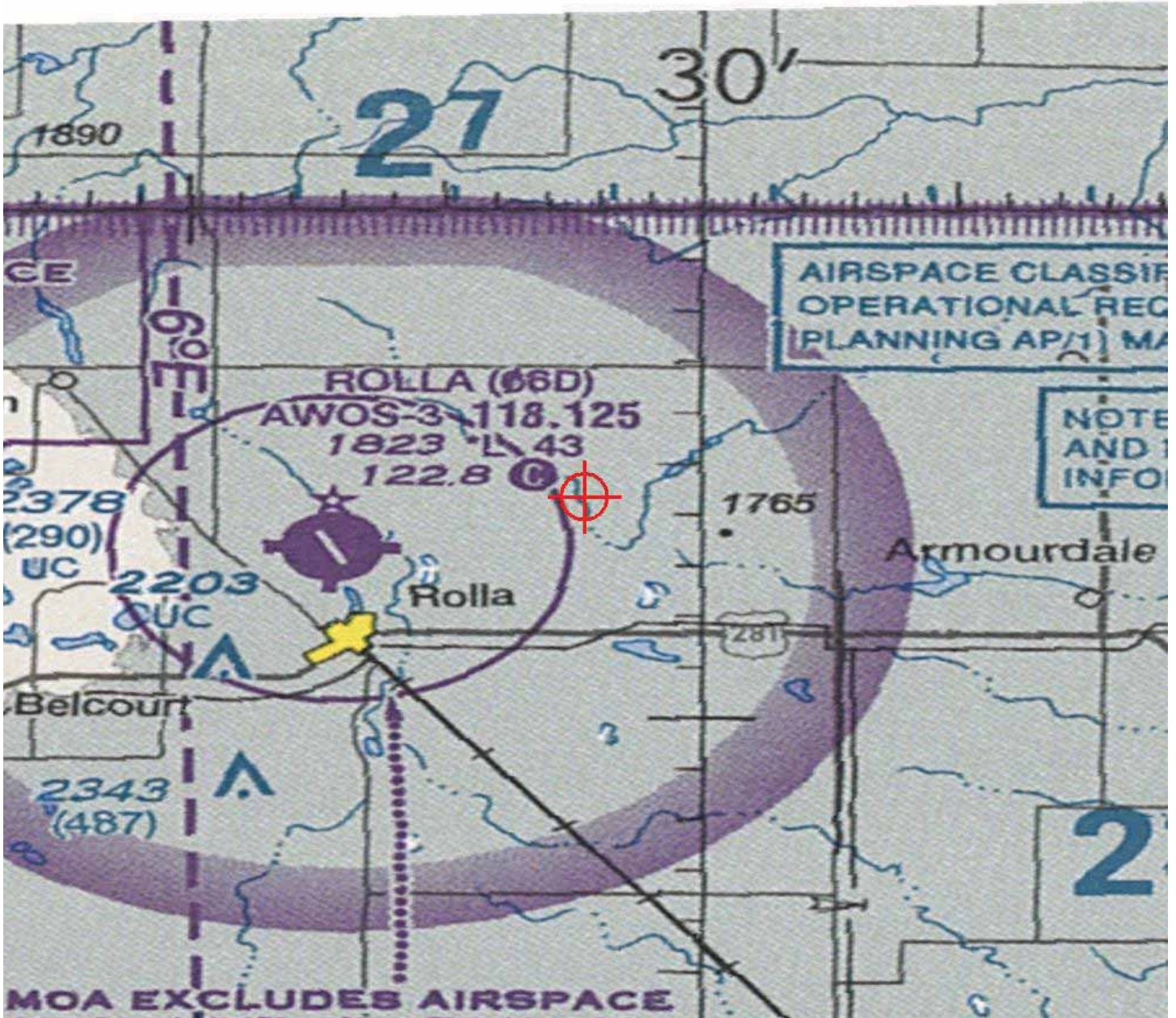
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1297-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1298-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T77
 Location: St. John, ND
 Latitude: 48-54-33.87N NAD 83
 Longitude: 99-32-36.90W
 Heights: 1793 feet site elevation (SE)
 481 feet above ground level (AGL)
 2274 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1298-OE.

Signature Control No: 208918728-220232153

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1298-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

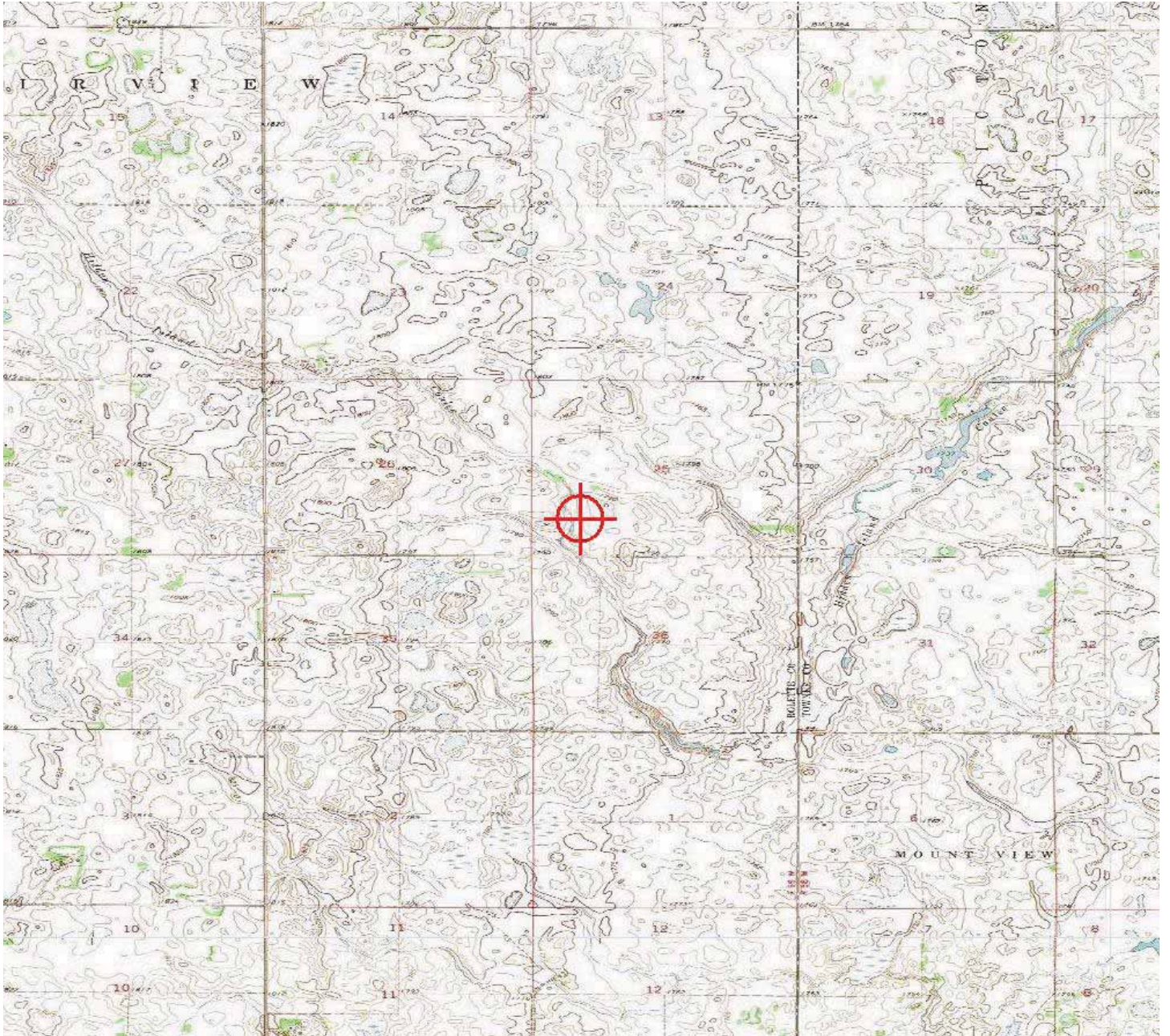
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

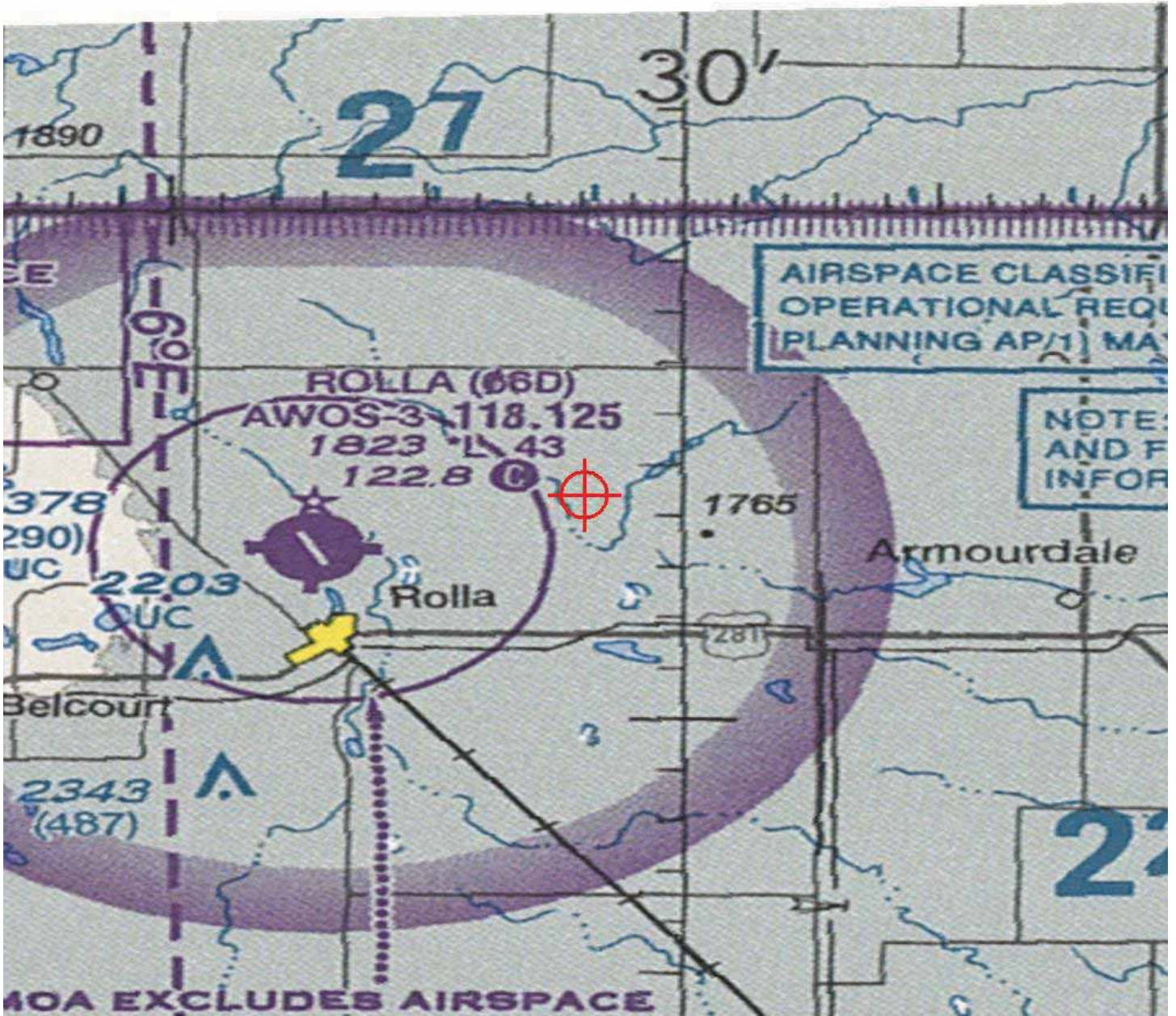
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1298-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1299-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T78
 Location: St. John, ND
 Latitude: 48-54-36.22N NAD 83
 Longitude: 99-32-20.01W
 Heights: 1796 feet site elevation (SE)
 481 feet above ground level (AGL)
 2277 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1299-OE.

Signature Control No: 208918729-220231851

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1299-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE /44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

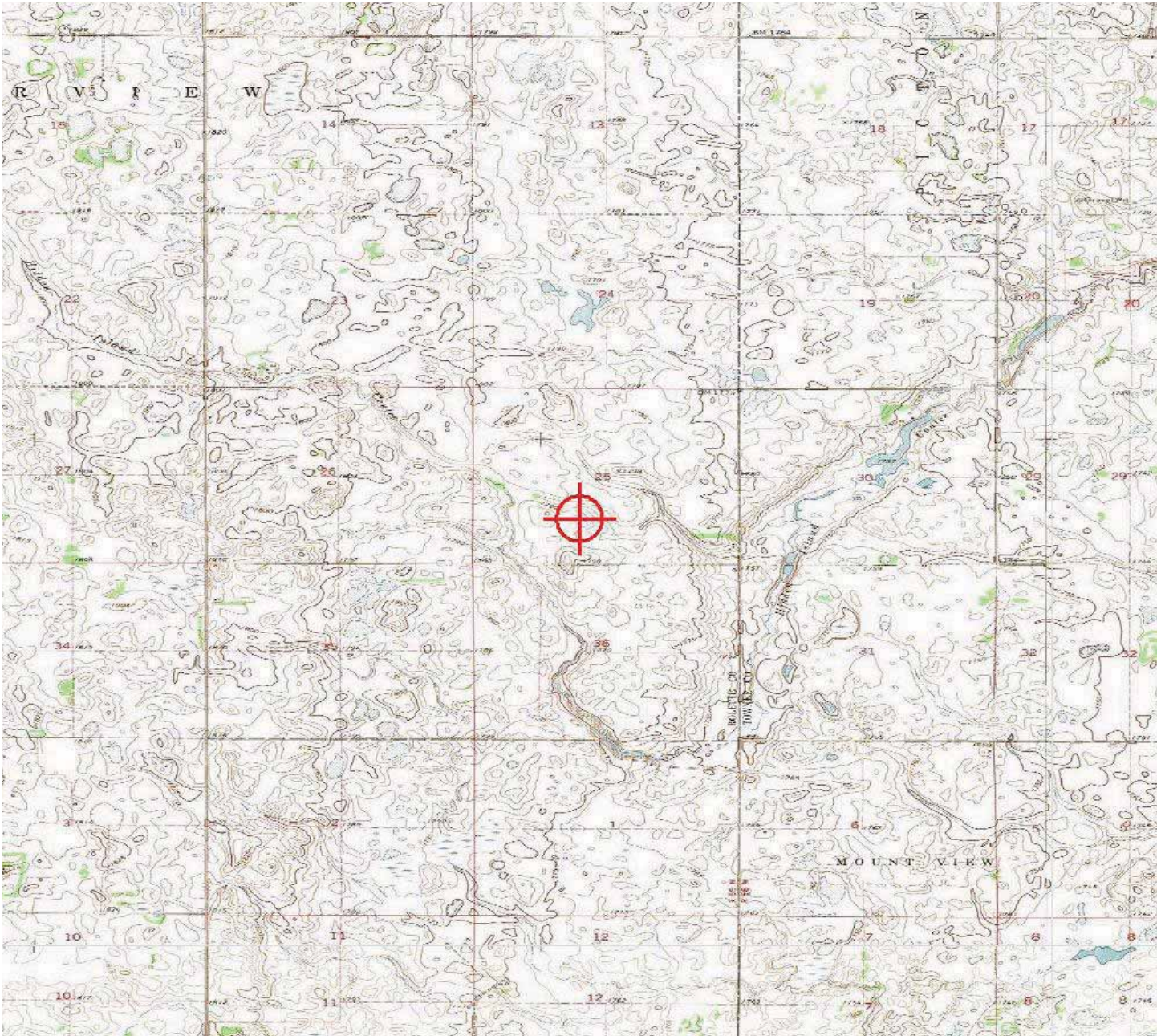
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

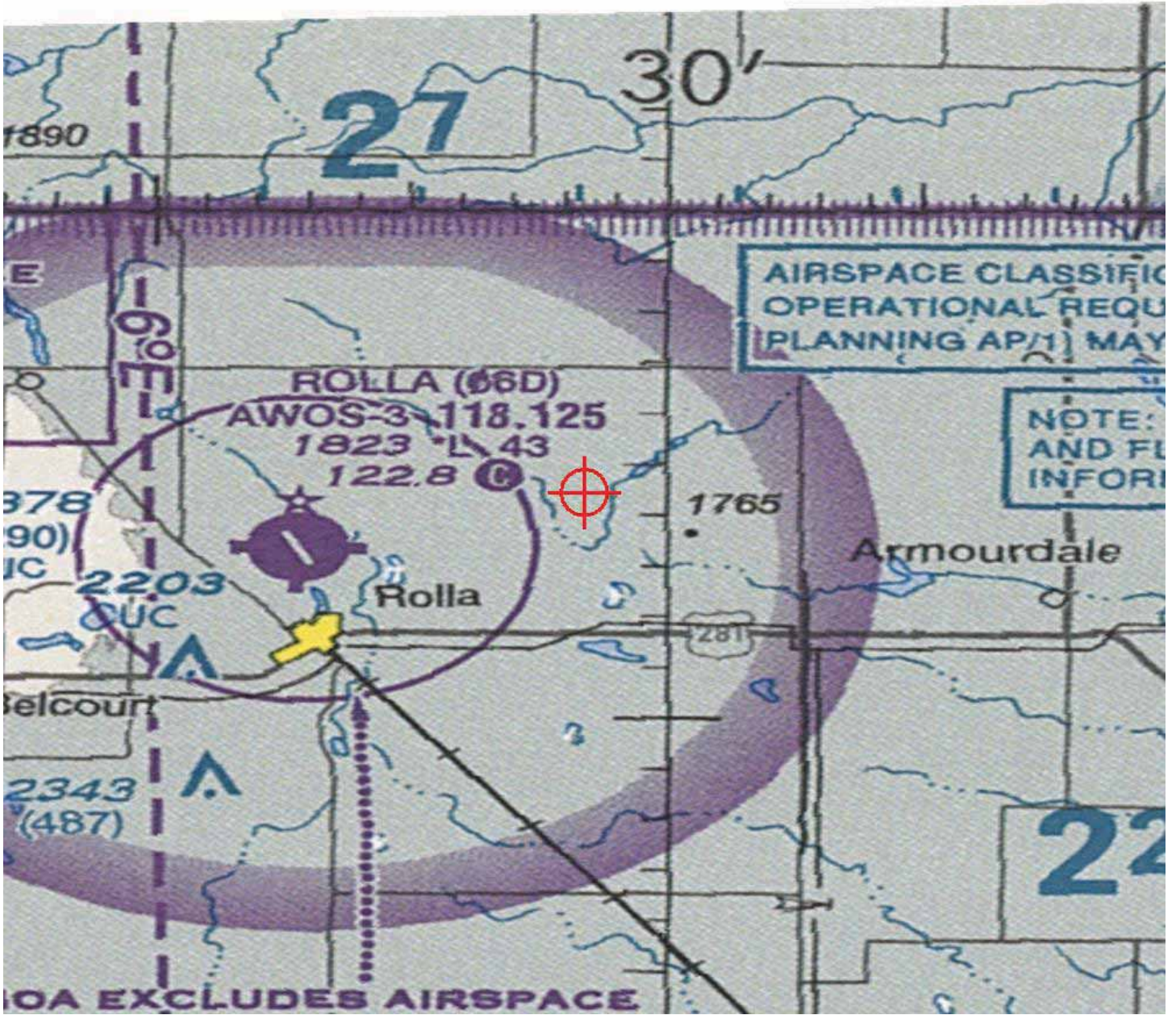
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1299-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1300-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T79
 Location: St. John, ND
 Latitude: 48-54-47.19N NAD 83
 Longitude: 99-31-57.17W
 Heights: 1794 feet site elevation (SE)
 481 feet above ground level (AGL)
 2275 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1300-OE.

Signature Control No: 208918730-220231852

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1300-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
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2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

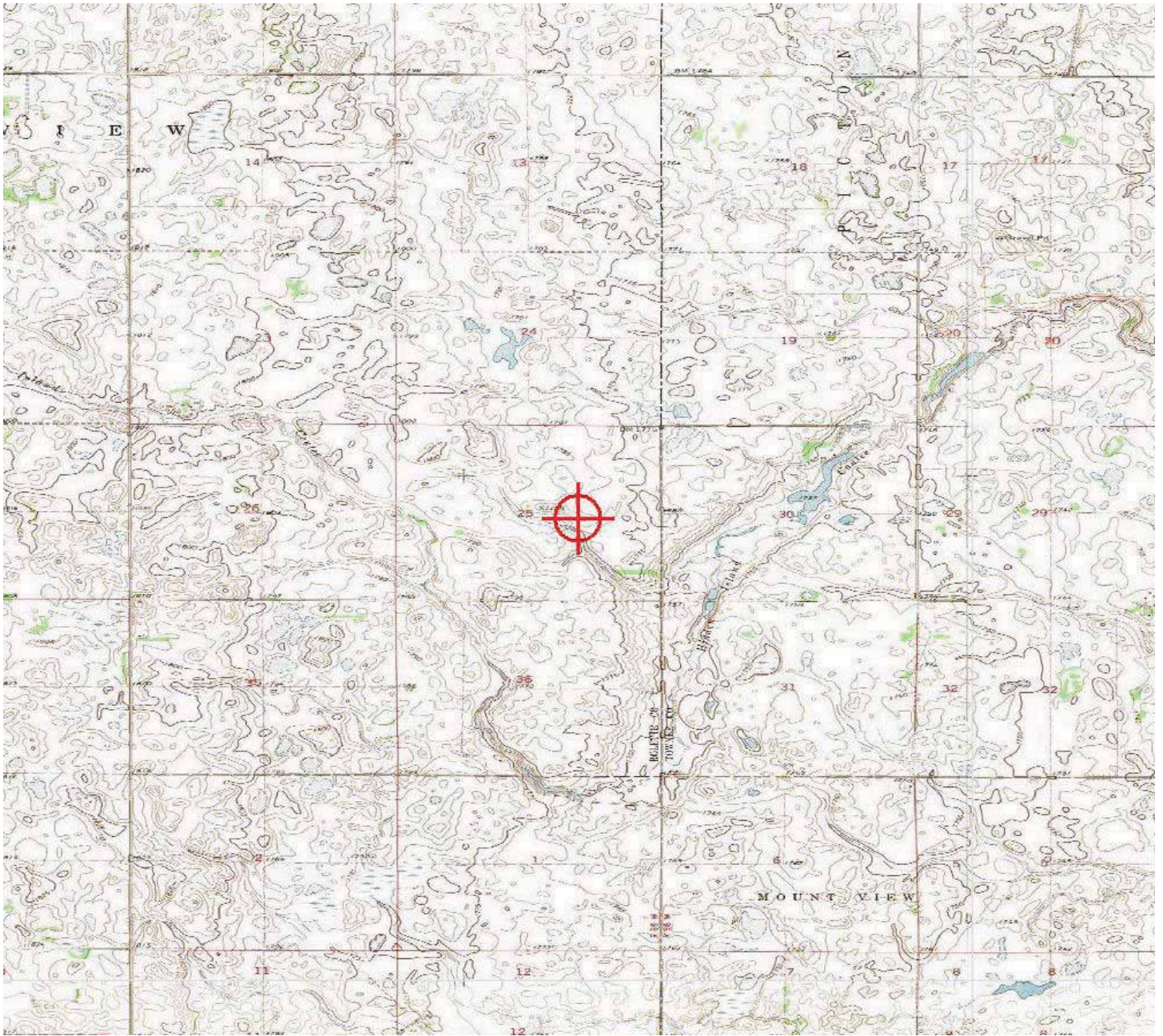
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

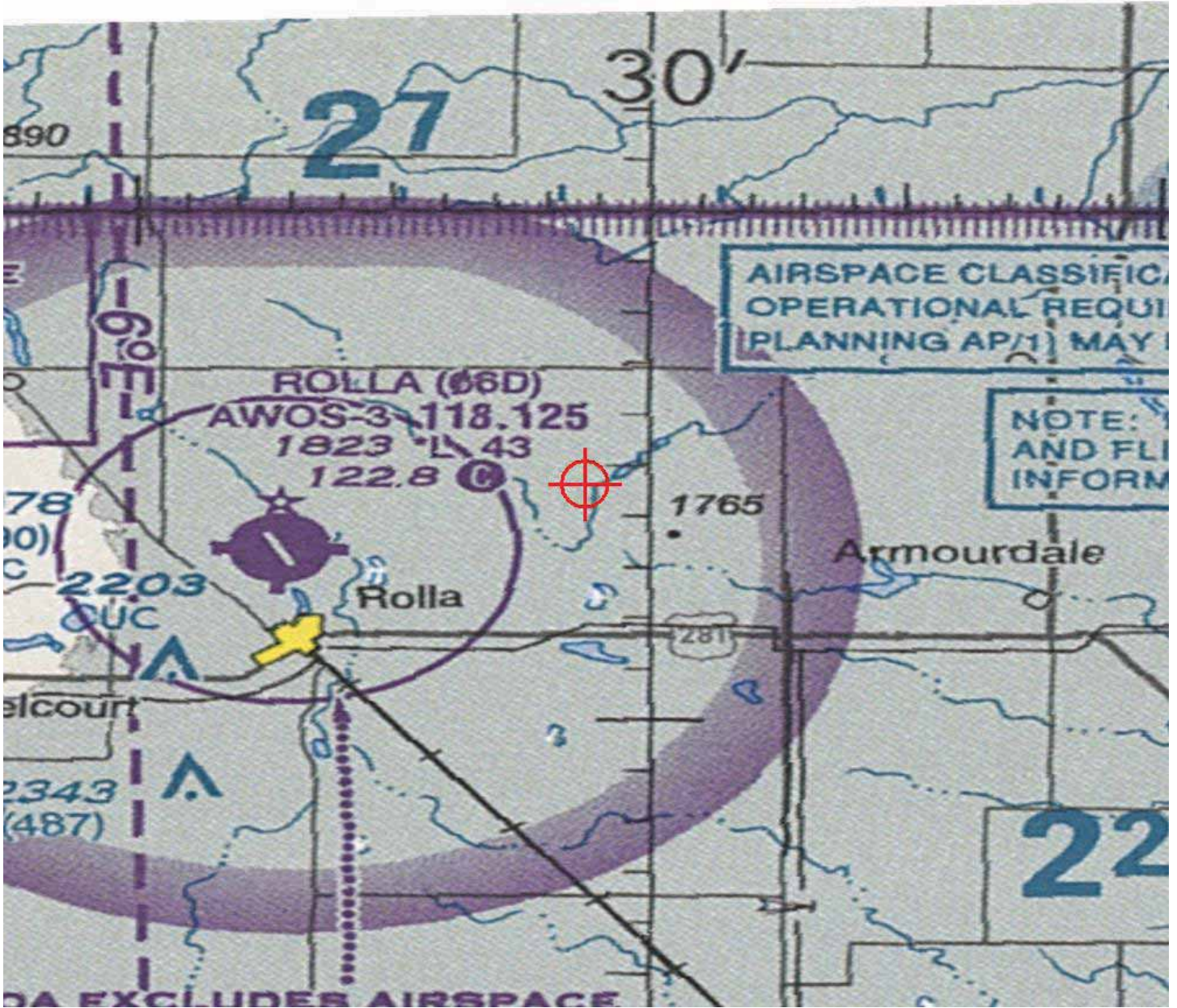
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1300-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1301-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T80
 Location: St. John, ND
 Latitude: 48-54-58.59N NAD 83
 Longitude: 99-31-44.30W
 Heights: 1780 feet site elevation (SE)
 481 feet above ground level (AGL)
 2261 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1301-OE.

Signature Control No: 208918731-220231853

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1301-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

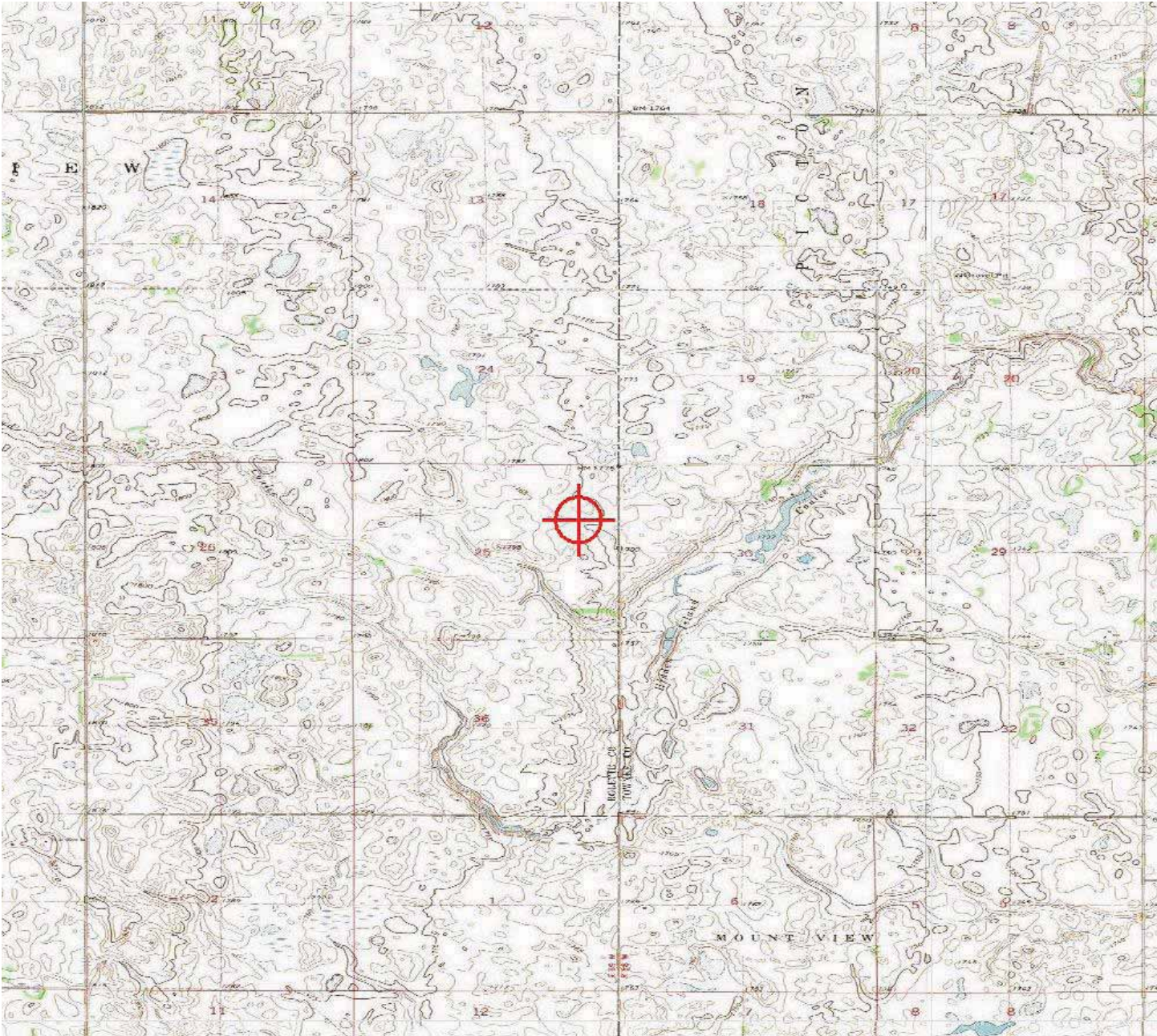
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

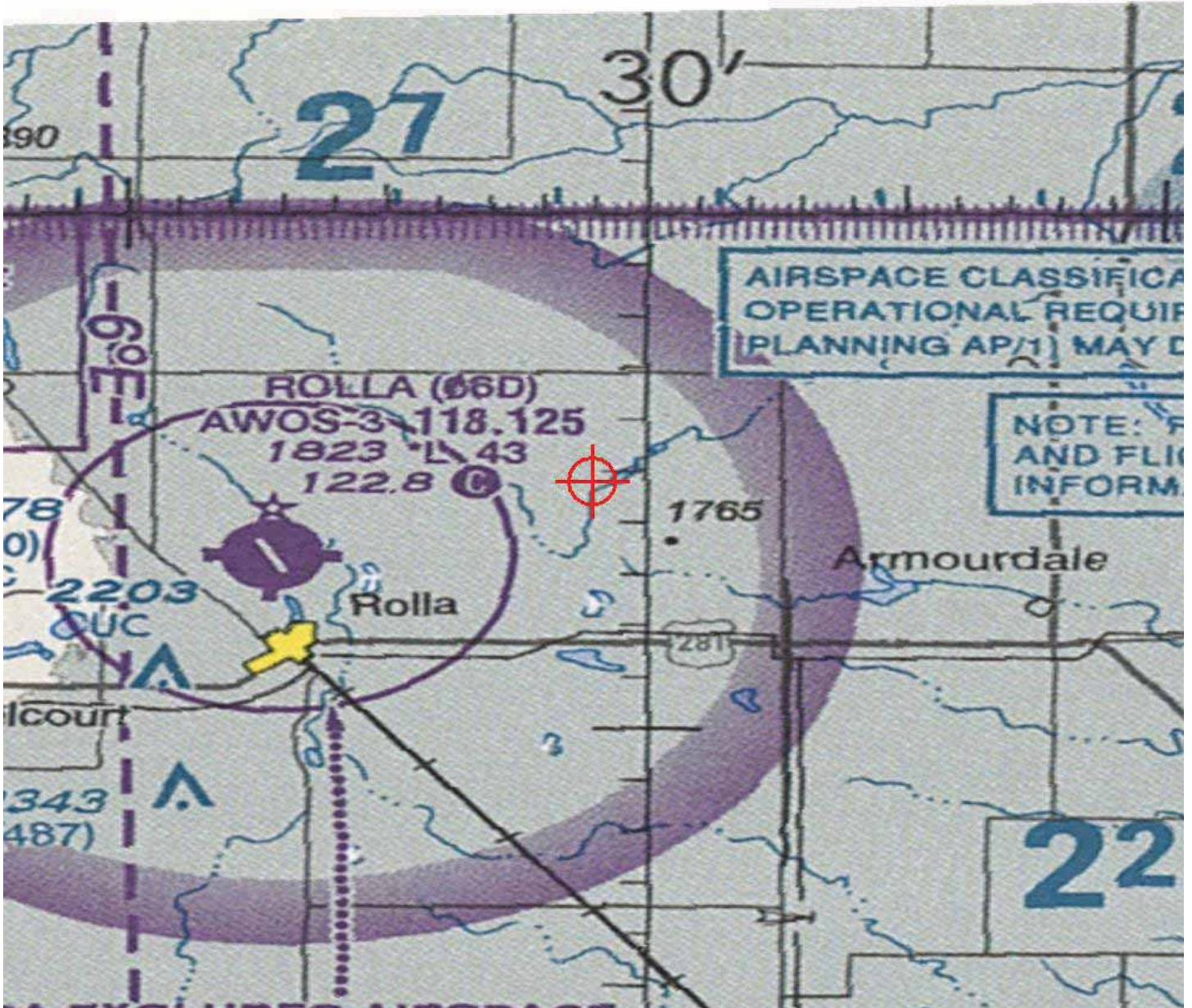
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1301-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1222-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine A1
 Location: St. John, ND
 Latitude: 48-59-42.12N NAD 83
 Longitude: 99-42-47.70W
 Heights: 1858 feet site elevation (SE)
 481 feet above ground level (AGL)
 2339 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

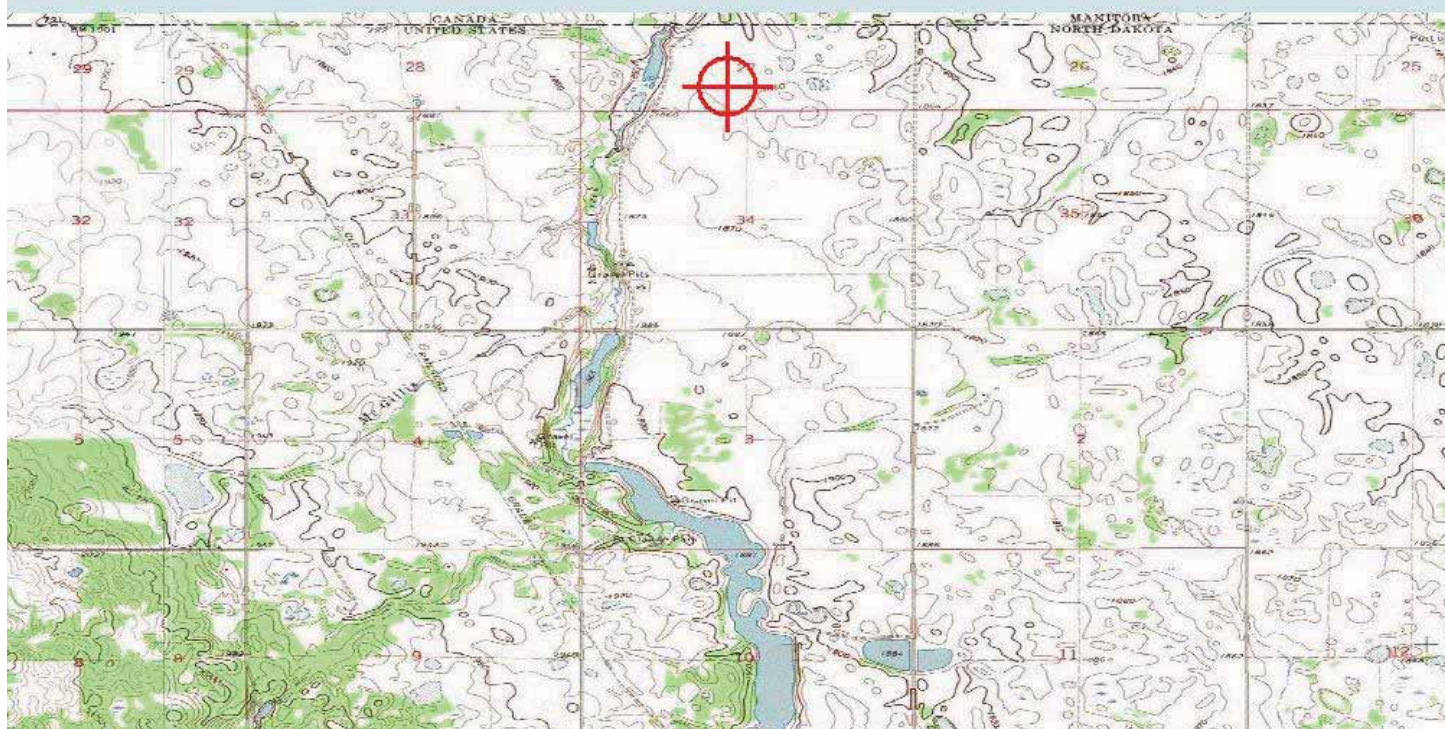
If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1222-OE.

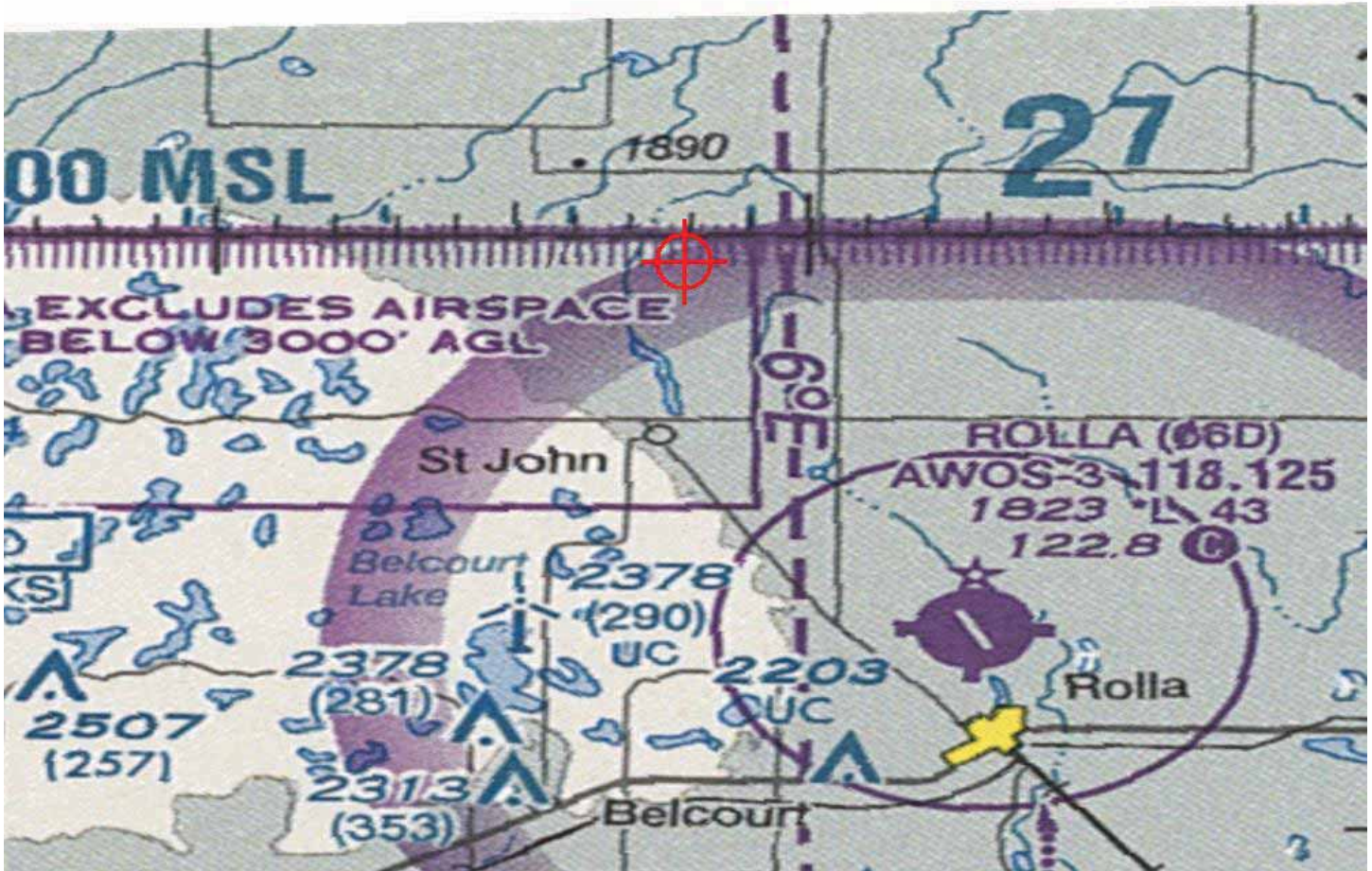
Signature Control No: 208917927-220233178

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1223-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine A2
 Location: St. John, ND
 Latitude: 48-59-45.33N NAD 83
 Longitude: 99-42-30.37W
 Heights: 1856 feet site elevation (SE)
 481 feet above ground level (AGL)
 2337 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1223-OE.

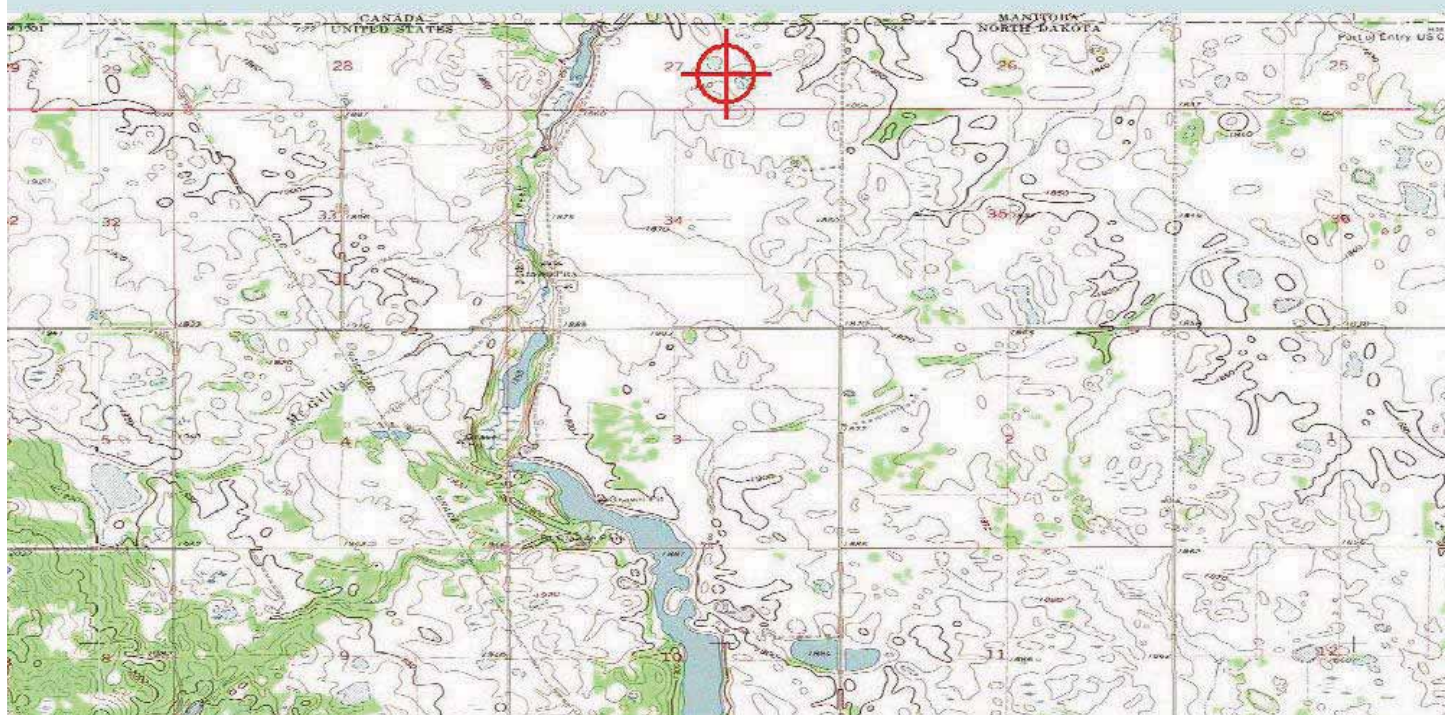
Signature Control No: 208917928-220233179

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)

Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1224-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine A3
 Location: St. John, ND
 Latitude: 48-59-50.87N NAD 83
 Longitude: 99-42-15.57W
 Heights: 1855 feet site elevation (SE)
 481 feet above ground level (AGL)
 2336 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1224-OE.

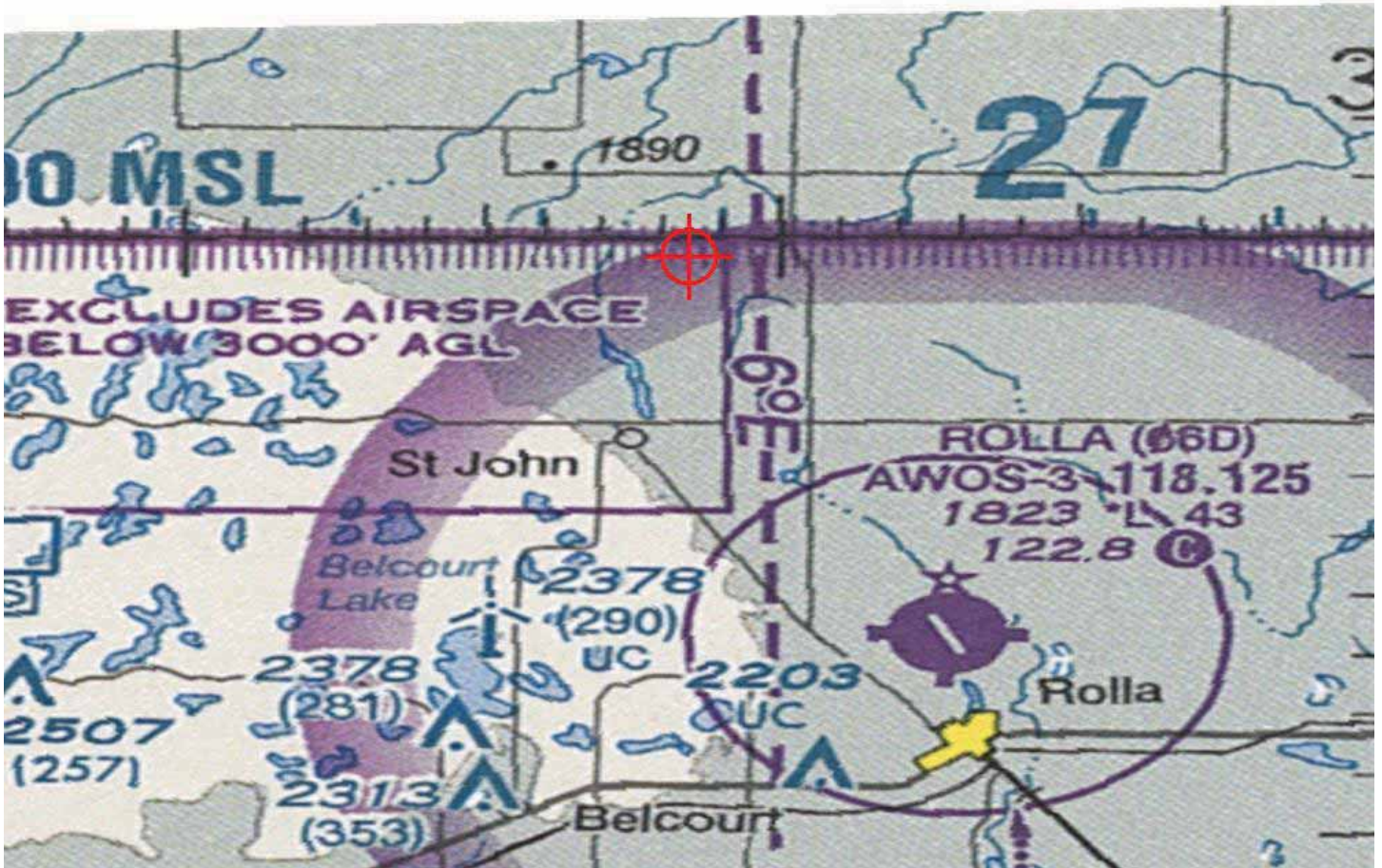
Signature Control No: 208917929-220233181

(DNE -WT)

Donna O'Neill
Specialist

Attachment(s)
Map(s)







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1225-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine A4
 Location: St. John, ND
 Latitude: 48-56-14.43N NAD 83
 Longitude: 99-40-33.97W
 Heights: 1866 feet site elevation (SE)
 481 feet above ground level (AGL)
 2347 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1225-OE.

Signature Control No: 208917930-220231817

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1225-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

2014-WTE-1240-OE / 71 ft.

2014-WTE-1241-OE / 74 ft.

2014-WTE-1242-OE / 75 ft.

2014-WTE-1243-OE / 76 ft.

2014-WTE-1244-OE / 40 ft.

2014-WTE-1245-OE / 56 ft.

2014-WTE-1246-OE / 43 ft.

2014-WTE-1247-OE / 35 ft.

2014-WTE-1248-OE / 25 ft.

2014-WTE-1249-OE / 1 ft.

2014-WTE-1250-OE / 2 ft.

2014-WTE-1261-OE / 170 ft.

2014-WTE-1262-OE / 163 ft.

2014-WTE-1263-OE / 149 ft.
2014-WTE-1264-OE / 125 ft.
2014-WTE-1265-OE / 117 ft.
2014-WTE-1266-OE / 159 ft.

2014-WTE-1267-OE / 128 ft.
2014-WTE-1268-OE / 111 ft.
2014-WTE-1269-OE / 90 ft.
2014-WTE-1270-OE / 49 ft.

2014-WTE-1271-OE / 16 ft.
2014-WTE-1281-OE / 203 ft.
2014-WTE-1282-OE / 193 ft.
2014-WTE-1283-OE / 199 ft.

2014-WTE-1284-OE / 174 ft.
2014-WTE-1285-OE / 144 ft.
2014-WTE-1286-OE / 78 ft.
2014-WTE-1287-OE / 44 ft.

2014-WTE-1288-OE / 23 ft.
2014-WTE-1292-OE / 211 ft.
2014-WTE-1293-OE / 177 ft.
2014-WTE-1294-OE / 147 ft.

2014-WTE-1295-OE / 114 ft.
2014-WTE-1296-OE / 81 ft.
2014-WTE-1297-OE / 231 ft.
2014-WTE-1298-OE / 211 ft.

2014-WTE-1299-OE / 196 ft.
2014-WTE-1300-OE / 163 ft.
2014-WTE-1301-OE / 128 ft.

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside the traffic pattern airspace. The proposed structures are located outside the traffic pattern airspace for Categories A, B, and C aircraft (approach speeds of 140 kts. or less) at the Rolla Municipal Airport. It is unlikely that a significant number of Category D aircraft (approach speeds of 141-165 kts.) would or could use this airport due to the width and length of the runways, including the proposed runway extensions.

Aeronautical study disclosed that the proposed structure would have no effect on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures.

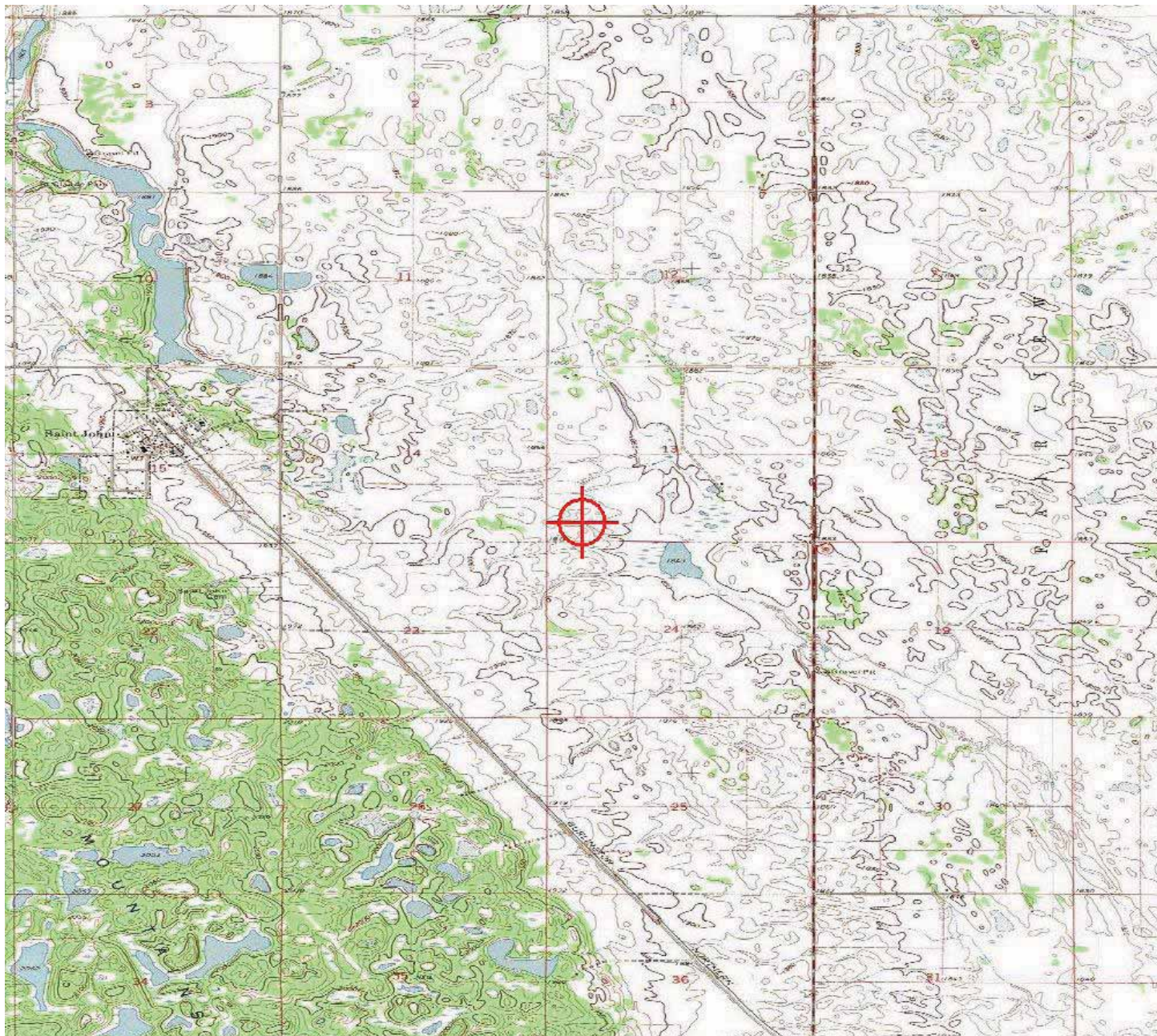
Study for possible visual flight rules (VFR) effect disclosed that the proposed structure would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at 06D or any other known public use or military

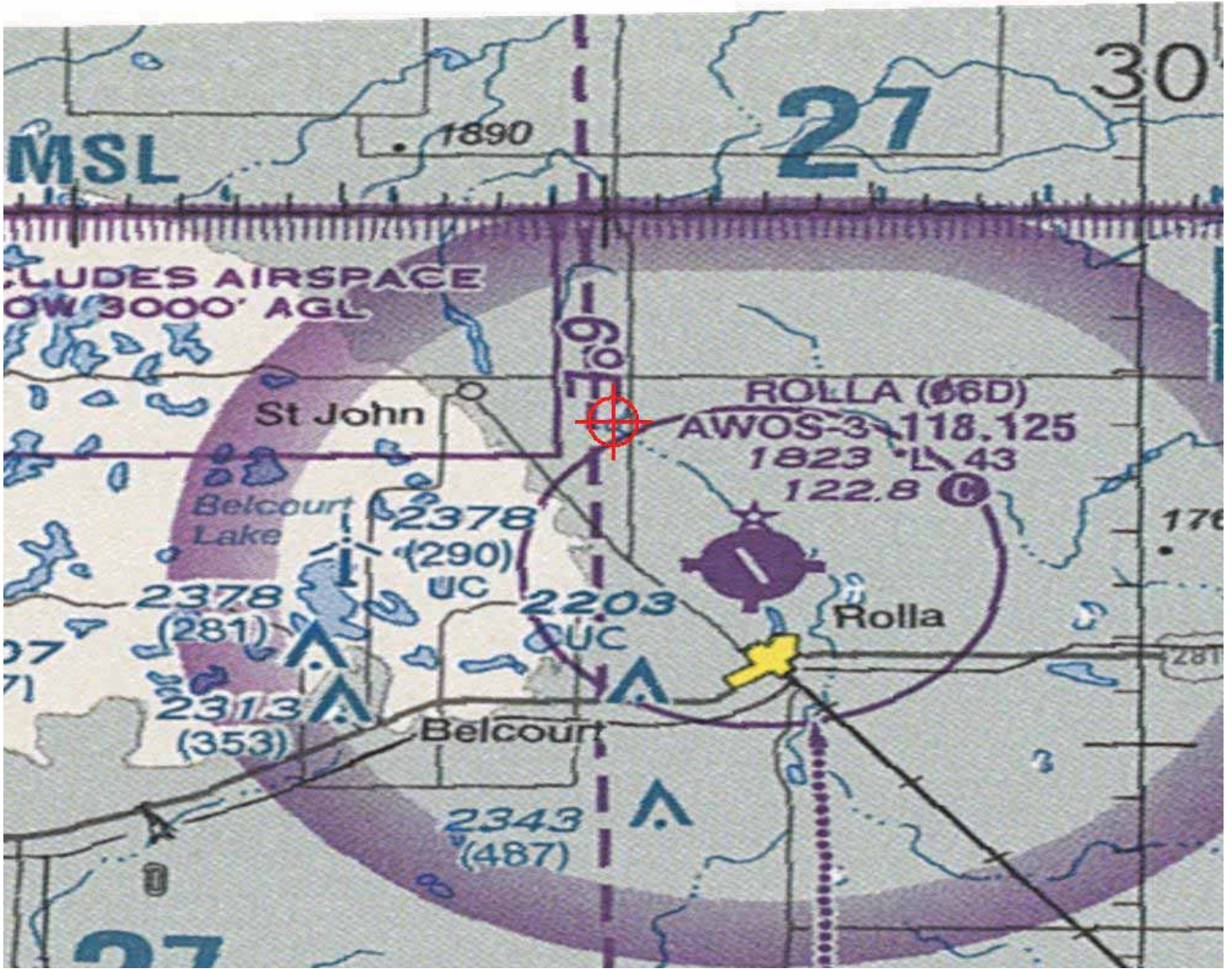
airports. At 481 ft. AGL the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

The proposed structures would be appropriately obstruction marked and/or lighted to make them more conspicuous to airmen should circumnavigation be necessary. See page 1 for the specific marking/lighting recommendation for this structure. Obstruction marking/lighting recommendations for wind turbine projects are based on the concept that all filed turbines will be built, including alternates. If for any reason changes are made to the project, it will be necessary to review the marking/lighting recommendations for the turbines within this project. It is the responsibility of proponent to contact this office to discuss and initiate a review of the obstruction lighting plan prior to the start of construction.

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation provided the conditions set forth within this determination are met.

TOPO Map for ASN 2014-WTE-1225-OE







Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76193

Aeronautical Study No.
 2014-WTE-1226-OE

Issued Date: 06/06/2014

Eric Wenger
 Border Winds Energy, LLC
 11101 W. 120th Ave
 Suite 400
 Broomfield, CO 80021

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine A5
 Location: St. John, ND
 Latitude: 48-56-21.90N NAD 83
 Longitude: 99-40-19.05W
 Heights: 1855 feet site elevation (SE)
 481 feet above ground level (AGL)
 2336 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 12/06/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 06, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on July 16, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Donna O'Neill, at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-WTE-1226-OE.

Signature Control No: 208917931-220231825

(DNH -WT)

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2014-WTE-1226-OE

The proposed construction consists of a wind turbine that would be part of a wind turbine farm containing approximately 80 wind turbines. The proposed wind turbine farm would be located approximately 3.16 - 7.64 nautical miles (NM) northwest/north/northeast of the Airport Reference Point for the Rolla Municipal Airport (06D), Rolla, ND. The determinations for all of the studies associated with this project expansion (2014-WTE-1222 through 1301-OE) will be available upon issuance on our website, <http://oeaaa.faa.gov>.

Forty seven (47) of the structures within this project exceed the same 14 CFR Part 77 obstruction standard, just by differing amounts. The remaining thirty three (33) proposed turbines do not exceed any 14 CFR Part 77 obstruction standard. For the sake of efficiency, the narrative below includes information for all proposed turbines that exceed an obstruction standard. However this determination is only valid for the structure specified on Page 1 of this determination. The proposed structures exceed 14 CFR part 77 obstruction standards as applied to 06D as follows:

Section 77.17(a)(2): A height AGL or airport elevation, whichever is higher, exceeding a height that is 200 ft. AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 ft. in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet. Would exceed by up to:

ASN / Height Exceeded By Up To

2014-WTE-1225-OE / 199 ft.

2014-WTE-1226-OE / 197 ft.

2014-WTE-1227-OE / 60 ft.

2014-WTE-1228-OE / 44 ft.

2014-WTE-1229-OE 26 ft.

2014-WTE-1238-OE / 57 ft.

2014-WTE-1239-OE / 78 ft.

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TOPO Map for ASN 2014-WTE-1226-OE



