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July 7, 2016

Via US Mail

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



In re: Oliver Wind III, LLC
Case No. PU-16-122
Our File No. 35-218-029

Dear Mr. Nitschke:

Enclosed for filing in the captioned case please find two copies of the Oliver County Transmission Crossing Permit.

Please call should you have any questions.

Sincerely,

CROWLEY FLECK PLLP

A handwritten signature in blue ink that reads "Casey A. Furey".

Casey A. Furey

CAF/rw

Enc.

cc: Sara Cardwell (via email)
Jaimee Antognazzi (via email)

PERMIT NO. _____

OLIVER COUNTY UTILITY OCCUPANCY APPLICATION AND PERMIT FORM

THE FOLLOWING APPLICANT IS HEREBY GRANTED PERMISSION TO INSTALL AND MAINTAIN THE FOLLOWING DESCRIBED FACILITY ON HIGHWAY RIGHT-OF-WAY AS SHOWN ON THE PLANS ATTACHED HERETO AND MADE A PART OF HEREOF:

OWNER OF FACILITY OLIVER WIND III PHONE NUMBER 515-664-0050 ADDRESS 700 UNIVERSE BLVD - FEW/JB JUNO BEACH, FL 33408

LOCATION OF FACILITY -----SEE SPREADSHEET----- QTR. _____ SEC. _____ TWP. _____ RGE. _____

TYPE OF FACILITY -----OVERHEAD POLE MOUNTED 230KV TRANSMISSION-----

ADDITIONAL COMMENTS: -----PLEASE SEE ENCLOSED SPREADSHEET FOR CROSSING LOCATION DETAILS-----

PERMIT FEE **\$50.00**

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 facilities, any right-of-way scars shall be removed and the disturbed areas restored to original condition, including the reseeding 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.
Note: The aforementioned conditions shall be met within 60 days of completion of the work requested.
- (2) All construction and maintenance work must be signed properly in accordance with the latest manual of Uniform Traffic Control Devices.

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

- (1) 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 Road Superintendent for the County Highway Department. Oliver County shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the highway.
- (2) 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.
- (3) Applicant shall repair or replace highway structures and appurtenances, and any existing facilities located on, over and 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.
- (4) Applicant shall promptly remove said facilities from highway right-of-way or from within a distance of 75 feet from center of road or section line when requested to do so by the County. Such relocation or removal shall be at the sole cost and expense of applicant.
- (5) Applicant shall furnish a map showing the location of the utility as requested by the permit.
- (6) No construction shall be permitted across paved roadway. All facilities must be bored.

ADDITIONAL CONDITIONS FOR APPROVAL: _____

Senior Project Manager

APPLICANT TITLE

ACCEPTANCE OF TERMS AND CONDITIONS:
Neil Jones
Neil Jones for Mark Trumbauer
and Oliver Wind III, a NEER subsidiary 4/12/2016
APPLICANT DATE

FIELD INSPECTION _____ DATE _____

APPROVAL:
Neil Jones
COUNTY ROAD SUPERINTENDENT DATE