

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF MOUNTRAIL

NORTH CENTRAL JUDICIAL DISTRICT

Basin Electric Power Cooperative,

)

Plaintiff,

)

v.

)

Civil No. _____

)

Jacob D. Estvold,

)

Defendant.

)

)

)

)

)

SUMMONS

[¶1.] YOU ARE HEREBY SUMMONED to answer the Complaint in this action seeking to exercise the right of eminent domain to acquire an access easement over, across and under the following described real property situated in Mountrail County, North Dakota, to wit:

Township 153 North, Range 92 West
Section 26: NE¼SE¼

(hereinafter, the "Subject Lands")

and to serve a copy of your Answer upon the subscriber within twenty-one (21) days after the service of this Summons upon you, exclusive of the day of service. In case of your failure to appear, defend, or answer, default judgment will be rendered against you for the relief demanded in the Complaint.

Dated this 30th day of September, 2025.

CROWLEY FLECK PLLP
Attorneys for Plaintiff
Basin Electric Power Cooperative
100 West Broadway Ave., Suite 250
P.O. Box 2798
Bismarck, North Dakota 58502-2798
Phone: (701) 223-6585
Fax: (701) 222-4853

By: /s/ Erik J. Edison
PAUL J. FORSTER (ND ID #07398)
pforster@crowleyfleck.com
BENJAMIN J. SAND (ND ID #07981)
bsand@crowleyfleck.com
ERIK J. EDISON (ND ID #08790)
ejedison@crowleyfleck.com

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF MOUNTRAIL

NORTH CENTRAL JUDICIAL DISTRICT

Basin Electric Power Cooperative,

Plaintiff,

v.

Jacob D. Estvold,

Defendant.

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Civil No. _____

COMPLAINT

[¶1] Plaintiff Basin Electric Power Cooperative (“Basin Electric”), for its Complaint against the Defendant, alleges as follows:

PARTIES

[¶2] Basin Electric is an electric cooperative association organized and in good standing under the laws of the State of North Dakota.

[¶3] Upon information and belief, Defendant Jacob D. Estvold (“Estvold”) is a resident of Mountrail County, North Dakota.

[¶4] Estvold is the record owner of the surface estate of lands located in Mountrail County, North Dakota more particularly described as:

Township 153 North, Range 92 West
Section 26: NE¼SE¼

(hereinafter, the “Subject Lands”).

JURISDICTION AND VENUE

[¶5] This Court has jurisdiction over this matter pursuant to sections 32-15-21 and 27-05-06 of the North Dakota Century Code.

[¶6] Venue is proper in this Court pursuant to Section 28-04-01 of the North Dakota Century Code.

1. The Transmission Line.

[¶7] In June of 2025, Basin Electric began construction on the Leland Olds-to-Tande 345-kilovolt Transmission Line (the “Transmission Line”), an approximately 162-mile-long electric transmission line project. The Transmission Line will originate at the Leland Olds substation in Mercer County, North Dakota and terminate at the Tande Substation in Mountrail County, North Dakota.

[¶8] A 345-kilovolt transmission line is needed to enhance the transmission load serving capability in western North Dakota, and the Transmission Line will help serve the growing load Basin Electric’s members are seeing in the region. It will provide more reliable service to electric cooperative customers as well as diversify power resources on the larger transmission system.

[¶9] Construction of the Transmission Line will take about 15 months. It is planned to be energized in late 2026.

2. The Existing Easement.

[¶10] On February 11, 2025, Estvold granted an Easement and Right-of-Way to Basin Electric for the “purposes of construction, operation, maintenance, inspection, repair and removal” of the Transmission Line and for access to the Transmission Line (the “Existing Easement”). *See* Exhibit A (Memorandum of the Easement and Right of Way Agreement). The Existing Easement covers portions of Estvold’s property in Sections 25 and 26, Township 153 North, Range 92 West. After Estvold granted the Existing Easement, Basin Electric discovered it would need an additional

access easement over and across the Subject Lands to access Line for construction and maintenance of the Line.

3. The Access Easement.

[¶11] Basin Electric, an electric cooperative, pursuant to the provisions of N.D.C.C. § 10-13-03(7) and N.D.C.C. ch. 32-15, intends to exercise the right of eminent domain to acquire an access easement over and across the following described real property:

Parcel 378-0130X26B

A 30-foot-wide easement for access purposes located in the Northeast Quarter of the Southeast Quarter (NE¼SE¼) in Section 26, Township 153 North, Range 92 West of the 5th Principal Meridian, Mountrail County, North Dakota which is more particularly described in Exhibit B.

(the “Access Easement”).

[¶12] Exhibit B to the Complaint contains a survey map depicting the easement area of the Access Easement. Basin seeks to condemn the Access Easement on the terms of the easement form attached as Exhibit C, the contents of which are incorporated by reference. Basin Electric intends to acquire the Access Easement for the benefit of and as necessary to enable access to the Transmission Line and the above-referenced Existing Easement, which is a utility use and a public use pursuant to the provisions of N.D.C.C. § 10-13-03(7) and N.D.C.C. ch. 32-15. The Access Easement will be used solely for purposes relating to construction, operation, repair, maintenance, and replacement of the Transmission Line.

[¶13] The Access Easement constitutes a public use for which Basin Electric may exercise its power of eminent domain under N.D.C.C. ch. 32-15.

[¶14] WHEREFORE, Basin Electric prays that the Court:

- a. Condemn the Access Easement across the lands and on the terms described in this Complaint;

- b. Determine the amount of just compensation due the Defendant for its interests in the real property taken; and
- c. Award such other relief as the Court deems just.

Dated this 30th day of September, 2025.

CROWLEY FLECK PLLP
Attorneys for Plaintiff
Basin Electric Power Cooperative
100 West Broadway Ave., Suite 250
P.O. Box 2798
Bismarck, North Dakota 58502-2798
Phone: (701) 223-6585
Fax: (701) 222-4853

By: /s/ Erik J. Edison
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ERIK J. EDISON (ND ID #08790)
ejedison@crowleyfleck.com

HDR Engineering Inc.
1601 Utica S Ave Ste St

465436
County Recorder
Mountrail County
Stanley ND
Page 1 of 14



Minneapolis MN 55416-3400



County Recorder, Mountrail County ND. **465436**

I certify that this instrument was filed and recorded.

Melissa Vachal, County Recorder

By Melissa Vachal Fee \$102.00
2/12/2025 1:46 PM



Return Recorded Document to:
Basin Electric Power Cooperative
1717 E. Interstate Avenue
Bismarck, ND 58503

STATE OF NORTH DAKOTA
COUNTY OF MOUNTRAIL

MEMORANDUM OF THE EASEMENT AND RIGHT OF WAY AGREEMENT

THIS **MEMORANDUM** (this "**Memorandum**") OF THE **EASEMENT AND RIGHT-OF-WAY AGREEMENT** ("the Easement") is made, dated, and effective as of this 11th day of February, 2025 (the "**Effective Date**"), between Jacob Estvold, of 3966 84th Ave NW, New Town, ND 58763 (together with its successors, transferees, and assigns "**Grantor**"), and Basin Electric Power Cooperative, a North Dakota cooperative association, having an address at 1717 East Interstate Avenue, Bismarck, North Dakota 58503-0542, and Mountrail-Williams Electric Cooperative, a North Dakota cooperative association, having an address of 218 58th St W, Williston, ND 58801 (together with their successors, assigns and heirs, "**Grantee**"). Grantor and Grantee are sometimes referred to in this Agreement collectively as the "**Parties**".

Grantor and Grantee did enter into that a certain Easement and Right-of-Way Agreement for the purposes of construction, operation, maintenance, inspection, repair and removal of a single not to exceed a double circuit 115kV/345kV overhead electrical transmission facility ("**Transmission Facilities**") over and across the following described lands:

See EXHIBIT A ("LEGAL DESCRIPTION OF EASEMENT AREA(S)") attached hereto and made a part by this reference.

TERMS OF AGREEMENT

1. The purpose of this Memorandum is to provide notice to all parties of the existence of said Easement. Should Grantor wish to receive the full EASEMENT AND RIGHT OF WAY AGREEMENT, he or she may request a copy to be provided electronically within seven (7) business days or hard copy by Grantee within ten (10) business days. Grantor may



contact a Basin Electric Power Cooperative representative thru available methods or by contacting 1-800-932-7117 or sending an email to: rowlanddepartment@bepc.com. Should Grantee not provide Grantor a full and accurate copy of the Easement (35 pages with Exhibits 1 and A thru C) within the timeframe specified above, Grantee agrees to pay Grantor a one hundred dollar (\$100.00) per week penalty until the easement is delivered to Grantor.

2. The Easement granted herein shall not include the right to construct or install any substation, repeater station, laydown yards, switching facilities, pipelines, third party fiber optic lines, third party phone lines, and other third-party communication lines on the Easement Area; rather, the Parties shall execute a separate written agreement for any substation, repeater station, yard, switching facilities, pipelines, third party fiber optics lines, third party phone lines, and other third party communication lines to be installed on the Property. It is agreed by the Parties that Grantee has the right to install communications lines for Grantee's sole use and purpose of remote communications needed for the safe and efficient operation and maintenance of the Transmission Facilities.
3. Grantee, as used herein, shall mean Basin Electric Power Cooperative, together with its successors or assigns. The rights granted herein to Grantee may be freely assigned by Grantee in whole, but not in part, and any assignment is subject to the terms of the Easement. Any such assignment, conveyance, transfer, lease, or sublease of the Easement made for the purpose of avoiding any obligations of Grantee, shall be void. Grantee shall be relieved of all of its obligations arising under the Easement, as to all or such portion of its interests in the Easement Area transferred, from and after the effective date of such transfer, provided such rights and obligations have been assumed by such transferee.
4. The Parties may have also agreed on additional areas of land that the Grantee may use for access to the Easement Area, which, if applicable will be reflected and identified in **EXHIBIT B** and incorporated herein by reference.

Nothing in this Memorandum shall be construed to vary any of the terms and conditions of the Easement, and in the event there is a conflict, the terms and conditions of the Easement shall prevail.

IN WITNESS WHEREOF, the Parties have executed this **MEMORANDUM OF EASEMENT AND RIGHT-OF-WAY AGREEMENT** to be effective as of the date first written above.



GRANTEE

Basin Electric Power Cooperative,
a North Dakota cooperative association

By: Nathan Kleyer

Its: Sr. Property & Right-of-Way Specialist

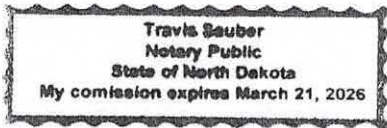
Name: Nathan Kleyer

ACKNOWLEDGEMENT

STATE OF North Dakota)

COUNTY OF Mountrail) ss.

The foregoing instrument was acknowledged before me this 11th day of February
2025, by Nathan Kleyer



[Signature]
Notary Public, State of _____
My commission expires: _____



EXHIBIT "A" - PARCEL 378-0100
ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT
LOCATED WITHIN THE N1/2SE1/4 & N1/2SW1/4
OF SECTION 25, T153N, R92W, 5th P.M.,
MOUNTRAIL COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION OF A 150' WIDE ELECTRIC TRANSMISSION LINE EASEMENT

A 150.00 foot wide (75.00 feet each side of centerline) easement for electric transmission line purposes over, under, and across the North Half of the Southeast Quarter (N1/2SE1/4) and the North Half of the Southwest Quarter (N1/2SW1/4) of Section 25, Township 153 North, Range 92 West of the 5th Principal Meridian, Mountrail County, North Dakota, which is more particularly described as follows:

BEGINNING at the east quarter corner of said Section 25; thence on the east/west quarter line of said Section 25, N88°16'21"W a distance of 2640.36 feet to the center quarter corner of said Section 25; thence continuing on the east/west quarter line of said Section 25, N88°16'21"W a distance of 590.00 feet; thence S89°14'33"W a distance of 2053.75 feet to the POINT OF ENDING, said point being located on the west line of said Section 25 and bears S01°27'08"W a distance of 89.04 feet from the west quarter corner of said Section 25.


Said easement is 5284.11 feet (320.25 rods) in length and contains 11.20 acres, more or less excepting all that portion lying in the North Half (N1/2) of said Section 25. The sidelines of said easement are to meet at angle points and are to be shortened or prolonged as to terminate on the east and west lines of said Section 25. Said easement is subject to any previous easements, agreements, conveyances, and surveys.

SURVEYOR'S NOTES

- 1) The utilities shown hereon are based on observed visual evidence, descriptions contained in the referenced easement and right of way documents, and maps provided per the locate request. The surveyor has not undertaken subsurface exploratory investigations to confirm or verify the utilities shown on the attached drawing. Therefore, the utility information shown must be considered approximate. Furthermore, the surveyor does not warrant that all utilities have been shown. The surveyor recommends that a utility locate be completed prior to any construction.
- 2) A title opinion or a commitment for title insurance was not provided by the party requesting the survey. This document may not include complete information regarding ownership, easements, reservations, restrictions, and encumbrances.
- 3) This drawing depicts a proposed transmission line for the purpose of easement acquisition. This is not an as-built survey.

SURVEYOR'S SUMMARY

I, Matthew Weeks, a Registered Professional Land Surveyor in the State of North Dakota, do hereby certify that this survey was performed by me or under my direct supervision at the request of Bob Kohler of Basin Electric Power Cooperative, and that said survey is true and complete as shown. This survey does not represent a complete title search.


MATTHEW WEEKS, PLS LS-3626
INTERSTATE ENGINEERING, INC.



Subscribed and sworn to before me this 20th day of November, 20 24

BRENDA L HELM
Notary Public
State of North Dakota
My Commission Expires April 7, 2025


Notary Public Morton County, North Dakota

Prepared By:



INTERSTATE ENGINEERING
Professionals You Need, People You Trust.

Interstate Engineering
1403 27th Street NW
PO Box 1254
Mandan, ND 58554
(701) 863.5455
www.interstateeng.com

ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

OWNER(S): JACOB ESTVOLD

FOR: BASIN ELECTRIC POWER COOPERATIVE

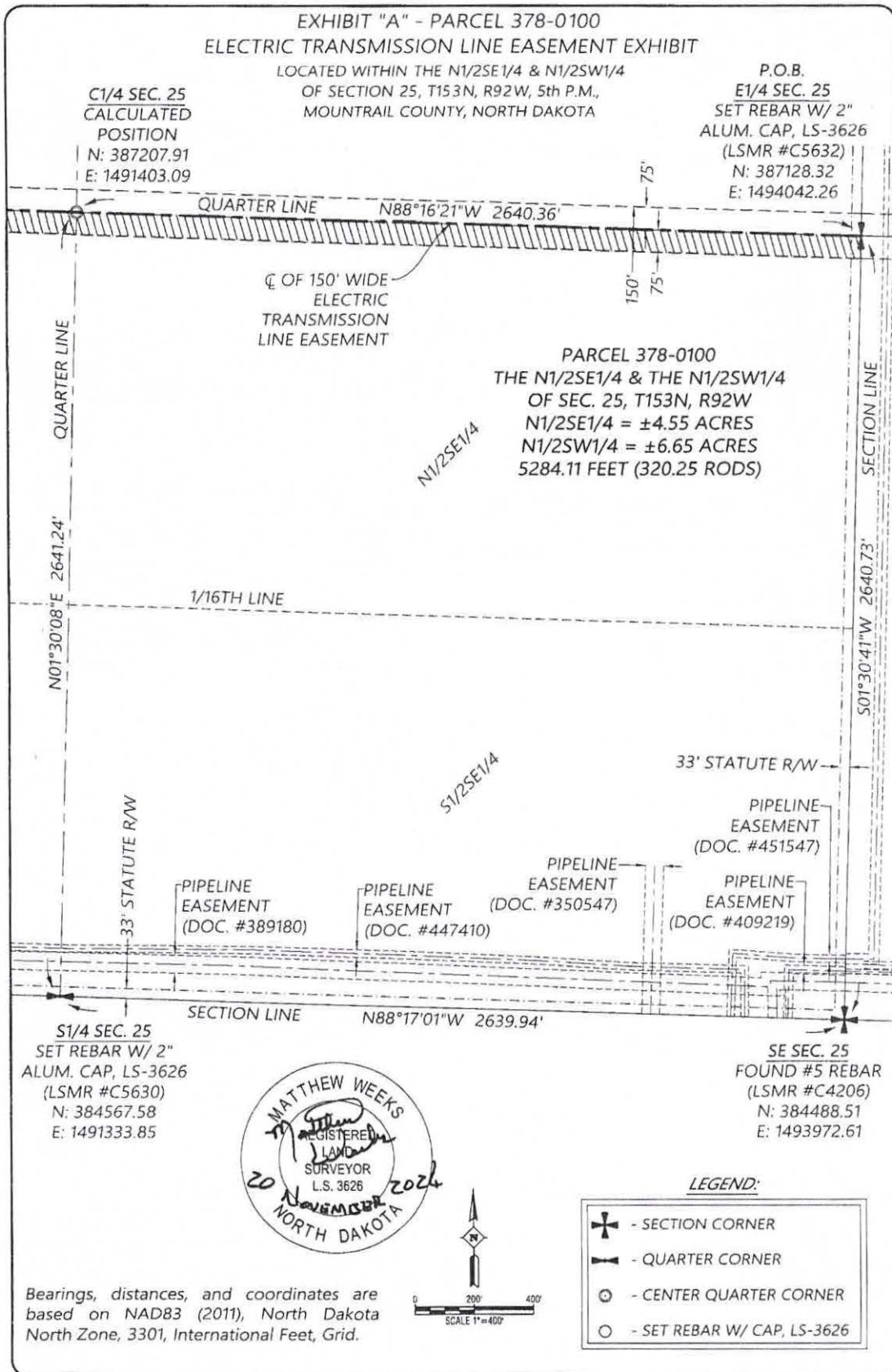
PURPOSE: ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

DRAWN BY: B.M.H. PROJECT NO: CR22-08-034.03

CHECKED BY: M.L.W. DATE: 10/24/2024

1 of 3

SHEET NO.



Prepared By: **INTERSTATE ENGINEERING**
Professionals You Need, People You Trust.

Interstate Engineering
1403 27th Street NW
PO Box 1254
Mandan, ND 58554
(701) 683.5455
www.interstateeng.com

ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

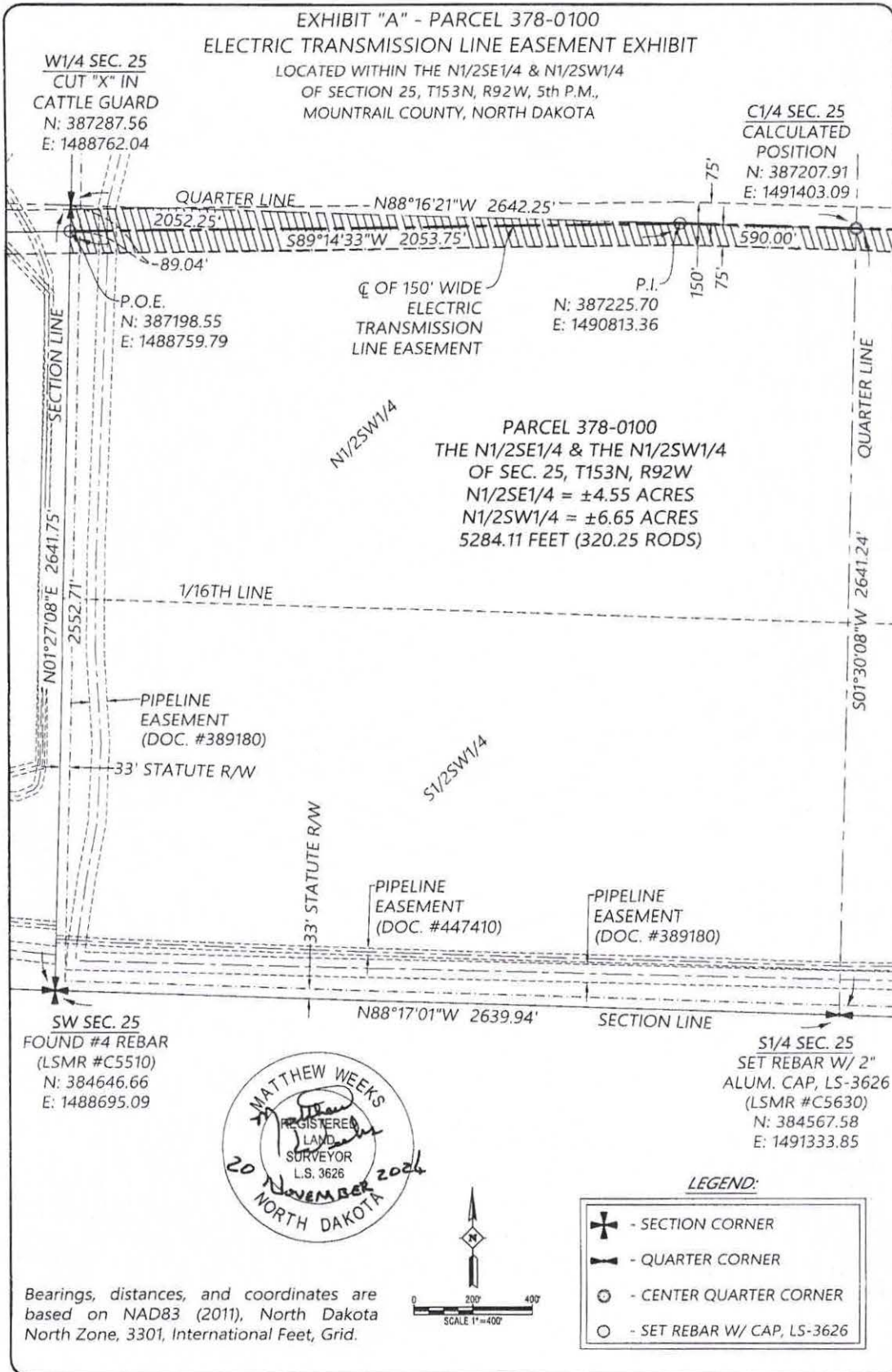
OWNER(S): JACOB ESTVOLD
FOR: BASIN ELECTRIC POWER COOPERATIVE
PURPOSE: ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

DRAWN BY: B.H.J.
CHECKED BY: M.L.W.

PROJECT NO: C922-08-034.03
DATE: 10/2/2024

2 OF 3

SHEET NO.



Prepared By:
INTERSTATE ENGINEERING
Professionals You Need, People You Trust.

Interstate Engineering
1403 27th Street NW
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Mandan, ND 58554
(701) 663.5456
www.interstateeng.com

ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

OWNER(S): JACOB ESTVOLD
FOR: BASIN ELECTRIC POWER COOPERATIVE
PURPOSE: ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

DRAWN BY: B.H.H. PROJECT NO: CR02-08-024.02
CHECKED BY: M.L.W. DATE: 10/24/2024

3 OF 3

SHEET NO.



EXHIBIT "A" - PARCEL 378-0130
ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

LOCATED WITHIN THE S1/2NE1/4, THE N1/2SE1/4
THE SE1/4NW1/4, & THE NE1/4SW1/4 OF
SECTION 26, T153N, R92W, 5th P.M.,
MOUNTRAIL COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION OF A 150' WIDE ELECTRIC TRANSMISSION LINE EASEMENT

A 150.00 foot wide (75.00 feet each side of centerline) easement for electric transmission line purposes over, under, and across the South Half of the Northeast Quarter (S1/2NE1/4), the North Half of the Southeast Quarter (N1/2SE1/4), the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4), and the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section 26, Township 153 North, Range 92 West of the 5th Principal Meridian, Mountrail County, North Dakota, which is more particularly described as follows:

COMMENCING at the east quarter corner of said Section 26; thence on the east line of said Section 26, S01°27'08"W a distance of 89.03 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING; thence S89°14'28"W a distance of 191.88 feet; thence N86°29'02"W a distance of 2445.37 feet to a point on the north/south quarter line of said Section 26; thence N86°29'02"W a distance of 414.46 feet to a point on the east/west quarter line of said Section 26; thence on the east/west quarter line of said Section 26, N88°25'28"W a distance of 903.24 feet to the POINT OF ENDING, said point being the southwest corner of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of said Section 26 and bears S88°25'28"E a distance of 1317.43 feet from the west quarter corner of said Section 26.

Said easement is 3954.95 feet (239.69 rods) in length and contains 13.62 acres, more or less. The sidelines of said easement are to meet at angle points and are to be shortened or prolonged as to terminate on the east line of said Section 26, the west line of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) of said Section 26, and the west line of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of said Section 26. Said easement is subject to any previous easements, agreements, conveyances, and surveys.

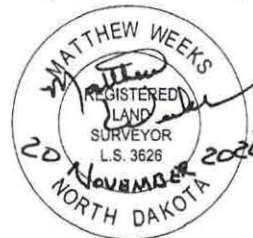
SURVEYOR'S NOTES

- 1) The utilities shown hereon are based on observed visual evidence, descriptions contained in the referenced easement and right of way documents, and maps provided per the locate request. The surveyor has not undertaken subsurface exploratory investigations to confirm or verify the utilities shown on the attached drawing. Therefore, the utility information shown must be considered approximate. Furthermore, the surveyor does not warrant that all utilities have been shown. The surveyor recommends that a utility locate be completed prior to any construction.
- 2) A title opinion or a commitment for title insurance was not provided by the party requesting the survey. This document may not include complete information regarding ownership, easements, reservations, restrictions, and encumbrances.
- 3) This drawing depicts a proposed transmission line for the purpose of easement acquisition. This is not an as-built survey.

SURVEYOR'S SUMMARY

I, Matthew Weeks, a Registered Professional Land Surveyor in the State of North Dakota, do hereby certify that this survey was performed by me or under my direct supervision at the request of Bob Kohler of Basin Electric Power Cooperative, and that said survey is true and complete as shown. This survey does not represent a complete title search.

MATTHEW WEEKS, PLS LS-3626
INTERSTATE ENGINEERING, INC.



Subscribed and sworn to before me this 20th day of November 2024

BRENDA L HELM
Notary Public
State of North Dakota
My Commission Expires April 7, 2025

Notary Public Morton County, North Dakota

Prepared By:

INTERSTATE ENGINEERING
Professionals You Need, People You Trust.

Interstate Engineering
1403 27th Street NW
PO Box 1254
Mandan, ND 58554
(701) 663.5455
www.interstateeng.com

ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

OWNER(S): JACOB ESTVOLD

FOR: BASIN ELECTRIC POWER COOPERATIVE

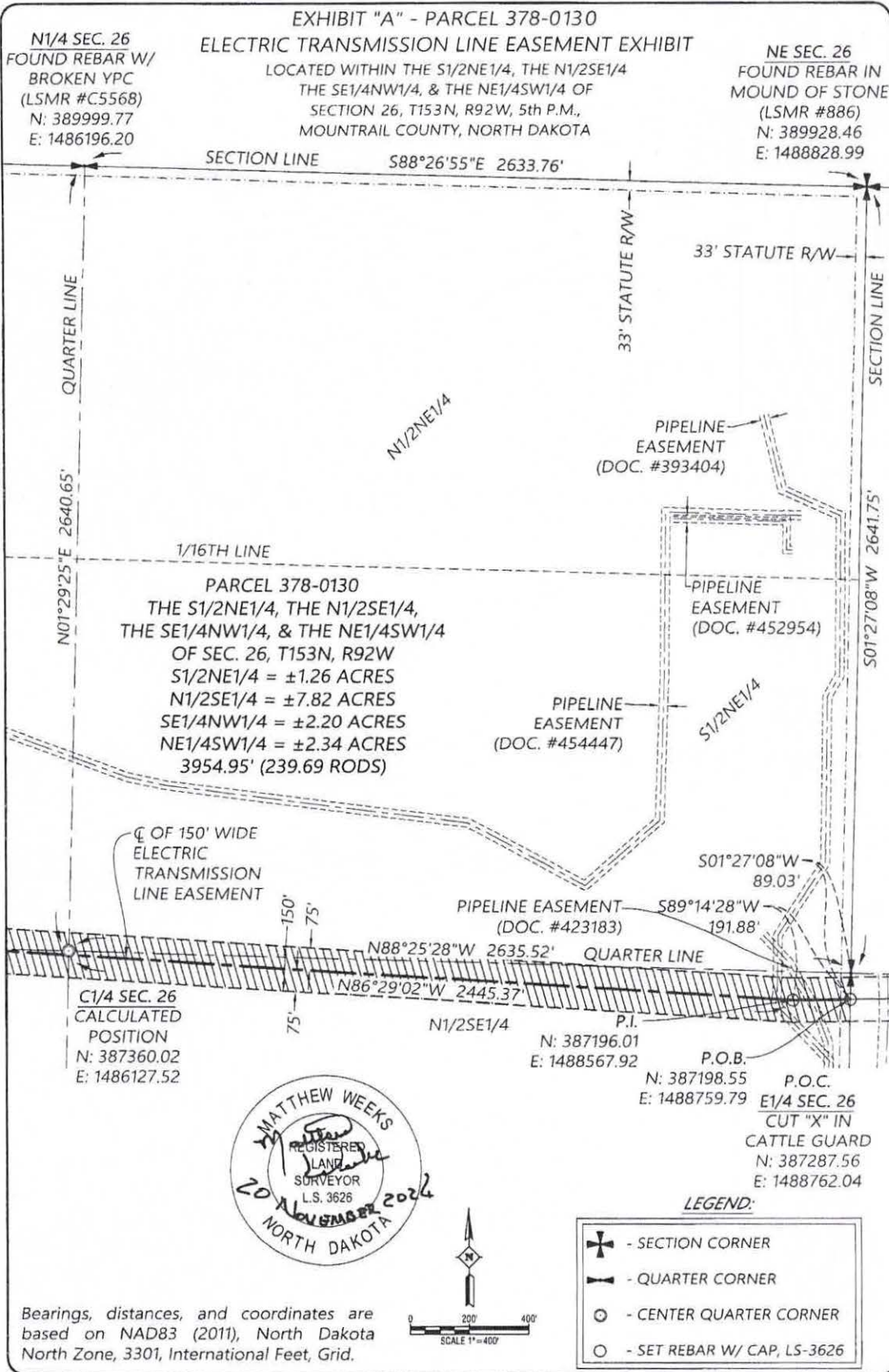
PURPOSE: ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

DRAWN BY: B.L.H. PROJECT NO: 0521-08-234-03

CHECKED BY: M.L.W. DATE: 10/30/2024

1 OF 3

SHEET NO.



Prepared By:
INTERSTATE ENGINEERING
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(701) 663.5455
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ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

OWNER(S): JACOB ESTVOLD

FOR: BASIN ELECTRIC POWER COOPERATIVE

PURPOSE: ELECTRIC TRANSMISSION LINE EASEMENT EXHIBIT

DRAWN BY: B.A.K.

CHECKED BY: M.L.W.

PROJECT NO: CR22-08-034.03

DATE: 10/20/2024

2 OF **3**

SHEET NO.



EXHIBIT "B" - PARCEL 378-0130
ACCESS EASEMENT EXHIBIT
LOCATED WITHIN THE SE1/4NE1/4 OF
SECTION 26, T153N, R92W, 5th P.M.,
MOUNTRAIL COUNTY, NORTH DAKOTA

ACCESS 378-0130X26A LEGAL DESCRIPTION

A 30.00 foot wide (15.00 feet each side of centerline) easement for access purposes over and across the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section 26, Township 153 North, Range 92 West of the 5th Principal Meridian, Mountrail County, North Dakota, which is more particularly described as follows:

COMMENCING at the northeast corner of said Section 26; thence on the east line of said Section 26, S01°27'08"W a distance of 2404.45 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING; thence N84°03'54"W a distance of 102.03 feet; thence S84°58'21"W a distance of 32.79 feet; thence S33°17'43"W a distance of 25.23 feet; thence S01°17'12"E a distance of 43.05 feet; thence S16°22'59"E a distance of 137.01 feet; thence S06°26'30"W a distance of 65.16 feet to the POINT OF ENDING, said point being located on the north line of a 150.00 foot wide transmission line easement and bears S81°59'45"W a distance of 110.76 feet from the east quarter corner of said Section 26.

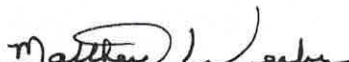
Said easement is 405.27 feet (24.56 rods) in length and contains 0.28 acres, more or less. The sidelines of said easement are to meet at angle points and are to be shortened or prolonged as to terminate on the east line of said Section 26, the north line of a 150.00 foot wide transmission line easement. Said easement is subject to any previous easements, agreements, conveyances, and surveys.

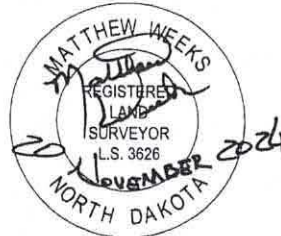
SURVEYOR'S NOTES

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- 2) A title opinion or a commitment for title insurance was not provided by the party requesting the survey. This document may not include complete information regarding ownership, easements, reservations, restrictions, and encumbrances.

SURVEYOR'S SUMMARY

I, Matthew Weeks, a Registered Professional Land Surveyor in the State of North Dakota, do hereby certify that this survey was performed by me or under my direct supervision at the request of Bob Kohler of Basin Electric Power Cooperative, and that said survey is true and complete as shown. This survey does not represent a complete title search.


MATTHEW WEEKS, PLS LS-3626
INTERSTATE ENGINEERING, INC.



Subscribed and sworn to before me this 20th day of November, 2024

BRENDA L HELM
Notary Public
State of North Dakota
My Commission Expires April 7, 2025


Notary Public Morton County, North Dakota

Prepared By:



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Professionals You Need, People You Trust.

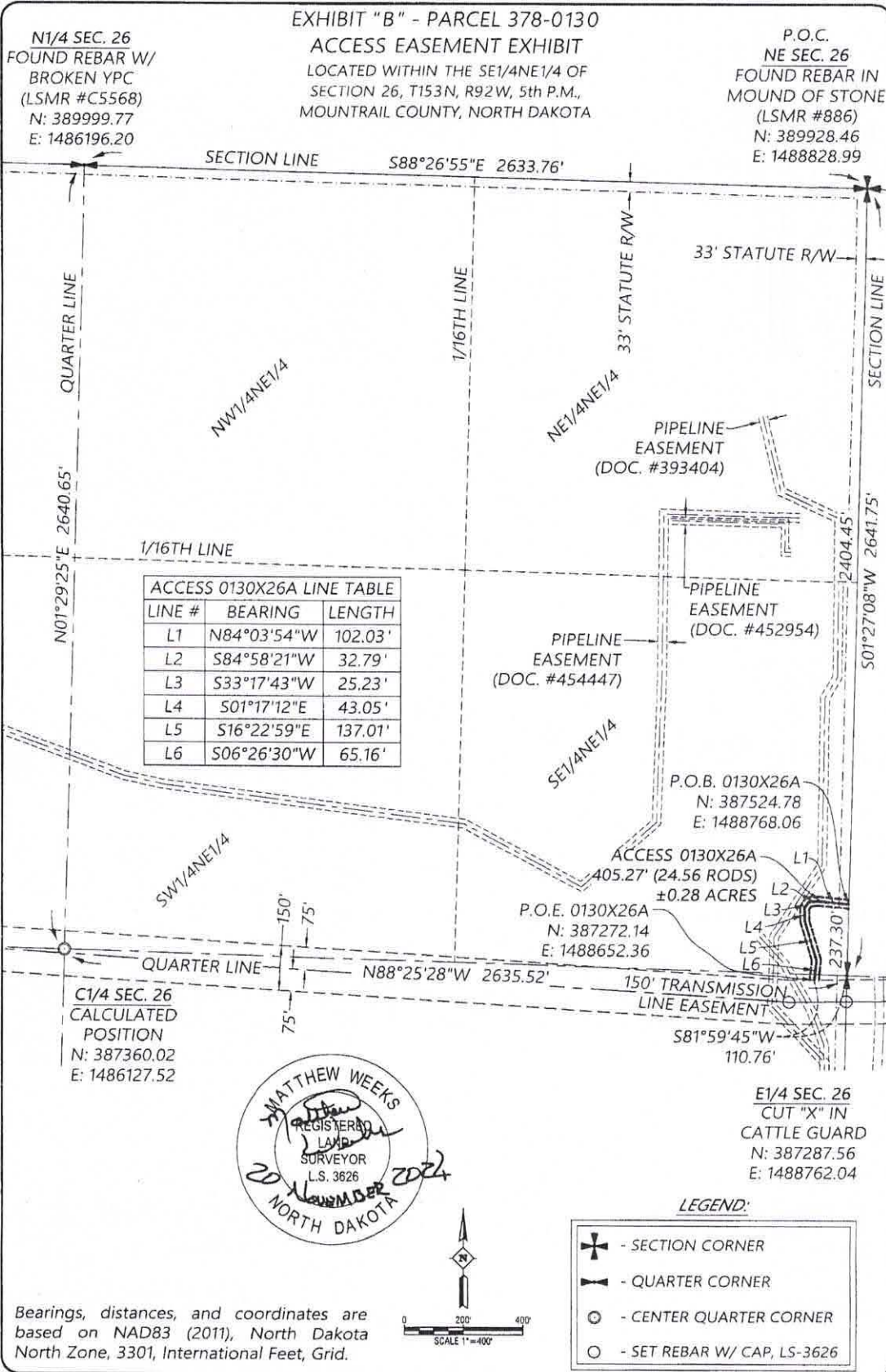
Interstate Engineering
1403 27th Street NW
PO Box 1254
Mandan, ND 58554
(701) 883-5455
www.interstateeng.com

ACCESS EASEMENT EXHIBIT

OWNER(S): JACOB ESTVOLD
FOR: BASIN ELECTRIC POWER COOPERATIVE
PURPOSE: ACCESS EASEMENT EXHIBIT

DRAWN BY: B.L.H. PROJECT NO: CR22-08-034.03
CHECKED BY: M.L.W. DATE: 10/30/2024

1 OF 2
SHEET NO.



Prepared By:
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ACCESS EASEMENT EXHIBIT

OWNER(S): JACOB ESTVOLD
FOR: BASIN ELECTRIC POWER COOPERATIVE
PURPOSE: ACCESS EASEMENT EXHIBIT

DRAWN BY: B.P.H.
CHECKED BY: M.L.W.

PROJECT NO: CR22-08-03-03
DATE: 10/30/2024

2 OF 2
SHEET NO.



EXHIBIT "B" - PARCEL 378-0100
ACCESS EASEMENT EXHIBIT
LOCATED WITHIN THE NW1/4SW1/4
OF SECTION 25, T153N, R92W, 5th P.M.,
MOUNTRAIL COUNTY, NORTH DAKOTA

ACCESS 378-0100X25A LEGAL DESCRIPTION

A 30.00 foot wide (15.00 feet each side of centerline) easement for access purposes over and across the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section 25, Township 153 North, Range 92 West of the 5th Principal Meridian, Mountrail County, North Dakota, which is more particularly described as follows:

COMMENCING at the west quarter corner of said Section 25; thence on the east/west quarter line of said Section 25, S88°16'21"E a distance of 154.77 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING; thence S25°28'47"E a distance of 7.99 feet to the POINT OF ENDING, said point being located on the north line of a 150.0 foot wide transmission line easement and bears N04°53'37"E a distance of 2638.65 feet from the southwest corner of said Section 25.

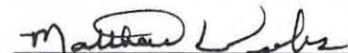
Said easement is 7.99 feet (0.48 rods) in length and contains 0.01 acres, more or less. The sidelines of said easement are to meet at angle points and are to be shortened or prolonged as to terminate on the east/west quarter line of said Section 25 and the north line of a 150.00 foot wide transmission line easement. Said easement is subject to any previous easements, agreements, conveyances, and surveys.

SURVEYOR'S NOTES

- 1) The utilities shown hereon are based on observed visual evidence, descriptions contained in the referenced easement and right of way documents, and maps provided per the locate request. The surveyor has not undertaken subsurface exploratory investigations to confirm or verify the utilities shown on the attached drawing. Therefore, the utility information shown must be considered approximate. Furthermore, the surveyor does not warrant that all utilities have been shown. The surveyor recommends that a utility locate be completed prior to any construction.
- 2) A title opinion or a commitment for title insurance was not provided by the party requesting the survey. This document may not include complete information regarding ownership, easements, reservations, restrictions, and encumbrances.

SURVEYOR'S SUMMARY

I, Matthew Weeks, a Registered Professional Land Surveyor in the State of North Dakota, do hereby certify that this survey was performed by me or under my direct supervision at the request of Bob Kohler of Basin Electric Power Cooperative, and that said survey is true and complete as shown. This survey does not represent a complete title search.


MATTHEW WEEKS, PLS LS-3626
INTERSTATE ENGINEERING, INC.




Subscribed and sworn to before me this 20th day of November, 2024

BRENDA L HELM
Notary Public
State of North Dakota
My Commission Expires April 7, 2025


Notary Public Morton County, North Dakota

Prepared By:

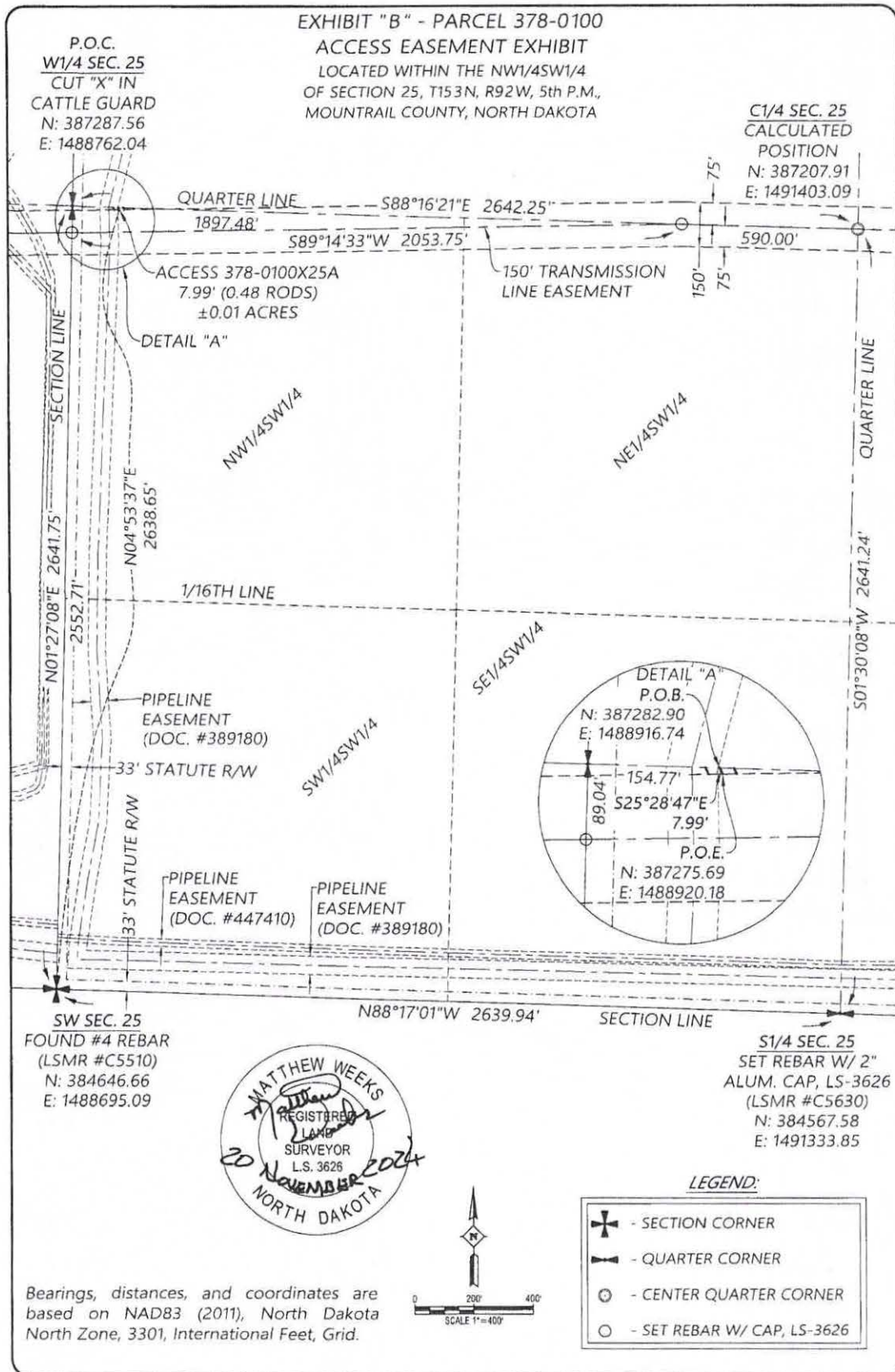


INTERSTATE ENGINEERING
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Interstate Engineering
1403 27th Street NW
PO Box 1254
Mandan, ND 58554
(701) 663.5455
www.interstateeng.com

ACCESS EASEMENT EXHIBIT	
OWNER(S):	JACOB ESTVOLD
FOR:	basin electric power cooperative
PURPOSE:	ACCESS EASEMENT EXHIBIT
DRAWN BY:	B.H.H.
CHECKED BY:	M.L.W.
PROJECT NO.:	CR22-08-034.02
DATE:	10/24/2024

1 OF 2
SHEET NO.



Prepared By:
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1403 27th Street NW
PO Box 1254
Mandan, ND 58554
(701) 863.5455
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ACCESS EASEMENT EXHIBIT

OWNER(S): JACOB ESTVOLD
FOR: BASH ELECTRIC POWER COOPERATIVE
PURPOSE: ACCESS EASEMENT EXHIBIT

DRAWN BY: B.J.H.
CHECKED BY: M.L.W.

PROJECT NO: CR22-08-034.03
DATE: 10/24/2024

2 OF 2

SHEET NO.

EXHIBIT "B" - PARCEL 378-0130
 ACCESS EASEMENT EXHIBIT
 LOCATED WITHIN THE NE1/4SE1/4
 OF SECTION 26, T153N, R92W, 5th P.M.,
 MOUNTRAIL COUNTY, NORTH DAKOTA



ACCESS 378-0130X26B LEGAL DESCRIPTION

A 30.00 foot wide (15.00 feet each side of centerline) easement for access purposes over and across the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section 26, Township 153 North, Range 92 West of the 5th Principal Meridian, Mountrail County, North Dakota, which is more particularly described as follows:

COMMENCING at the east quarter corner of said Section 26; thence on the east line of said Section 26, S01°27'08"W a distance of 338.67 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING; thence S87°43'18"W a distance of 69.66 feet; thence S09°52'34"W a distance of 61.65 feet; thence S51°30'14"W a distance of 49.50 feet; thence N77°12'01"W a distance of 294.31 feet; thence S59°20'17"W a distance of 128.96 feet; thence S50°29'25"W a distance of 121.68 feet; thence N89°36'17"W a distance of 79.40 feet; thence N57°36'21"W a distance of 118.43 feet; thence N89°05'35"W a distance of 44.92 feet; thence N51°30'45"W a distance of 481.12 feet; thence N25°07'00" a distance of 49.00 feet to the POINT OF ENDING, said point being located on the south line of a 150.00 foot wide transmission line easement and bears N24°49'14"W a distance of 2796.90 feet from the southeast corner of said Section 26.


Said easement is 1498.63 feet (90.83 rods) in length and contains 1.03 acres, more or less. The sidelines of said easement are to meet at angle points and are to be shortened or prolonged as to terminate on the east line of said Section 26, the south line of a 150.00 foot wide transmission line easement. Said easement is subject to any previous easements, agreements, conveyances, and surveys.

SURVEYOR'S NOTES

- 1) The utilities shown hereon are based on observed visual evidence, descriptions contained in the referenced easement and right of way documents, and maps provided per the locate request. The surveyor has not undertaken subsurface exploratory investigations to confirm or verify the utilities shown on the attached drawing. Therefore, the utility information shown must be considered approximate. Furthermore, the surveyor does not warrant that all utilities have been shown. The surveyor recommends that a utility locate be completed prior to any construction.
- 2) A title opinion or a commitment for title insurance was not provided by the party requesting the survey. This document may not include complete information regarding ownership, easements, reservations, restrictions, and encumbrances.

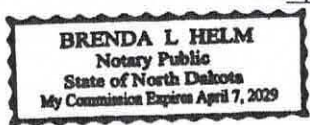
SURVEYOR'S SUMMARY

I, Matthew Weeks, a Registered Professional Land Surveyor in the State of North Dakota, do hereby certify that this survey was performed by me or under my direct supervision at the request of Bob Kohler of Basin Electric Power Cooperative, and that said survey is true and complete as shown. This survey does not represent a complete title search.


 MATTHEW WEEKS, PLS LS-3626
 INTERSTATE ENGINEERING, INC.



Subscribed and sworn to before me this 22nd day of September, 2025




 Notary Public Morton County, North Dakota

Prepared By:
 **INTERSTATE ENGINEERING**
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 PO Box 1254
 Mandan, ND 58554
 (701) 663.5455
 www.interstateeng.com

ACCESS EASEMENT EXHIBIT	
OWNER(S):	JACOB ESTVOLD
FOR:	Basin Electric Power Cooperative
PURPOSE:	ACCESS EASEMENT EXHIBIT
DRAWN BY:	B.H.H.
CHECKED BY:	M.L.W.
PROJECT NO.:	CR22-08-034.03
DATE:	9/18/2025

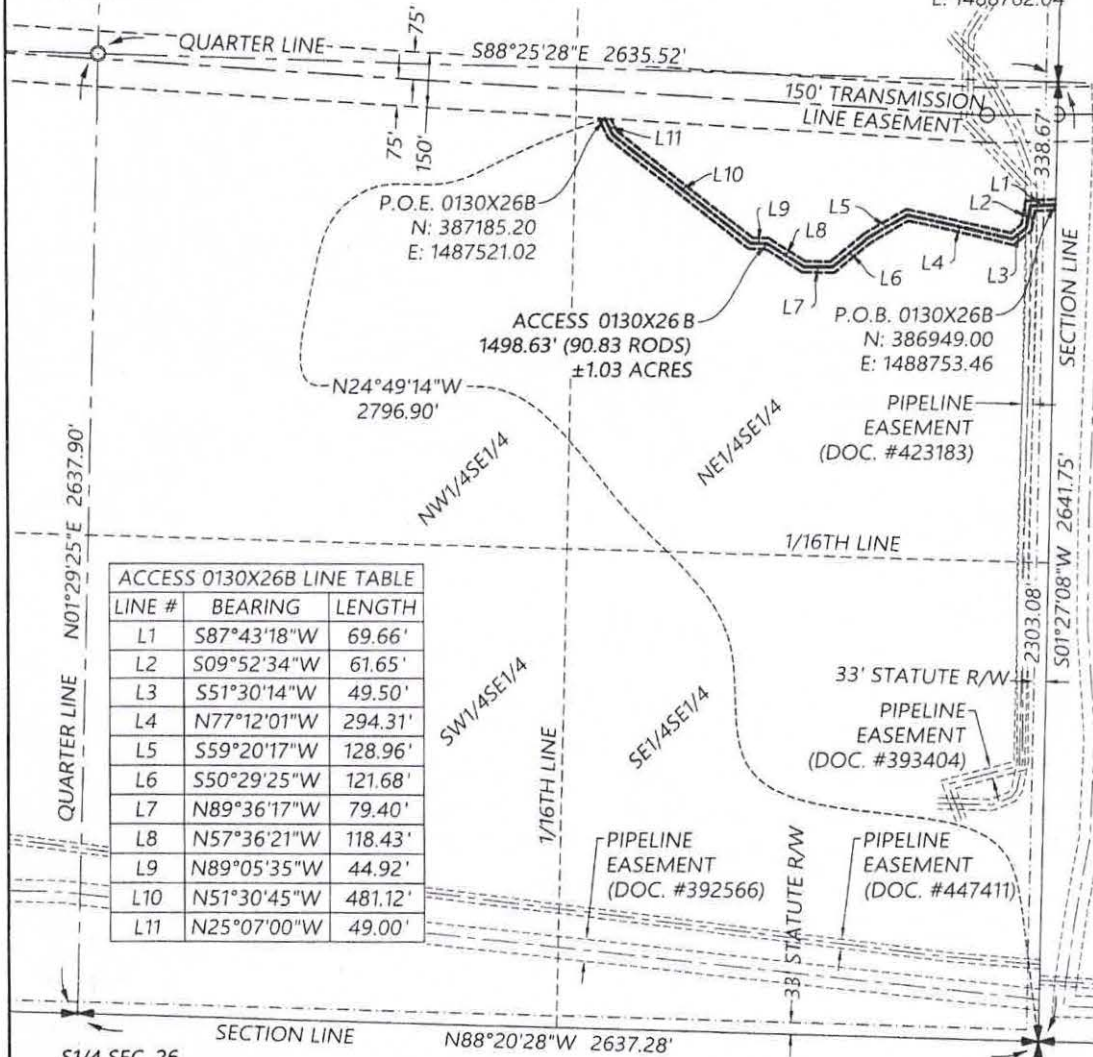
1 OF 2
 SHEET NO.

EXHIBIT "B" - PARCEL 378-0130
ACCESS EASEMENT EXHIBIT

LOCATED WITHIN THE NE1/4SE1/4
OF SECTION 26, T153N, R92W, 5th P.M.,
MOUNTRAIL COUNTY, NORTH DAKOTA

C1/4 SEC. 26
CALCULATED
POSITION
N: 387360.02
E: 1486127.52

P.O.C. 0130X26B
E1/4 SEC. 26
CUT "X" IN
CATTLE GUARD
N: 387287.56
E: 1488762.04



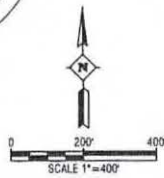
LINE #	BEARING	LENGTH
L1	S87°43'18"W	69.66'
L2	S09°52'34"W	61.65'
L3	S51°30'14"W	49.50'
L4	N77°12'01"W	294.31'
L5	S59°20'17"W	128.96'
L6	S50°29'25"W	121.68'
L7	N89°36'17"W	79.40'
L8	N57°36'21"W	118.43'
L9	N89°05'35"W	44.92'
L10	N51°30'45"W	481.12'
L11	N25°07'00"W	49.00'

S1/4 SEC. 26
FOUND #5 REBAR
N: 384723.01
E: 1486053.92



SE SEC. 26
FOUND #4 REBAR
(LSMR #C5510)
N: 384646.66
E: 1488695.09

Bearings, distances, and coordinates are based on NAD83 (2011), North Dakota North Zone, 3301, International Feet, Grid.



LEGEND:

- ⊕ - SECTION CORNER
- ⊖ - QUARTER CORNER
- ⊙ - CENTER QUARTER CORNER
- - SET REBAR W/ CAP, LS-3626

Prepared By:
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Mandan, ND 58554
(701) 683.5455
www.interstateeng.com

ACCESS EASEMENT EXHIBIT

OWNER(S): JACOB ESTVOLD
FOR: BASIN ELECTRIC POWER COOPERATIVE
PURPOSE: ACCESS EASEMENT EXHIBIT

DRAWN BY: B.H.H. PROJECT NO: CR22-08-034.01
CHECKED BY: M.L.W. DATE: 9/18/2025

2 OF 2
SHEET NO.



Return Recorded Document to:
Basin Electric Power Cooperative
Property & Right of Way Department
1717 East Interstate Avenue
Bismarck ND 58503-0564

PROJECT NO: 378

ACCESS EASEMENT

The undersigned, **Jacob D. Estvold**, at an address of 3966 84th Ave NW, New Town, ND 58763, hereinafter referred to as **Grantor**, whether one or more, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, paid and receipt of which is hereby acknowledged, hereby grants and conveys unto **Basin Electric Power Cooperative**, whose address is 1717 East Interstate Avenue, Bismarck, North Dakota 58503-0564, a North Dakota cooperative corporation, and **Mountrail-Williams Electric Cooperative**, a North Dakota cooperative association, whose address is 218 58th St W, Williston, ND 58801, hereinafter referred to as **Grantee**, its successors and assigns, an access easement on and over that certain tract of real estate lying and being in the County of Mountrail, State of North Dakota and described on Exhibit C, which is attached hereto and made a part hereof, hereinafter referred to as **Easement Area**:

Township 153 North, Range 92 West, of the 5th P.M.
Section 26: NE1/4SE1/4

This Access Easement is granted for the benefit of and to support a double circuit 115kV/345kV transmission line easement in the County of Mountrail, State of North Dakota, owned or to be acquired by the Grantee.

Grantee shall have the right under this Access Easement to use the Access Easement Area to provide ingress and egress to the transmission line referenced above for all purposes relating to construction, operation, repair, maintenance and replacement thereof. The Grantee agrees that its use of the Access Easement Area shall be limited to such purposes. The rights granted to the Grantee hereunder shall include but not necessarily be limited to the right to construct and maintain an access road at Grantee's own expense.

Grantor and Grantee agree that the term of this Access Easement shall be for ninety-nine (99) years from the effective date of this instrument or for so long as the said transmission line is operated and maintained, whichever period is shorter. Upon expiration of said term, this Access

