

Before the Public Service Commission
of
The State of North Dakota

In the Matter of the Application of
BASIN ELECTRIC POWER COOPERATIVE

Consolidated Application
for a Certificate of Corridor Compatibility and Route Permit
Wheelock to Saskatchewan 230-kV Transmission Line; and

Consolidated Application
for a Certificate of Corridor Compatibility and Route Permit
Tande to Saskatchewan 230-kV Transmission Line

Case Nos. PU-25-283 and PU-25-284

Pre-filed Testimony
of
Mike Murray

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I. **Introduction**

Q.1. **Please state your name, employer, and business address.**

A.1. My name is Mike Murray. I am employed by Basin Electric Power Cooperative (“Basin Electric”). My business address is 1717 East Interstate Avenue, Bismarck, North Dakota.

Q.2. **What is your position with Basin Electric?**

A.2. I am the Director of Property and Right-of-Way (“ROW”). My responsibilities include managing our teams' efforts with the negotiation and acquisition of land rights, coordination with landowners during construction and reclamation, and management of our rights-of-ways during operation of the transmission line.

Q.3. **Please describe your educational and professional background.**

A.3. I received an associate’s degree in business administration from Bismarck State College in 2007, and a Bachelor’s degree in Management from Minot State University in 2019. I have been employed by Basin Electric since 1990 and have worked in the ROW Department since 2000. I have acquired or been involved in the acquisition of over 900 miles of transmission line easements.

Q.4. **Are you a member of any professional associations?**

A.4. I am a member of the International Right-of-Way Association and I have served various leadership roles at the chapter, region, and international levels, most recently as the Chair of the International Ethics Committee. I received my Senior Right-of-Way Agent designation in 2007, which is the highest designation presented by the International Right-of-Way Association to members who have achieved professional status through experience, education, and examination. I have over 450 hours of continuing education in the field of Property and ROW through the International Right-of-Way Association.

Q.5. **What is your role with respect to the Wheelock to Saskatchewan 230-kV Transmission Line (“Wheelock Circuit”) and the Tande to Saskatchewan 230-kV Transmission Line (“Tande Circuit”), which are collectively referred to as the “Project”?**

A.5. I am the Director of Property and Right-of-Way for this Project. I have assigned one of our Basin Electric Senior Right-of-Way Specialists to take the lead on this Project, as well as added a team of contracted agents through both Northwestern Land LLC, and Contract Land Staff. My role is to oversee the activity and progress of the project's landowner relations, negotiations, and acquisition of land rights, and provide direction and assistance where necessary. I also participate in meetings with various team members to stay informed and provide guidance in an attempt to achieve the successful outcome of acquiring all necessary land rights.

Q.6. **Are you familiar with the contents of Basin Electric's Amended Consolidated Applications for a Certificate of Corridor Compatibility and Route Permit for the Wheelock Circuit and the Tande Circuit (the "Applications")?**

A.6. Yes. I am familiar with the Applications' contents.

Q.7. **What is the purpose of your testimony?**

A.7. The purpose of my testimony is to provide information related to Basin Electric's acquisition of ROW easements, the Project Route description, and post-construction reclamation activities. My testimony, together with the Applications and other supporting evidence, will demonstrate that the Project will produce minimal adverse impacts on the environment and human welfare.

II. **Landowner Contacts**

Q.8. **Does Basin Electric's ROW team coordinate with all the landowners along the Project Corridor?**

A.8. Basin Electric's ROW team is responsible for contacts with all the private landowners, as well as the North Dakota Department of Trust Lands ("NDDTL"). Basin Electric's Environmental team coordinates with the federal agencies, as addressed in Ryan King's pre-filed testimony. (King Pre-filed Test., Section IV.)

Q.9. **Please summarize the ROW team's contact with the landowners within the Project Corridor.**

A.9. The ROW team has contacted every landowner on the Project Routes for both the Wheelock Circuit and the Tande Circuit. We also contacted or attempted to contact landowners along the other alternate routes that were studied. In March 2023, the

ROW team began contacting landowners along the Project Corridor of both line circuits to introduce the Project and seek survey permissions. In June 2023, we acquired our first option of easement for the Project to lock down our border crossing locations. Six border crossing locations were evaluated to accommodate alternative route studies. To date, we have acquired 100 of the 109 landowner easements or options of easement needed for the Wheelock Circuit or (91.8%) and 108 of the 118 easements or options of easements needed for the Tande Circuit or (91.5%), for a total acquisition of 91.6% of landowners for the entire Project. In miles, this equates to 48.8 of the 53 miles or 92% secured on Wheelock Circuit and 51.4 of 58 miles or 88.6% secured on the Tande Circuit.

Most of our landowner contacts were made in-person. Where in-person contact was not possible, we contacted landowners by phone or letter. Many landowners have been contacted multiple times for various reasons, such as:

- To discuss the Project and ask for consent to perform survey activities.
- To notify when various field survey activities will take place and settle damages for soil borings and other survey activities.
- To review the routes and discuss any issues or concerns they may have.
- Working out adjustments in routing where feasible.
- To discuss locations where off ROW access is needed.
- Identify and remedy any potential conflicts between construction activities and owner operations.
- To negotiate the easement, which often takes several visits.
- To keep the landowner apprised of any changes in location or design of the Project.

Frequent landowner contacts will continue throughout the construction, reclamation, and damage settlement phases of the Project.

Q.10. Do you keep a record of your contacts and interactions with landowners?

A.10. Yes, we keep a complete contact log detailing each interaction with every landowner as well as a complete file for every landowner parcel.

Q.11. How does the ROW team address landowner requests or comments?

A.11. The ROW team works cooperatively with landowners to try to address their requests

or concerns. If a landowner has any questions regarding the routing efforts or structure locations, we let them know the structure locations are preliminary and discuss why those locations were chosen. Should that landowner desire to shift one or more specific structures or propose a route adjustment, we discuss the request with Basin Electric engineering staff to see what is feasible and share the results with the landowner.

Q.12. What types of adjustments has Basin Electric made to address landowner requests?

A.12. Basin Electric has made shifts in structure locations specific to the routes, including accommodations to route the proposed circuits within or near existing utility corridors, along property lines, within fence lines, spot structures within tree rows, minimize tree removal, minimize impacts to farming and ranching operations, accommodate spacing for farm equipment sizes, and avoid existing or proposed oil and gas facilities.

Q.13. Are the easements that will be obtained for the Project limited to a specific purpose?

A.13. Yes. The easements only allow Basin Electric the right to access, install, repair, replace, and maintain the transmission line. No other purposes are included or allowed within that easement.

Q.14. What activities will be restricted within the easement area?

A.14. Basin Electric only restricts activities that would present a safety concern for the landowner or make operating the line a safety hazard. For example, placement of permanent structures under transmission lines, planting trees, and stockpiling materials under the line are not permitted. There are, however, numerous compatible uses of the Project Corridor that do not interfere with the safe and reliable operation of our facilities. Uses such as farming and ranching require no approval by Basin Electric.

Q.15. Does Basin Electric have the right of eminent domain with this Project? And if so, what is Basin Electric's position on the use of eminent domain?

A.15. Yes. As a rural electric cooperative, Basin Electric is a utility and does have the right

of eminent domain. Basin Electric will only use the right of eminent domain as a last resort, and only after all other options have been explored.

III. Route Selection

Q.16. **Are you familiar with the maps that are identified as Exhibits 11 and 12 to the pre-filed testimony?**

A.16. Yes. Exhibit 11 includes a series of maps produced by Basin Electric showing the Project Route for the 53-mile-long Wheelock Circuit. (Ex. 11 to Pre-filed Test.) Exhibit 12 includes another series of maps produced by Basin Electric showing the Project Route for the 58-mile-long Tande Circuit. (Ex. 12 to Pre-filed Test.) The first sheet in both Exhibits 11 and 12 shows a key plan of the overall Project Circuits, followed by several individual detailed segment maps to support my testimony. Please also note that the maps in Exhibits 11 and 12 replace the maps included in Appendix A of both Applications due to route adjustments since the Applications were submitted.

Q.17. **Beginning on the most southern point of the Wheelock Circuit shown on Segment 1 of Exhibit 11, please describe the Project Route and any significant alternate route segments Basin Electric considered for Segment 1: Wheelock Substation Take Off Structure to the Angle Point located at Structure 385-070.**

A.17. Segment 1 stair steps to the north and east and is approximately 11.6 miles in length. The Wheelock Substation is the starting point for this segment. This Substation is located approximately 6 miles west of Ray, in Williams County, North Dakota.

Basin Electric evaluated several other routing iterations related to this line segment. This segment's proposed route was largely selected due to an approved HWY 2 crossing location, a higher percentage of participating landowners, avoidance of homes, and avoidance of a significant number of oil and gas sites.

Q.18. **Please continue with Segment 2: Structure 385-070 to 385-144 (Williams/Divide County Line).**

A.18. Segment 2 is approximately 12.5 miles in length. From Structure 385-070, the line continues due north along a quarter line to Structure 385-144.

Basin Electric evaluated several other routes related to this segment. This proposed

route was selected due to avoidance of residences, avoidance of wind turbines to the east, has a higher percentage of participating landowners, includes a couple of NDDTL parcels and was ideal in being able to stay on the quarter line the entire distance. Quarter lines are many times also property lines and tend to be more unobstructed.

The NDDTL provided correspondence for the record, stating that Basin is currently working through the process to obtain an easement. (Wheelock Amended Application, Appx. H at 296, Docket No. 2.)

Q.19. Please continue with Segment 3: Structure 385-144 (Williams/Divide County line) to Structure 385-268.

A.19. Segment 3 is approximately 21.6 miles in length. Continuing North from Structure 385-144, this segment has many route deviations with a significant amount of angle points, ending at Structure 385-268 which is located approximately 2 miles east of Crosby.

Of the various route alternatives studied, this proposed route avoided a high density of wetlands, avoided a United States Fish and Wildlife Waterfowl Production Area, and balanced landowner feedback with routing, resulting in a high percentage of participating landowners. Many route adjustments were made to accommodate landowner concerns, where it was feasible. The route from Structure 385-147 to 385-185 was proposed by those landowners and was an acceptable route for Basin Electric.

Q.20. Please continue with Segment 4: Structure 385-268 to 385-309 (the United States/Canadian border).

A.20. Segment 4 is approximately 7.3 miles in length. This segment continues in a North/Northeast direction to the United States/Canadian border.

There were many route alternatives evaluated, but this preferred route was selected due to a high success rate with participating landowners, an ideal location to cross Highway 5, avoidance of residences, keeping a sufficient distance from the town of Crosby, avoids impacts to wetlands, and getting to a landowner approved United

States/Canadian border crossing location.

Q.21. Beginning on the most southern point of the Tande Circuit shown on Segment 1 of Exhibit 12, please describe the Project Route and any significant alternate route segments Basin Electric considered for Segment 1: Tande Substation Take Off Structure to the Angle Point located at Structure 386-022.

A.21. Segment 1 is approximately 3.75 miles in length. The Tande Substation is the starting point for this segment. This Substation is located approximately 3 miles east of Tioga, in Mountrail County, North Dakota.

Basin Electric evaluated several other routing iterations related to this line segment. This segment's proposed route was largely selected due to participating landowners, avoidance of homes, avoidance of oil and gas facilities, and avoidance of a significant number of pipelines to the west. Alternate routes to the east had significant landowner resistance.

The first mile north out of the Tande Substation was routed in a way that the line could be designed to cross several other powerlines, before heading due north along the 1/16 line to Structure 386-022.

Q.22. Please continue with Segment 2: Structure 386-022 to 386-063 (Mountrail/Burke County Line).

A.22. Segment 2 is approximately 7.25 miles in length. From Structure 386-022, the line angles due west for $\frac{3}{4}$ of a mile to Structure 386-026, which aligns with the east side of the section line, which is also 101st Avenue NW. This was done to accommodate the proposed Mountrail Wind Project turbines sites and accommodate landowner requests not to interfere with their wind leases. From Structure 386-026, the route heads due north for 1 $\frac{1}{2}$ miles to Structure 386-035, at which point our route jumps to the west side of 101st Avenue NW to avoid a farmyard, then continues north for 1 mile and then transitions back to the east side of 101st Avenue NW to avoid a residence, then continuing north to Structure 386-063.

Basin Electric evaluated several other routes related to this segment, but ultimately the proposed route was selected due to the Mountrail Wind Project leases and

proposed turbine locations, avoidance of homes, avoidance of oil and gas facilities, and having receptive landowners through a lot of routing discussions.

Q.23. Please continue with Segment 3: Structure 386-063 (Mountrail/Burke County Line) to Structure 386-144.

A.23. Segment 3 is approximately 14.2 miles in length. From Structure 386-063, the route angles due west for approximately $\frac{3}{4}$ of a mile to Structure 386-067 to accommodate a landowner request. The route then heads north for $1\frac{1}{4}$ miles before jogging slightly to the east to align with the quarter section line at Structure 386-075. The route then heads due north along the quarter section line for 6 miles to Structure 386-111. From that point, the route heads due west along the quarter section line for 5 miles (crossing into Williams County) to Structure 386-138 and then angling slightly to the northwest to Structure 386-144, at the landowner's request to avoid his grain bins.

Of the various route alternatives studied, this proposed route avoided a wind farm to the west, the town of McGregor to the west, lots of oil and gas facilities, and homes to the east and the west. The proposed route also had the highest percentage of landowner acceptance.

Q.24. Please continue with Segment 4: Structure 386-144 to 386-272.

A.24. Segment 4 is approximately 22.9 miles in length. This segment continues due north for approximately 7.25 miles along a quarter section line to Structure 386-182, then westerly for 4.5 miles to structure 386-207, then due north for 8 miles to Structure 386-252, then west for $\frac{1}{2}$ mile and the turning north again for 3 miles to Structure 386-272.

Of the various route alternatives studies, this proposed route had a very high-level of landowner acceptance compared to the others, avoided another wind farm to the northwest of our proposed route, avoided homes, avoided impacts to wetlands, and avoided oil and gas facilities.

Alternative routes to the west had a very high level of landowner resistance.

Q.25. Please continue with Segment 5: Structure 386-272 to 386-327 (United States/Canadian Border).

A.25. Segment 5 is approximately 10.25 miles in length. This segment continues westerly for approximately 2 ½ miles along a quarter section line to Structure 386-286, then due north for 4 miles to Structure 386-307, then westerly for 2 ½ miles to Structure 386-318, then due north for 1 ¾ miles terminating at Structure 386-207 which is the United States/Canadian border.

Other alternate routes were studied, but the proposed route provided the highest level of landowner acceptance, an ideal crossing location of HWY 5, and aligned well with a landowner approved United States/Canadian border crossing location.

IV. Reclamation

Q.26. What is the role of Basin Electric's ROW team in reclaiming the Project Corridor at the completion of construction?

A.26. The ROW team will oversee the entire reclamation process. A licensed and certified reclamation contractor will report directly to our Property and ROW team, and we will be on site on a regular basis to monitor progress and make sure reclamation is completed to landowners' and Basin Electric's satisfaction.

Q.27. Please describe the reclamation practices Basin Electric will follow for the Project Corridor's.

A.27. Basin Electric will retain a licensed local contractor who specializes in the reclamation techniques required to stabilize the soils to re-establish the growth or cover in the disturbed areas of the Project, in consultation with the local Natural Resources Conservation Service ("NRCS")/Farm Service Agency ("FSA") offices. In pastureland, our reclamation contractor will re-seed to the same species of grasses present prior to construction unless otherwise directed by the landowner. In Conservation Reserve Program ("CRP") fields, we will replant the cover based on the local FSA office rules and guidance.

On all lands, compaction and grading will be addressed. Any rock (four inches in size or greater) brought to the surface while addressing compaction will be picked and taken off site or dumped at a site deemed acceptable by the landowner.

Disturbed areas will be monitored for erosion. Erosion control may include the installation and maintenance of necessary measures for temporary and permanent erosion, sedimentation, and dust control, as required by relevant agencies and the landowner. Basin Electric will complete inspection and maintenance to ensure compliance with Project reclamation specifications.

Basin Electric will work with landowners regarding tree replacements. This will be done according to the Commission's Tree and Shrub Mitigation Plan. Basin Electric will also be responsible for weeds by providing weed control within the easement area during construction and reclamation.

Q.28. How will Basin Electric address landowner concerns during the Project's construction, reclamation, and operation?

A.28. All damages associated with our activities will be addressed with the landowner for settlement at the completion of construction. Basin Electric will compensate landowners for damage to any crops or pasture during construction, as well as any prevent-plant situations due to the construction activity. Landowners will be consulted throughout the reclamation process to ensure successful reclamation has taken place and any outstanding issues have been resolved. During operation of the transmission line, Basin Electric will continue to reclaim the Route Corridor and settle any damages caused by maintenance activities.

V. Conclusion

Q.29. Based on your knowledge of the Project, will the Project's construction, operation, and maintenance produce minimal adverse effects on the environment and human welfare?

A.29. Yes. The Project circuit routes and Corridor were selected to minimize adverse effects to existing land uses, infrastructure, and environmental resources. Basin Electric has and will continue to work with landowners to address any concerns relating to the Project's construction, reclamation, and operation.

STATE OF NORTH DAKOTA
BEFORE THE
PUBLIC SERVICE COMMISSION

Basin Electric Power Cooperative)
Wheelock–Saskatchewan 230kV Transmission Line) Case Nos.: PU-25-283 and PU-25-284:
Siting Application; and) OAH File No. 20250371
Tande–Saskatchewan 230kV Transmission Line)
Siting Application)

**AFFIDAVIT OF
MIKE MURRAY**

I, the undersigned, being duly sworn, state as follows: (1) I have read the pre-filed testimony and exhibits submitted in the above captioned matters under my name; (2) they were prepared by me or under my direction and I know their contents; and (3) they are true and correct to the best of my knowledge and belief.


Mike Murray

Subscribed and sworn to before me, this 4th day of March, 2026.


Notary Public
My Commission Expires:

