



Department of Energy
Western Area Power Administration
South Dakota Maintenance Office
200 4th Street SW
Huron, SD 57350-2474

October 28, 2015

City of Rapid City - Engineering Department
Attn: Michelle Lashley
300 Sixth Street
Rapid City, SD 57701

Subject: Prairie Acres Sanitary Sewer Crossing, in Western Area Power Administration's Maurine – Rapid City 115-kV Transmission Line Right-of-Way and New Underwood – Rapid City #1 115-kV Transmission Line Right-of-Way, License Agreement UGP-LI-2015-07HU.

Dear Ms. Lashley:

Enclosed please find Western's License Agreement UGP-LI-2015-07HU (in Duplicate). The enclosed license, when fully executed, will grant the City of Rapid City approval for a Sanitary Sewer Crossing in Western's Maurine-Rapid City 115-kV Transmission Line Right-of-Way, between Structures 85/5 and 85/6 and New Underwood – Rapid City #1 115-kV Transmission Line Right-of-Way, between structures 84/3 and 84/4.

If acceptable, please have the appropriate individuals sign both licenses on behalf of the City of Rapid City, and return to this office. Upon execution by the United States, a fully executed duplicate will be provided for your records.

Please feel free to call me with any questions at 605-353-2612.

Sincerely,

A handwritten signature in cursive script that reads "Mary Klozenbucher".

Mary Klozenbucher
Realty Specialist

Enclosures

RECEIVED

OCT 30 2015

**ENGINEERING
SERVICES**

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
WESTERN AREA POWER ADMINISTRATION**

Maurine - Rapid City 115-kV Transmission Line
SW1/4 SW1/4, Section 20, T2N, R8E, Pennington County, South
Dakota
Between Structures 85/5 and 85/6

New Underwood - Rapid City #1 115-kV Transmission Line
SW1/4 SW1/4, Section 20, T2N, R8E, Pennington County, South
Dakota
Between Structures 84/3 and 84/4

LICENSE AGREEMENT

THIS LICENSE AGREEMENT, made this day of **November, 2015**, between **The City of Rapid City (LICENSEE)**, whether one or more, and the UNITED STATES OF AMERICA, Department of Energy, Western Area Power Administration, (Western), represented by the officer executing this agreement, pursuant to the Reclamation Act, Act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof and supplementary thereto, and the Department of Energy Organization Act, Act of August 4, 1977, 91 Stat. 565.

WITNESSETH:

Western concurs that the City of Rapid City's Sanitary Sewer Crossing (FACILITY) proposed by the LICENSEE will not interfere with the operation and maintenance of Western's Maurine - Rapid City 115-kV Transmission Line and the New Underwood - Rapid City #1 115-kV Transmission Line, if constructed in the manner and at the location shown on Exhibit A, attached hereto and made a part hereof.

In consideration of Western's concurrence, the LICENSEE agrees to the following:

(a) This license does not grant any right, privilege, or interest in the land. The LICENSEE is responsible for obtaining any necessary land rights from the underlying landowner.

(b) This license is only valid provided the FACILITY is constructed, operated, and maintained in conformance with the attached Exhibit A. Any relocations, changes, or upgrades require additional concurrence by Western. LICENSEE agrees to alter or relocate its FACILITY, at no cost to Western, to accommodate future modifications of Western's facilities, including but not limited to, upgrades of the transmission line.

(c) That before operating construction equipment capable of contacting or approaching within **11** feet or less of the 115-

kV transmission line, the LICENSEE or his authorized representative agrees to obtain from Western a "Special Work Permit" and to work under the limits and conditions of the safe working area defined therein.

(d) Licensee shall notify Western at least **30** days prior to commencing installation of the FACILITY to permit inspection by WESTERN. Contact Mr. Greg Fuhrmann, Line Foreman, Rapid City, SD Field Station Office, 605-381-8038, or Mr. David Hinders, Line Supervisor, Huron Maintenance Office, at 605-353-2555.

(e) To abide by and comply with all applicable Federal, State, and local laws and building and safety codes.

(f) This agreement shall be binding on the successors or assigns of LICENSEE and Western; however, it shall not be assigned by LICENSEE without prior written consent of Western.

(g) LICENSEE agrees to indemnify and hold harmless Western, its employees, or agents, from any loss or damage and from any liability on account of personal injury, death, or property damage arising out of Licensee's, its agents, contractors, or subcontractors use of the land covered by this License Agreement.

LICENSEE

THE UNITED STATES OF AMERICA

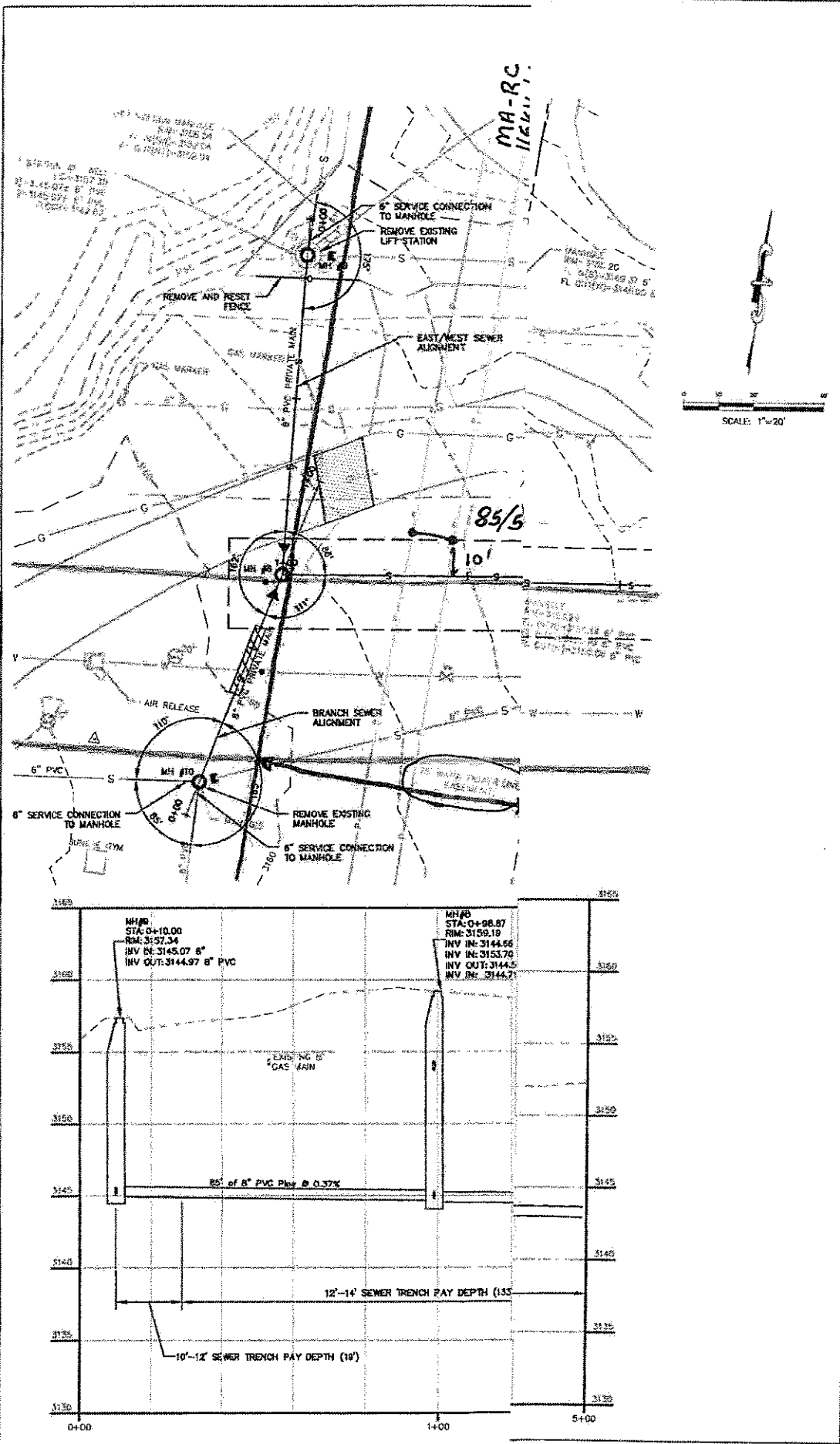
City of Rapid City

**Western Area Power
Administration**

By: _____
Steve Allender
Mayor

By: _____
Bruce A. Harrington,
South Dakota
Maintenance Manager

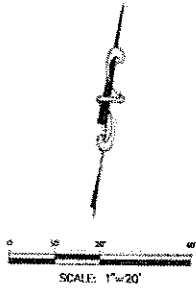
Pauline Sumption
Finance Officer



FMG, Inc.



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File Number:	350373
Location:	XXX
Surveyed By:	LF/JL
Date:	4/15 - 5/15
Designed By:	JAP
Drawn By:	JKK
Checked By:	JAP

**PRAIRIE ACRES SANITARY
 SEWER EXTENSION
 RAPID CITY, SD**

OCTOBER 2015

Revision / Date	
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