

Diamond Spring, LLC

Pontotoc, Murray, and Johnston Counties, Oklahoma

Apex Clean Energy on behalf of Diamond Spring, LLC
310 4th Street NE, Suite 200
Charlottesville, VA 22902

June 1, 2016

Murray County Board of Commissioners
P.O. Box 240
Sulphur, OK 73086

Attn: Kent McKinley Jimmy Rackley Darryl Hudson
 District 1 Commissioner District 2 Commissioner District 3 Commissioner

NOTICE OF INTENT TO CONSTRUCT

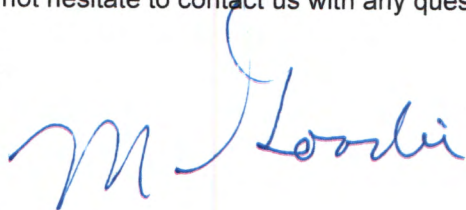
In order to comply with the requirements of Section 2 of Oklahoma Senate Bill 808¹ ("OK Siting Laws"), which was approved by the legislature and signed by the Governor, and in advance of certain rules that are to be promulgated by the Oklahoma Corporation Commission ("Commission") pursuant to the passage of SB 808, Apex Clean Energy ("Company"), on behalf of Diamond Spring, LLC, hereby informs the Commission of its intent to construct the Diamond Spring wind energy project (the "Project") located in Murray, Pontotoc, and Johnston Counties, Oklahoma.

The Project has been under active development for several years. The most recent FAA form 7460-1 filing was made on May 27, 2016. A summary of the May 27, 2016 FAA form 7460-1 filings for each wind turbine tower location within the Project boundary is attached as Exhibit A. Exhibit B to this letter presents a diagram showing the real estate analyzed and included in statutory setback compliance. As of the date of this notice, and based on publicly available data, Company attests that the Project design complies with the setbacks required by the OK Siting Laws.

In accordance with the OK Siting Laws, Apex Clean Energy also confirms it is submitting a notice of intent to construct to the Oklahoma Corporation Commission in the form attached hereto as Exhibit C. No project facilities are located within an incorporated area of a municipality, and thus no additional notice is required under SB 808.

Please do not hesitate to contact us with any questions regarding this filing.

Sincerely,



Mark Goodwin
President

¹ Senate Bill 808 will become effective 90 days after *sine die* of the Oklahoma State Legislature, and Section 2 will appear in the Oklahoma State Statutes in Section 160.21, Title 17.

ORIGIN ID: CHOA (434) 270-7184
PATRICK BROWN
APEX CLEAN ENERGY, INC.
310 4TH ST. NE. STE. 200
CHARLOTTESSVILLE VA 22902
UNITED STATES US

SHIP DATE: 01 JUN 16
ACT WGT: 0.50 LB
CAD: 768930NINET3730
BILL SENDER

TO MURRAY COUNTY BOARD OF COMMISSIONER

P.O. BOX 240

SULPHUR OK 73086

REF: DIAMOND SPRINGS

(580) 622-3800 DEPT.



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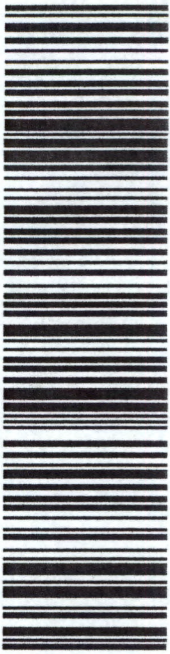
540.02/30BD/727F

TRK# 7764 1901 3481
0201

THU - 02 JUN 4:30P
PRIORITY OVERNIGHT

XH OKCA

73086
OK-US OKC



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Shipment Receipt

Address Information

Ship to: Murray County Board of Commissioner P.O. Box 240 SULPHUR, OK 73086 US 580-622-3800	Ship from: Patrick Brown Apex Clean Energy, Inc. 310 4th St. NE, Ste. 200 Charlottesville, VA 22902 US 4342707164
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Shipment Information:

Tracking no.: 776419013481
Ship date: 06/01/2016
Estimated shipping charges: 25.80

Package Information

Pricing option: FedEx Standard Rate
Service type: Priority Overnight
Package type: FedEx Envelope
Number of packages: 1
Total weight: 0.50 LBS
Declared Value: 0.00 USD
Special Services:
Pickup/Drop-off: Drop off package at FedEx location

Billing Information:

Bill transportation to: MyAccount-989
Your reference: Diamond Spring
P.O. no.:
Invoice no.:
Department no.:

Thank you for shipping online with FedEx ShipManager at fedex.com.

Please Note

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