

# Diamond Spring, LLC

Pontotoc, Murray, and Johnston Counties, Oklahoma

Diamond Spring, LLC  
310 4th Street NE, Suite 200  
Charlottesville, VA 22902

November 28, 2016

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

Attn: Kent McKinley  
*District 1 Commissioner*

Jimmy Rackley  
*District 2 Commissioner*

Darryl Hudson  
*District 3 Commissioner*

## NOTICE OF INTENT TO CONSTRUCT

In order to comply with the requirements of Section 2 of Oklahoma Senate Bill 808<sup>1</sup> ("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, Diamond Spring, LLC, hereby informs the Commission of its intent to construct the Diamond Spring wind energy project (the "Project") located in 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 November 22, 2016. A summary of the November 22, 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, Diamond Spring, LLC, attests that the Project design complies with the setbacks required by the OK Siting Laws.

In accordance with the OK Siting Laws, Diamond Spring, LLC, 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

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<sup>1</sup> 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) 270-7164  
PATRICK BROWN  
APEX CLEAN ENERGY, INC.  
310 4TH ST. NE, STE. 200  
CHARLOTTESVILLE, VA 22902  
UNITED STATES US

SHIP DATE: 23NOV16  
ACT WGT: 0.50 LB  
CAD: 7688930/MNET3790

BILL SENDER

TO MURRAY COUNTY BOARD OF COMMISSIONER

PO BOX 240

SULPHUR OK 73086

REF: DIAMOND SPRINGS

(580) 622-3800  
INV.  
PO.

DEPT.



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544J3/CBB1/14E8

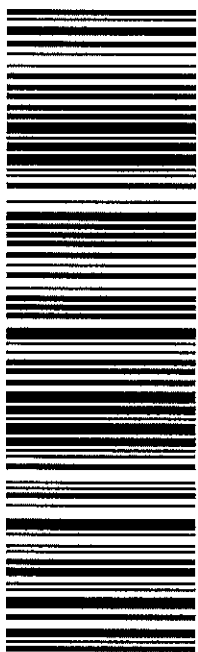
TRK# 7777 7269 9813  
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PRIORITY OVERNIGHT

FRI - 25 NOV 4:30P

XH OKCA

OK-US OKC 73086



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