

**COUNTY OF BLUE EARTH, MINNESOTA  
APPLICATION FOR UTILITY PERMIT  
ON  
COUNTY DRAINAGE SYSTEM RIGHTS OF WAY**

Board of County Commissioners  
Blue Earth County, Minnesota  
Attn: County Ditch Authority

Application is hereby made for permission to place, construct and thereafter maintain a 36" natural gas pipeline along or across County Drain No. 26 in Blue Earth County, Minnesota in accordance with the sketch shown on the inside hereof, or attached thereto.

**Rules and Regulations of Board of County Commissioners for Utilities on County Drainage Rights of Way.**

**DEFINITIONS**

*Utility.* Under this order "Utility" shall mean and include all privately, publicly, or co-operatively owned communication lines and facilities, any systems, lines and facilities for the distribution and transmission of electrical energy, oil, gas, water, sewer, steam and other pipe lines, railways, ditches, flumes or other structures which under the laws of this State or the ordinance of any town or city may be constructed, placed or maintained across, along or on county drainage right of way. Dependent upon the meaning intended in the context, "Utility" shall also mean the utility company, inclusive of any wholly owned subsidiary.

**GENERAL**

- I. Except as otherwise permitted, utility construction and relocation on county drainage right of way shall not be commenced until an application for a Permit has been made and such Permit granted. The Permit sketch shall show the location of the proposed utility with reference to county drainage center line. A copy of the sketch shall be provided for each copy of such Permit.
- II. Burning or disking operations and/or the use of chemicals to control or kill trees, brush, and other vegetation is prohibited without prior approval from the County Engineer.
- III. All waterways and lines of drainage shall remain operative.
- IV. Wherever topsoil and sod are disturbed they shall be replaced and maintained satisfactorily until the turf is established.
- V. The utility facility and installation shall not interfere with any existing utility facilities on the county drainage right of way.
- VI. When necessary, barricades, warning devices and flagmen shall be provided by the Utility during all phases of their construction and maintenance operations on county drainage right of way.
- VII. At the time of construction of the utility and at the times of subsequent maintenance, prior approval shall be obtained from the County Commission for the cutting and trimming of trees within the county drainage right of way. Wherever trees are cut the resulting stumps shall be removed unless otherwise provided in the Special Provisions of the Permit. Any holes caused by

stump removal shall be backfilled, the area leveled and all materials associated therewith disposed of outside the county drainage right of way. The utility shall advise the County Commission at least 48 hours in advance of its intent to start clearing and grubbing operations so that proper supervision can be provided.

VIII. The Utility shall notify the County Commission of its intent to perform service and maintenance operations which will interfere with the flow of surface water in county drainage rights of way, and shall obtain his approval prior to performing such operations. However, the Company may perform service and maintenance operations on county drainage right of way including opening and disturbing the surface of the right of way without prior approval in those instances where an emergency exists that is dangerous to the life or safety of the public and which requires immediate repair. The Utility shall take all necessary and reasonable safety measures to protect the traveling public and shall notify the County drainage Supervisor at the earliest possible moment.

IX. If at any time Blue Earth County, acting through its Board of County Commissioners, shall deem it necessary to make any improvements or changes on all or any part of the right of way of the county drainage which affect a utility located on county drainage right of way, then and in such event, the owner of the utility shall, after written notice from the Board of County Commissioners, or its authorized agent, proceed to alter, change, vacate or remove said utility from the county drainage right of way so as to conform to said county drainage system changes and as directed by the Board of County Commissioners. Such work shall be done without any cost whatsoever to Blue Earth County. The Utility shall assume all liability and save Blue Earth County harmless from any and all claims of damage of any nature whatsoever occasioned by reason of not having removed said utility within the time specified in said notice.

X. The Utility shall assume all liability for, and save the County, its agents and employees, harmless from, any and all claims for damages, actions or causes of action arising out of the work to be done herein and the continuing uses by the Utility, including but not limited to the placing, constructing, reconstructing, maintaining and using of said utility under this application and Permit.

XI. The Board of County Commissioners may require the Utility, or its contractor, to furnish a deposit in the form of a certified check, a surety bond or corporate undertaking, in favor of the Board of County Commissioners of Blue Earth County, for any expense incurred by the County in the repairing of damage to any portion of the county drainage right of way caused by work performed under a Permit, including any out of the ordinary engineering supervision and inspection expense provided by the County. In those instances wherein a deposit is required, the amount of the deposit shall be specified in the Special Provisions of the Permit. If a check is furnished, any monies remaining over and above such expense shall be returned to the applicant.

XII. The Permit as issued does not in any way imply an easement on private property.

XIII. The installations shall be made in conformity with all applicable laws, regulations and codes covering said installations. All installations shall be made in conformity with regulations of governmental agencies for the protection of the public.

XIV. Upon completion of an installation, the Utility shall restore the county drainage right of way to near as practical its original condition. The Utility shall then notify the office of the County Engineer of the completion of the work so that inspection can be made to determine its acceptability.

## UNDERGROUND

I. All crossings of county drainage right of way shall be made by boring or by jacking, unless this procedure is modified in the Special Provisions of the Permit, or otherwise agreed upon by the County Commissioners. The auger shall not lead the casing or carrier pipe by more than one inch. Open trenching shall be restricted to the area from 5 feet beyond the shoulder to the right of way line except as modified in the Special Provisions of the Permit.

II. The underground utilities shall be so installed as virtually to preclude any necessity for disturbing the ditch structures to perform maintenance operations.

III. Underground installations shall be accomplished without damaging or destroying the principal root structure of specimen trees.

The applicant in carrying on any and all of the work herein above mentioned or referred to in its application and in the Permit issued herefore, shall strictly conform to the terms of such Permit, and the regulations of the County Commissioners, as set forth herein together with the Special Provisions, all of which are made a part hereof. The applicant specifically agrees to be bound hereby. The applicant shall also comply with the regulations of all other governmental agencies for the protection of the public. The work shall be accomplished in a manner that will not be detrimental to the county drainage right of way and that will safeguard the public.

Dated this 4th day of January, 1999

Signature S. Max Libby

Address: 99 Navaho Ave. Suite 101, Mankato, MN 56001

Telephone: (507) 386-1881

Alliance Pipeline L.P.

Name of Company making application

By S. Max Libby Manager, R.O.W. Permits

Title

BLUE EARTH COUNTY

STATE OF MINNESOTA

UTILITY PERMIT ON COUNTY DRAINAGE RIGHTS OF WAY

Reference: \_\_\_\_\_

In accordance with the application herein, a Utility Permit is granted to Alliance Pipeline L.P. to place, construct and thereafter maintain a 36" natural gas pipeline on or across, or under the right of way of County Drain No. 26 in the location shown on the sketch which is a part of said application, or in such locations as may be specified by the County Commissioners in the Special Provisions hereof.

SPECIAL PROVISIONS:

Approved 1-5-99  
(date)

Board of County Commissioners  
Blue Earth County, Minnesota

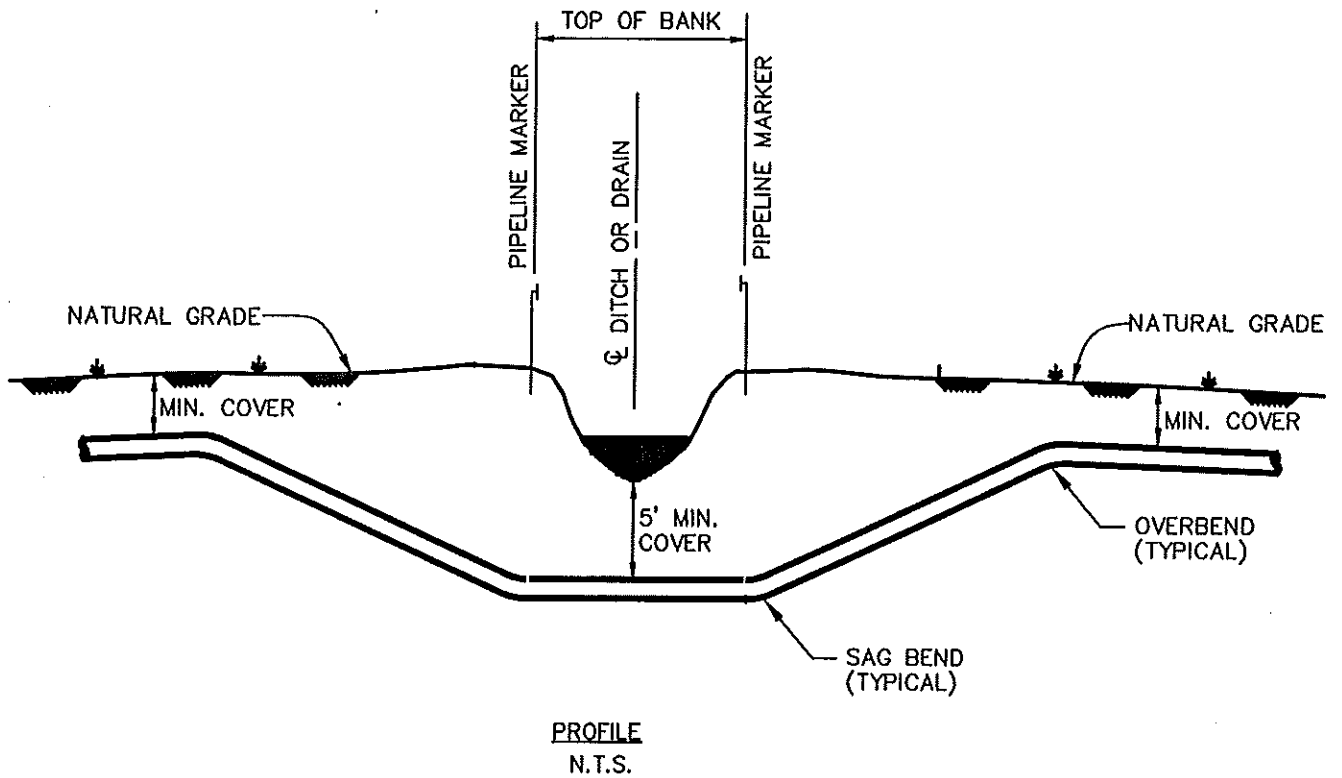
Permit No. \_\_\_\_\_  
Certified Check No. \_\_\_\_\_  
Surety Bond No. \_\_\_\_\_  
Date of S. Bond or C. Check \_\_\_\_\_  
Bank or Bonding Co. \_\_\_\_\_  
Deposit Made by \_\_\_\_\_

County Commissioners:



Chairperson

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**NOTES:**

1. TOP OF PIPE TO BE MAINTAINED 5 FT. BELOW WATERCOURSE CHANNEL ELEVATION.
2. NORMAL FLOW OF DRAINAGE NOT TO BE OBSTRUCTED DURING PIPELINE CONSTRUCTION OPERATIONS.
3. AT MINOR DITCHES OR DRAINS NOT EXCEEDING A DEPTH OF 3 FEET, CONTRACTOR MAY TRANSITION TRENCH AND LAY UNBENT PIPE INSTEAD OF SAG AND OVER BENDS TO MEET THE REQUIRED COVER.

PRODUCT: NATURAL GAS  
 CARRIER PIPE: 36"O.D. X 0.622" W.T.,  
 APL 5L-X70 ERW PIPE W/12 TO 14 MILS  
 FUSION BONDED EPOXY  
 MINIMUM TEST PRESSURE: 2225 PSIG  
 MAXIMUM OPERATING PRESSURE: 1740 PSIG  
 CARRIER PIPE TO BE EXTERNALLY COATED  
 FOR CORROSION CONTROL  
 PIPELINE TO BE CATHODICALLY PROTECTED  
 PIPELINE DESIGN AS PER REQUIREMENTS OF PART 192  
 OF THE CODE OF FEDERAL REGULATIONS (LATEST EDITION)  
 TRAFFIC TO BE MAINTAINED DURING INSTALLATION  
 PIPELINE TO BE INSTALLED BY OPEN CUT



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| REVISIONS |          |                     |     |       | DRAWN BY: DFJ |            |
|-----------|----------|---------------------|-----|-------|---------------|------------|
| NO.       | DATE     | DESCRIPTION         | BY  | APPR. | DATE:         | 17 JULY 98 |
| 1         | 10/19/98 | REVISED TITLE BLOCK | DRS | LAG   | UEI APPR.:    | JBS        |
|           |          |                     |     |       | DATE:         | 17 JULY 98 |
|           |          |                     |     |       | ALL APPR.:    |            |
|           |          |                     |     |       | DATE:         |            |

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| SCALE:<br>NONE | DRAWING NO.:   | REV. |
|                | APL-2604A-9667 | 1    |

**TYPICAL CROSSING  
OF DITCH OR DRAIN**