STATE OF COLORADO)
) ss.
County of Otero)

At a Regular Meeting of the Board of County Commissioners for Otero County, Colorado, held at the Courthouse in La Junta, Colorado, on the 23rd day of February, A.D., 2026, there were present:

☑ Rob Oquist, Chairman
☑ Tim Knabenshue, Commissioner
☐ Jim Baldwin, Commissioner
☑ Lynda Scott, Clerk to the Board
☑ Kaysie Schmidt, County Administrator
☑ Rose Pugliese, County Attorney

when the following proceedings, among others, were had and done, to-wit:

Resolution #2026-07

WHEREAS, pursuant to the Guidelines and Regulations for Areas and Activities of State Interest of the County of Otero, State of Colorado, Three Corners Connector, LLC has requested the Otero County Permit Authority to consider an Application (both Pre-Application and Final Application, hereafter "Application") submitted on June 9, 2025, requesting a permit to allow development of major facilities of a public utility; and

WHEREAS, the Final Application submitted to the Permit Authority on June 9, 2025, with the incorporation of the Preliminary Application, was deemed complete on November 10, 2025; and

WHEREAS, all applicable notice and public hearing requirements have been satisfied; and

WHEREAS, a public hearing was held on December 8, 2025, at the Otero County Courthouse, 13 West Third Street, Room 107, La Junta, Colorado, for the purpose of taking evidence and testimony concerning said Application; and

WHEREAS, the Permit Authority convened at 1:30 p.m., on December 8, 2025. Present were: Rob Oquist, Tim Knabenshue, and Jim Baldwin, Permit Authority; Lex Nichols, Land Use Administrator; Bryant Coon, Applicant's Agent/Representative, Other employees of Grid United (TCC), and other members of the public and press; and

WHEREAS, the hearing was conducted in accordance with Section 2.302 of the Regulations; and

WHEREAS, at the conclusion of the hearing, the Board took the matter under advisement

and consideration, as provided in Section 2.303 of the Guidelines, and announced it would reconvene at a later date to be determined, to either issue a final decision or otherwise take such actions as are allowed under the 1041 Regulations; and

WHEREAS, the Permit Authority convened at 1:30 p.m., on February 23, 2026. Present were: Rob Oquist and Tim Knabenshue, Permit Authority; Lex Nichols, Land Use Administrator; Rose Pugliese, Otero County Attorney; Bryant Coon, Applicant's Agent/Representative, Luke Rink of Grid United, and other members of the public and press; and

WHEREAS, the Permit Authority is acting in accordance with Section 2.303 (5) of the regulations to issue a decision on the Permit Application;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Otero, Colorado, that:

The Permit Authority makes the following findings:

(1) The Final Application submitted to the Permit Authority on June 9, 2025, with the incorporation of the Preliminary Application, was deemed complete on November 10, 2025;

(2) The initial Application fee was paid by the Applicant. In accordance with Section 2.202 (1) of the Regulations, the Applicant is responsible for the payment of additional Application fees to fully cover the County's costs in review and action upon the Application. The additional fees must be paid within 30 days of the approval of a Permit as a condition of the effectiveness of the same;

(3) Proper notice was given to all parties;

(4) The health, welfare, and safety of the citizens of this County will be protected and served provided the conditions and requirements of the Permit issued are satisfied;

(5) The natural and socio-economic environment of this County will be protected and enhanced provided the conditions and requirements of the Permit issued are satisfied;

(6) All reasonable alternatives to the proposed action, including use of existing rights-of-way and joint use of rights-of-way wherever uses are compatible, have been adequately assessed and the proposed action represents the best interests of the people of this County and represents the best utilization of resources in the impact area;

(7) A satisfactory program to mitigate and minimize adverse impacts has been presented, including, but not limited to, those adverse impacts due to the disturbance of top soil caused by the proposed action and the needed revegetation and reclamation to avoid those adverse impacts;

(8) The nature and location or expansion of the facility complies with all applicable provisions of the master plan of this County, and other applicable regional, metropolitan, state, and national plans;

(9) The nature and location or expansion of the facility complements the existing and reasonably foreseeable needs of the service area and of the area immediately affected by the facility;

(10) The nature and location or expansion of the facility does not unduly or unreasonably impact existing community services;

(11) The nature and location or expansion of the facility will not create an expansion of the demand for government services beyond the reasonable capacity of the community or region to provide such services, as determined by the Permit Authority;

(12) The facility site or expansion area is not in an area with general meteorological and climatological conditions which would unreasonably interfere with or obstruct normal operations and maintenance;

(13) The nature and location of the facility or expansion will not adversely affect the water rights of any upstream, downstream, or adjacent communities or other water users;

(14) Adequate water supplies are not applicable for facility transmission line;

(15) The nature and location of the facility expansion will not unduly interfere with any existing easements or rights-of-way for other utilities, canals, mineral claims, or roads;

(16) The Applicant is able to obtain needed easements for drainage, disposal, utilities, access, etc.;

(17) Adequate electric, gas, telephone, water, sewage, and other utilities exist or shall be developed to service the site if needed;

(18) The nature and location for expansion of the facility will not interfere with any significant wildlife habitat or adversely affect any endangered wildlife species, unique natural resource, or historic landmark within the impact area;

(19) The nature and location or expansion of the facility, including expected growth and development related to the operation and provision of service, will not significantly deteriorate air quality in the impact area;

(20) The geological and topographic features of the site are adequate for all construction, clearing, grading, drainage, vegetation, and other needs of the facility construction or expansion;

(21) The existing water quality of affected state waters will not be degraded below state and federal standards or established baseline levels;

(22) The benefits of the proposed developments outweigh the losses of any natural resources or reduction of productivity of agricultural lands as a result of the proposed development;

Based upon the foregoing, the Permit Authority renders the following Decision:

The Permit Authority, upon review of the evidence and testimony submitted by all parties, concludes that the Application submitted by Three Corners Connector LLC, and deemed complete by the Permit Authority on November 10, 2025, requesting a permit to allow development in areas containing or having a significant impact upon natural resources of statewide importance complies with the provisions of the regulations governing such area and is hereby **approved**, subject to the conditions recited in the issued Permit, which Permit and conditions are fully incorporated by this reference.

The Permit (as attached) shall be recorded together with this Resolution in the Otero County Clerk & Recorder real estate records once the Applicant signs the appropriate acceptance as concerns the Permit. The terms and conditions set forth herein shall run with the land and be enforceable as concerns the real property involved, and shall be binding upon and enforceable against the successors and assigns of the Applicant.

Adopted this 23rd day of February 2026.

ATTEST:

Clerk & Recorder

OTERO COUNTY SEAL COLORADO

BOARD OF COUNTY COMMISSIONERS OF OTERO COUNTY, STATE OF COLORADO:

Rob Oquist, Chairman

Tim Knabenshue

Jim Baldwin