

Nebraska 2010 Wind Power Conference

David “Dave” Vavra

**Saline County Wind Association LLC
Chairman**

Landowner Associations Issues

The Saline County Wind Association LLC

- **Who** is The Saline County Wind Association LLC?
- **What** is the reason for forming a landowner's association?
- **When** should associations be forming?
- **Where** should associations be organized?
- **Why** Landowners should consider organizing?

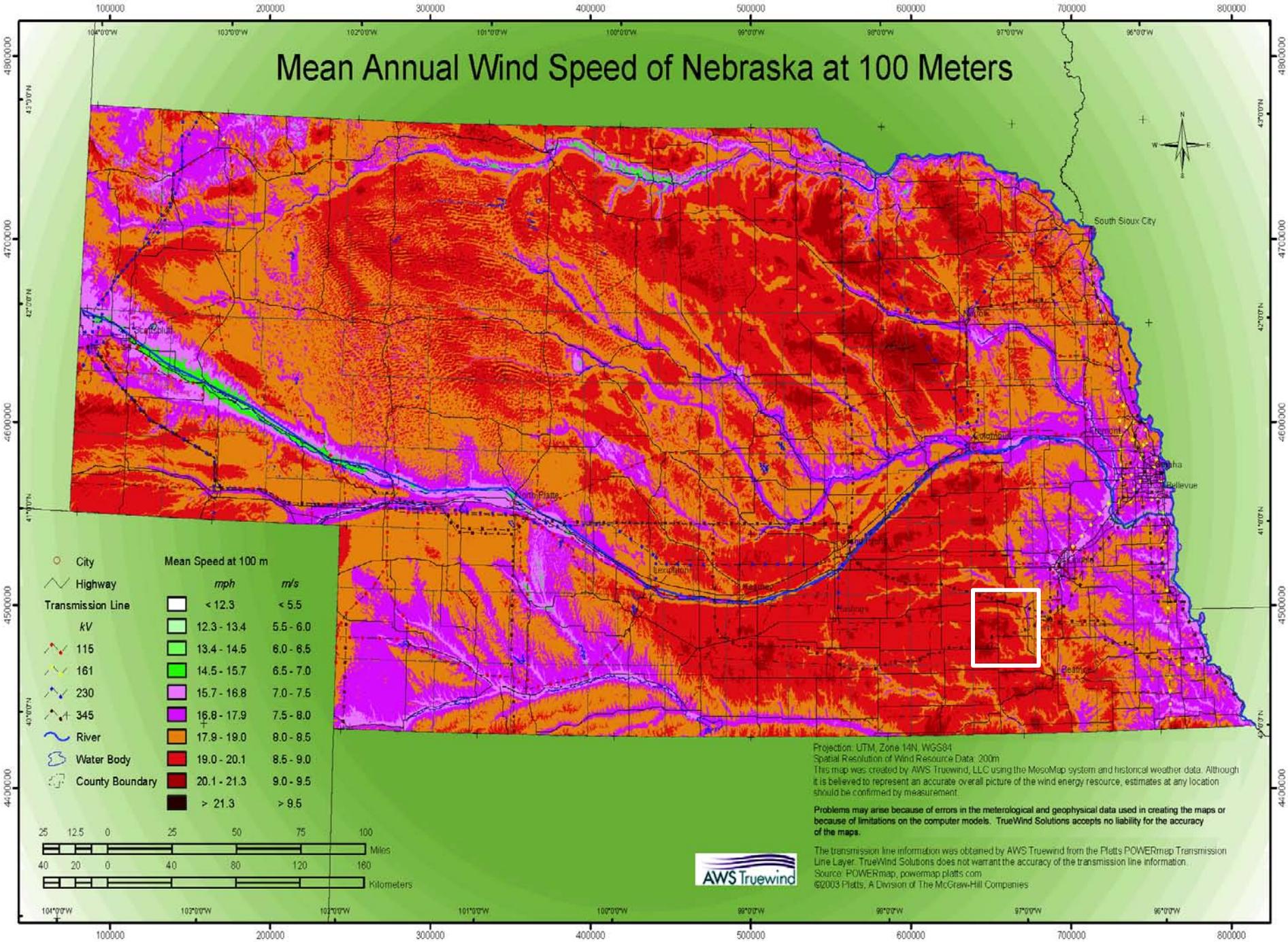


The Saline County Wind Association LLC

- **Who** and the **What** for The Saline County Wind Association LLC?



Mean Annual Wind Speed of Nebraska at 100 Meters



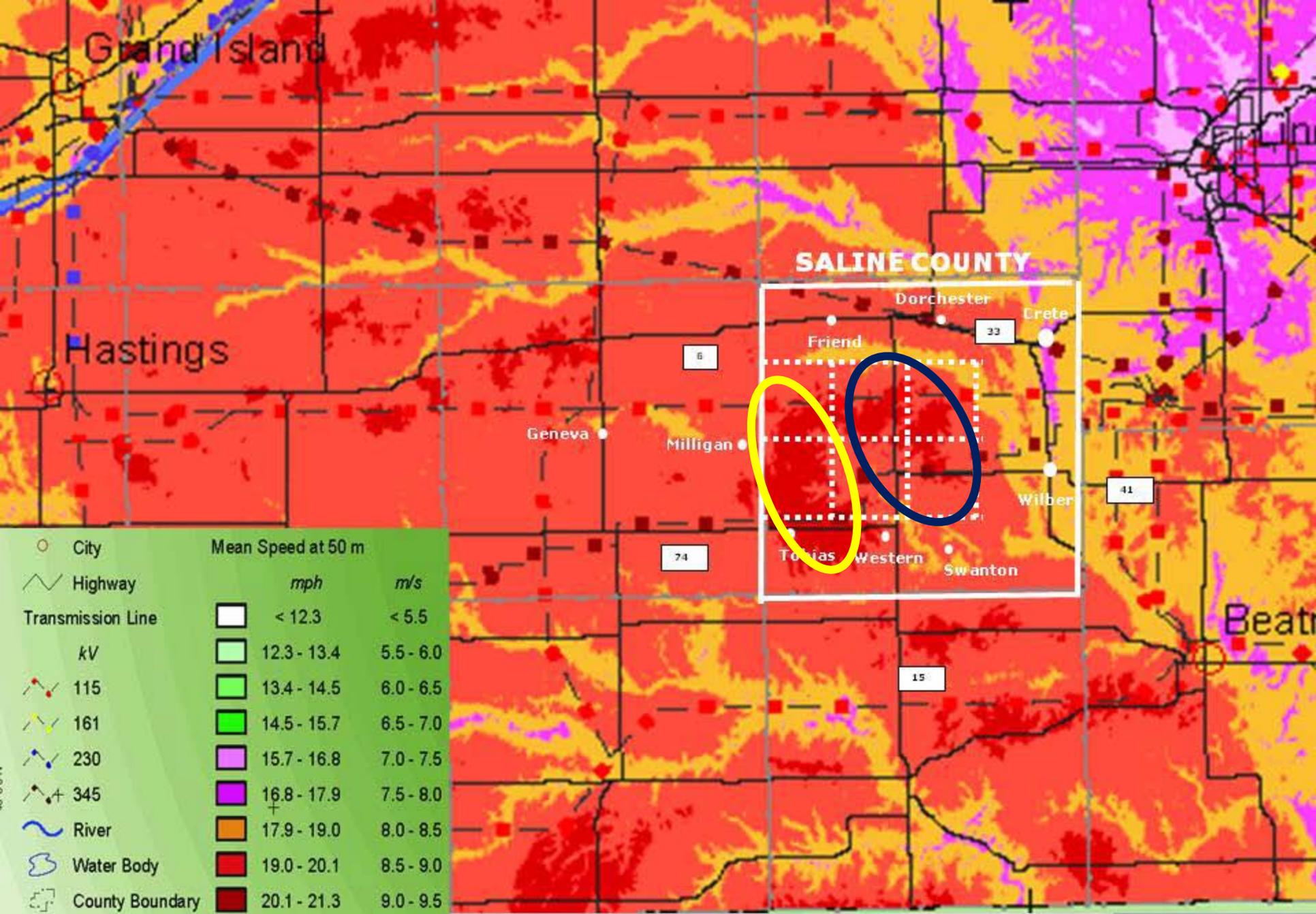
	Mean Speed at 100 m	
	mph	m/s
City	< 12.3	< 5.5
Highway	12.3 - 13.4	5.5 - 6.0
Transmission Line	13.4 - 14.5	6.0 - 6.5
kV	14.5 - 15.7	6.5 - 7.0
115	15.7 - 16.8	7.0 - 7.5
161	16.8 - 17.9	7.5 - 8.0
230	17.9 - 19.0	8.0 - 8.5
345	19.0 - 20.1	8.5 - 9.0
River	20.1 - 21.3	9.0 - 9.5
Water Body	> 21.3	> 9.5
County Boundary		

Projection: UTM, Zone 14N, WGS84
 Spatial Resolution of Wind Resource Data: 300m
 This map was created by AWS Truewind, LLC using the MesoMap system and historical weather data. Although it is believed to represent an accurate overall picture of the wind energy resource, estimates at any location should be confirmed by measurement.

Problems may arise because of errors in the meteorological and geophysical data used in creating the maps or because of limitations on the computer models. TrueWind Solutions accepts no liability for the accuracy of the maps.

The transmission line information was obtained by AWS Truewind from the Platts POWERmap Transmission Line Layer. TrueWind Solutions does not warrant the accuracy of the transmission line information.
 Source: POWERmap, powermap.platts.com
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SALINE COUNTY

	Mean Speed at 50 m	
	mph	m/s
City		
Highway		
Transmission Line		
kV		
115		
161		
230		
345		
River		
Water Body		
County Boundary		
	< 12.3	< 5.5
	12.3 - 13.4	5.5 - 6.0
	13.4 - 14.5	6.0 - 6.5
	14.5 - 15.7	6.5 - 7.0
	15.7 - 16.8	7.0 - 7.5
	16.8 - 17.9	7.5 - 8.0
	17.9 - 19.0	8.0 - 8.5
	19.0 - 20.1	8.5 - 9.0
	20.1 - 21.3	9.0 - 9.5
	> 21.3	> 9.5

A white rectangular box highlights a region in the eastern part of Saline County. Inside this box, a dashed white rectangle is centered around the town of Friend. Two overlapping ovals are drawn over the dashed rectangle: a yellow oval on the left and a blue oval on the right. The map shows various towns and highways within this region, including Geneva, Milligan, Friend, Dorchester, Erete, Tobias, Western, Swanton, Wilber, and Erte. Highway shields for 6, 74, 33, 41, and 15 are also visible.

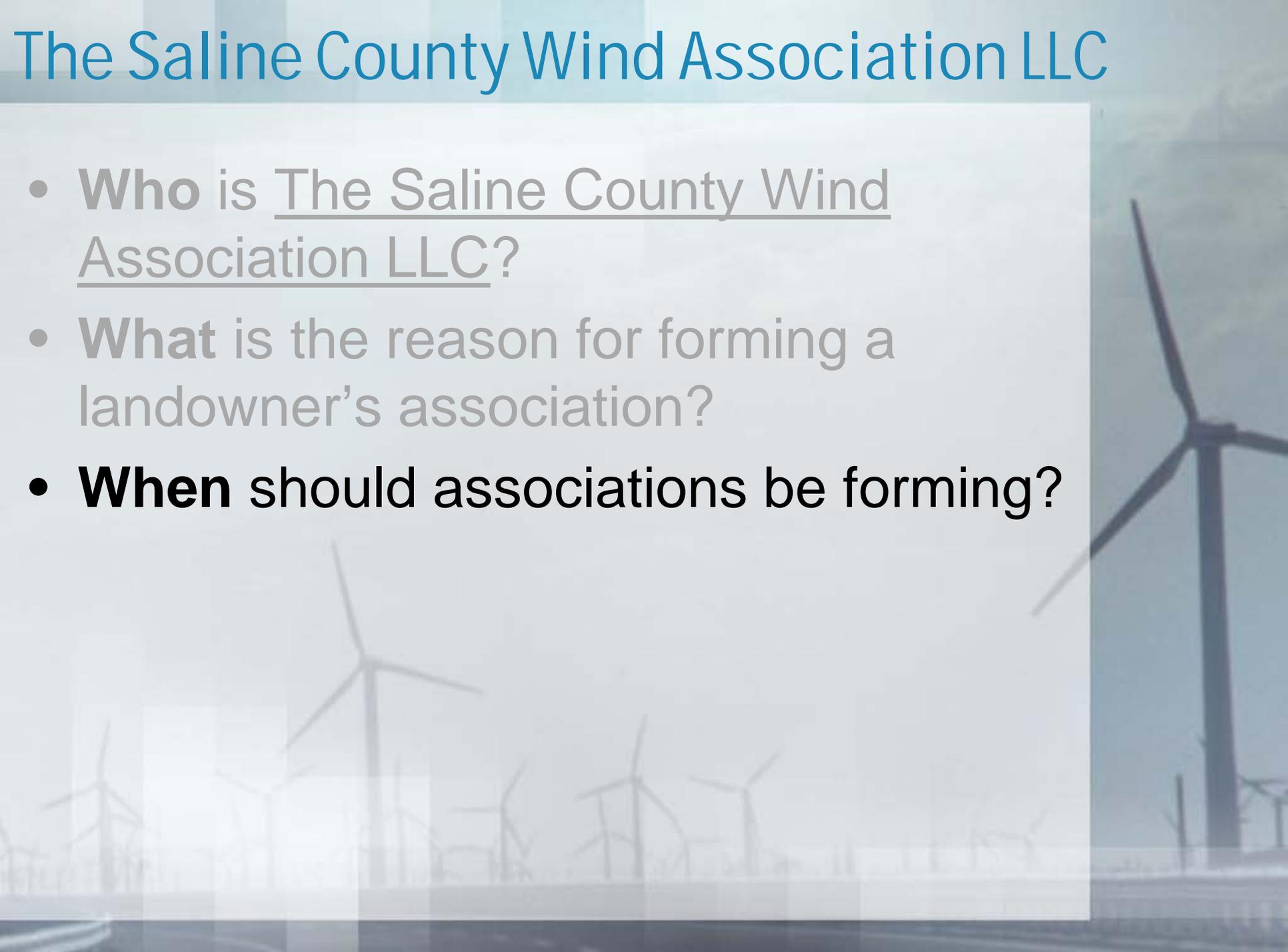
The Saline County Wind Association LLC

- **Who** and the **What** for The Saline County Wind Association LLC?
 - **Saline County Landowners that joined together to:**
 - Educate themselves on *commercial* wind energy generation
 - Determine if there is sufficient Landowner interest to pursue wind development
 - Protect the individual landowner from unscrupulous wind developers
 - Negotiate equitable lease agreement(s)



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Turkey Creek

Monroe

P. Hill



115KV Line

345KV Line

State Hwy

Precinct Border

Atlanta

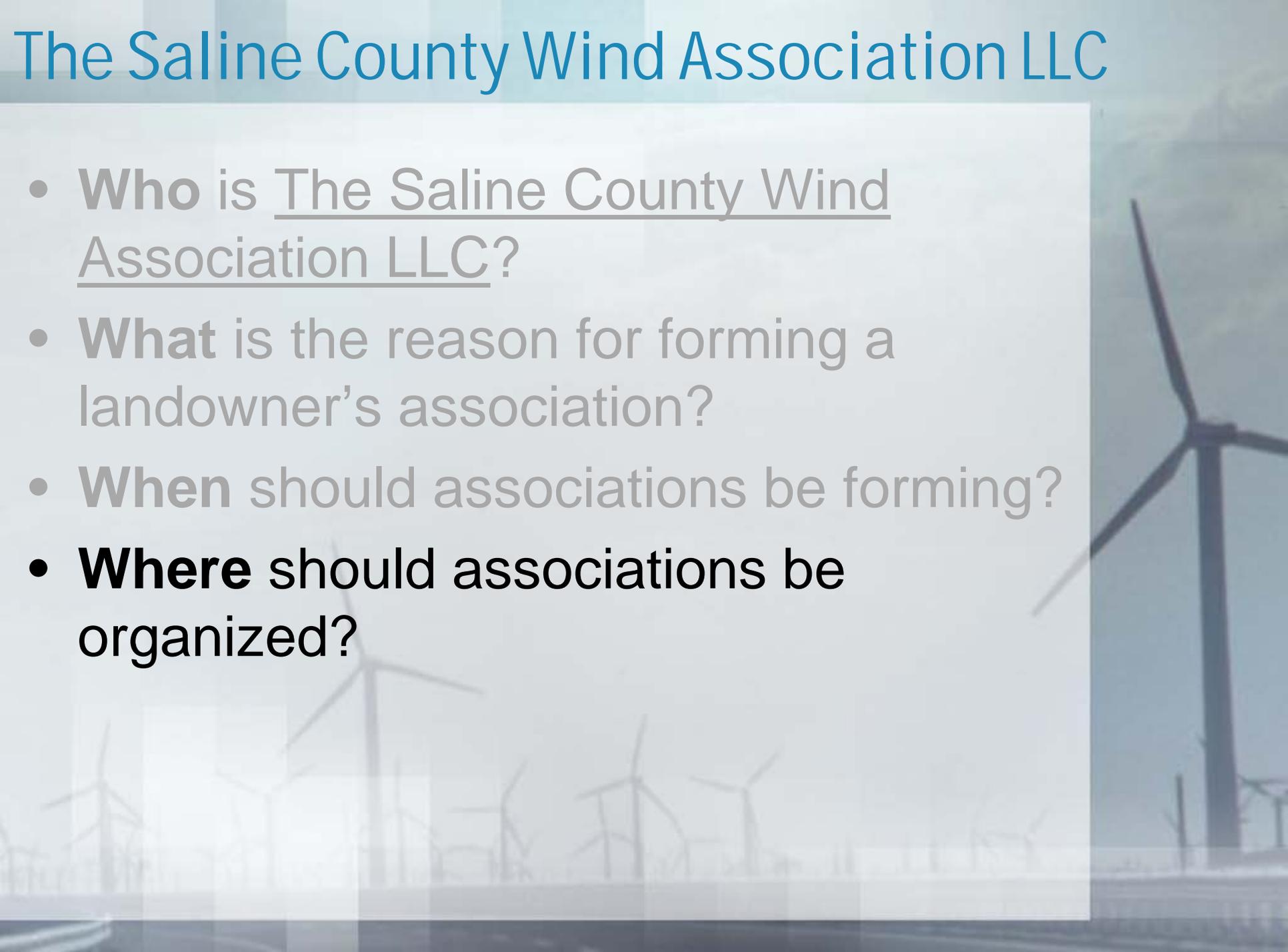
North Fork

Brush Creek

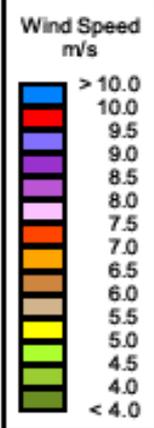
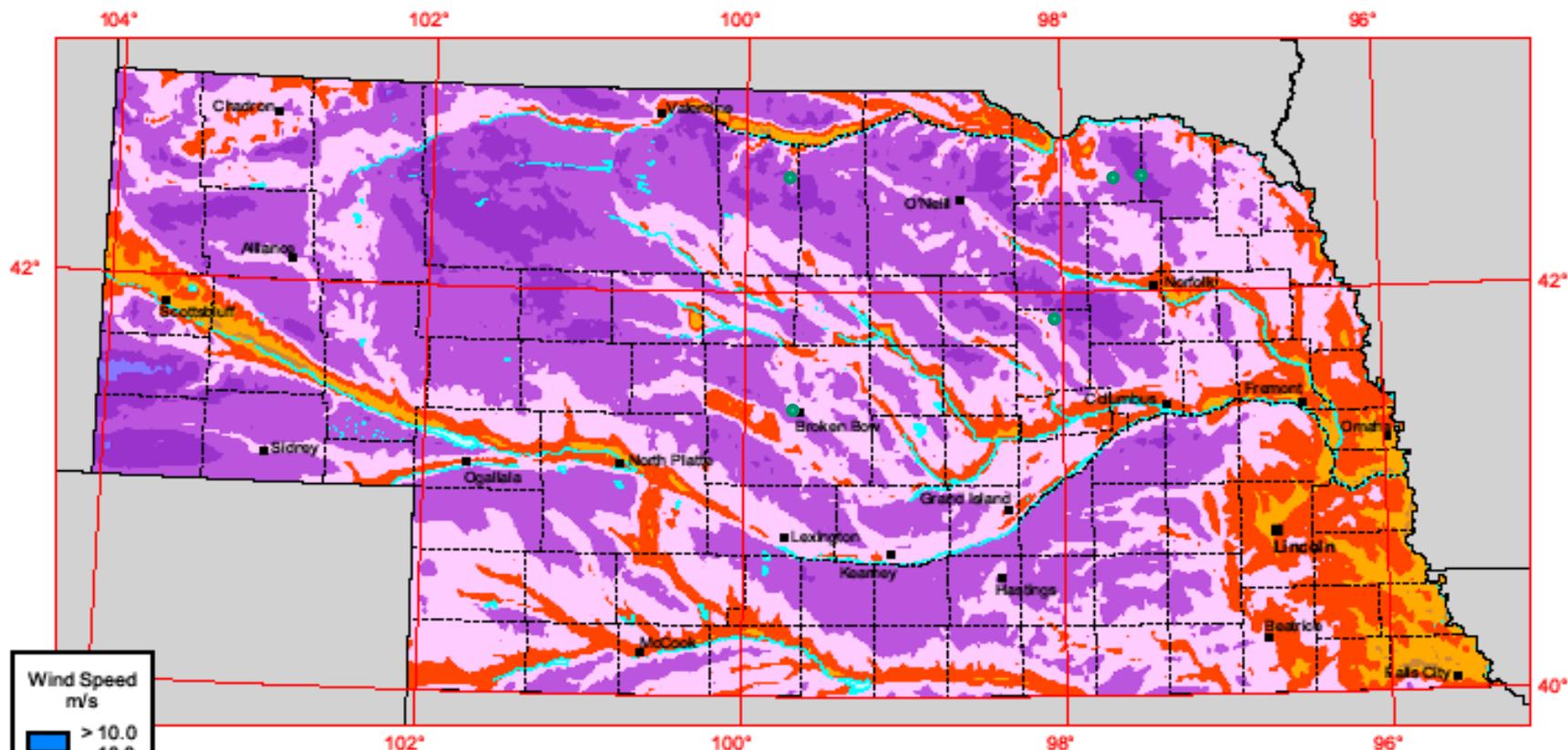
03/03/2009

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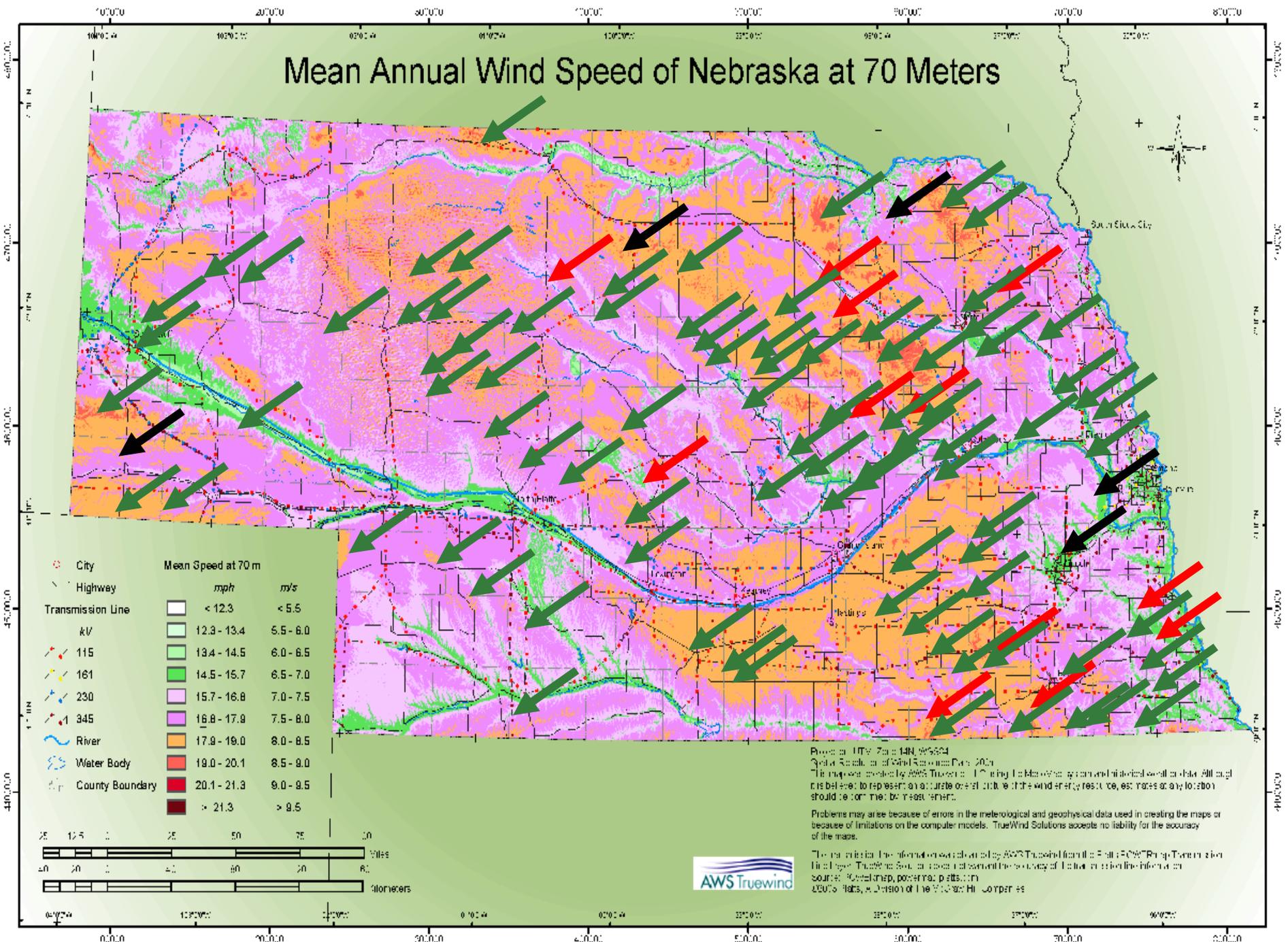
Nebraska - Annual Average Wind Speed at 80 m



Source: Wind resource estimates developed by AWS Truewind, LLC for windNavigator® Web: <http://navigator.awstruewind.com> | www.awstruewind.com. Spatial resolution of wind resource data: 2.5 km. Projection: UTM Zone 14 WGS84.

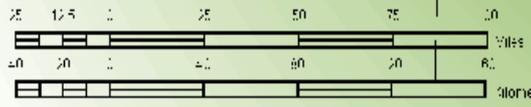


Mean Annual Wind Speed of Nebraska at 70 Meters



Mean Speed at 70 m	
mph	m/s
< 12.3	< 5.5
12.3 - 13.4	5.5 - 6.0
13.4 - 14.5	6.0 - 6.5
14.5 - 15.7	6.5 - 7.0
15.7 - 16.8	7.0 - 7.5
16.8 - 17.9	7.5 - 8.0
17.9 - 19.0	8.0 - 8.5
19.0 - 20.1	8.5 - 9.0
20.1 - 21.3	9.0 - 9.5
> 21.3	> 9.5

- City
- Highway
- Transmission Line
- 115 kV
- 161 kV
- 230 kV
- 345 kV
- ~ River
- ~ Water Body
- County Boundary



Project: ITC-7 and ITC-8
 Date: 8/10/2011
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This information is provided as a service by AWS Truewind from its Full Power Transmission Line Project. Truewind Solutions does not warrant the accuracy of the information. Source: National Wind Energy Institute, www.nwea.org, a Division of the National Highways.

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Old and New Wind Energy Generation

NE Landowners
are selling wind
rights



What Is The Process

5 Phases of Wind Development

- Land Owner Education**
- Negotiation**
- Option Period (2 to 9 yrs)**
- Construction (1 to 2 yrs)**
- Operation (20 yrs with automatic 20 yr renewal)**



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Something to consider when signing a wind lease:

If you are a young landowner and you sign a wind lease today, your unborn child's grandchild could be 10 years old when that lease terminates.

If your older, well, you get the idea....

The Saline County Wind Association LLC

- **You can raise funds to hire an experienced WIND attorney.**
- **As an association you can negotiate from a position of strength.**
- **Can prevent ‘Cherry Picking’ by developer(s)**
- **Get the jump on many issues that need to be dealt with during lease negotiations**



Landowner Issues (only a few...)

- **Gross Revenue definition**
 - When does operation begin?
- **Easements Granted** (wind, access, transmission, shadow, flicker, noise...)
- **Crop Damage / Other damage**
- **Indemnification**
- **Landowner's Liability**
- **Insurance**
- **Development Milestones**
- **Decommissioning Security**
- **Most Favored Nations Clause**
- **Confidentiality Provisions**
- **Development Covenant**
- **Community Payments**
- **Allocation of Payments**
- **Definition of Gross Revenues**
- **Termination**
- **Provisions that Survive Termination**
- **Non-Interference Provision**
- **Personal Development (small wind and solar)**
- **Wind Data**
- **CRP Land**
- **Taxes**
- **Audit Rights (in the case of a royalty)**

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Considerations for your leaders or Board Members:

- 1. Be willing to do research**
- 2. Be willing to commit many hours studying contracts**
- 3. Be willing to conduct informational/educational sessions for members**
- 4. Be willing to put the interests of the group ahead of their own.**

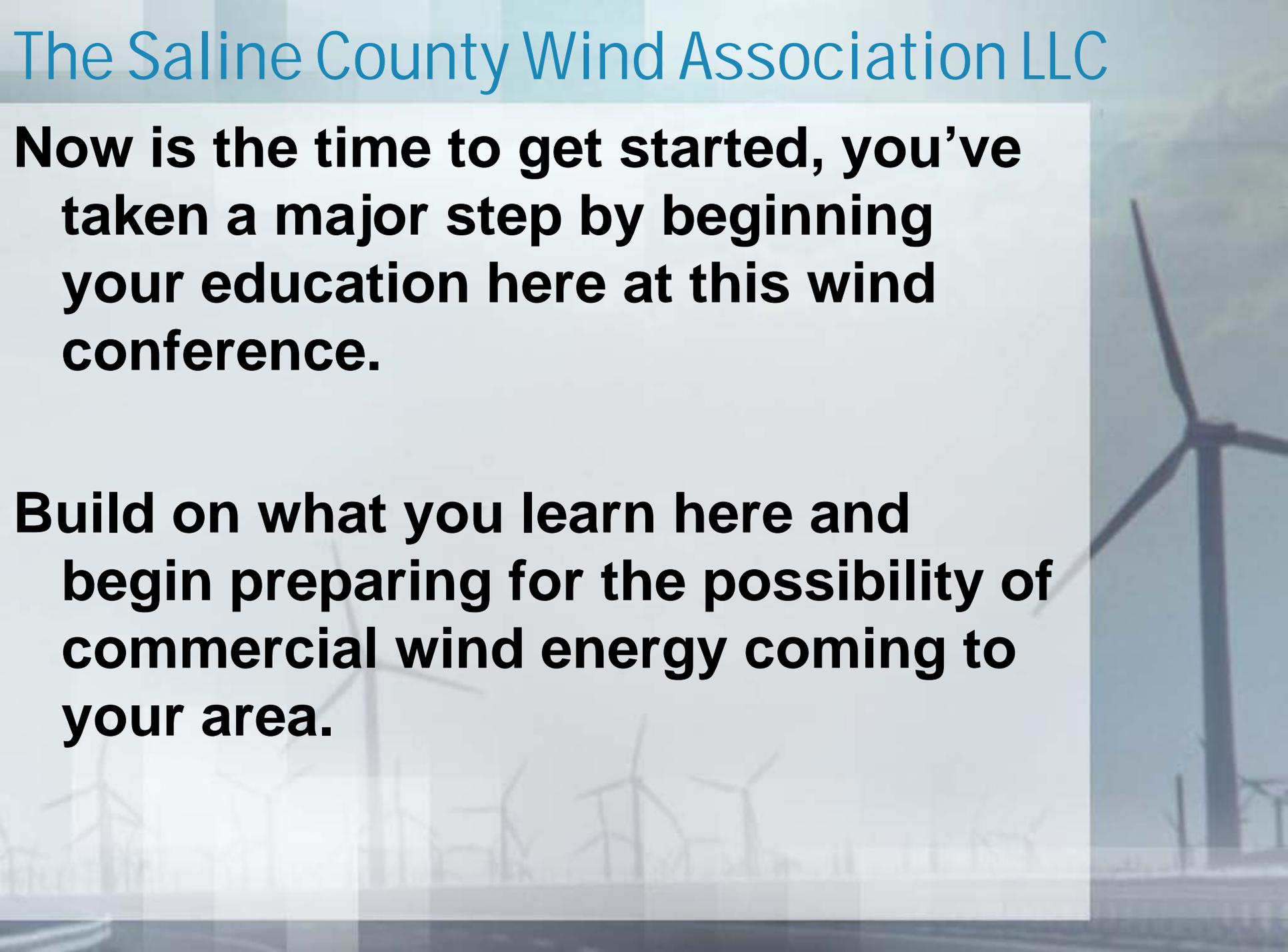
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Wind development begins by one of two ways:

- 1. Wind developer comes to your area and gets the jump on you**
- 2. Landowners assess their wind assets and makes plans for development.**



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Now is the time to get started, you've taken a major step by beginning your education here at this wind conference.

Build on what you learn here and begin preparing for the possibility of commercial wind energy coming to your area.