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BEFORE THE STATE OF WASHINGTON  
ENERGY FACILITIES SITE EVALUATION COUNCIL

In the Matter of	)	
Application No 2004-01	)	KITTITAS COUNTY
	)	CRANKOVICH AFFIDAVIT
DESERT CLAIM WIND POWER, L.L.C.	)	RE WAC MOTION
	)	
	)	
DESERT CLAIM WIND	)	
POWER PROJECT	)	
	)	
	)	

Alan Crankovich declares and states as follows:

I am currently the Chairman of the Kittitas County Board of County Commissioners (BOCC). I make this declaration based upon my personal knowledge and my capacity as a member of the BOCC. I am over the age of 18 and am competent to testify to the matters stated herein.

In my capacity as BOCC member I am also one of the custodians of records for the BOCC. Attached hereto are documents kept in the regular course of business by the BOCC and are official records of Kittitas County Board of County Commissioners.

1 Attached as Exhibit B is a copy of a letter received by myself and the BOCC from Darin  
2 Husby dated November 30, 2006. Mr. Husby had previously left me a voice message indicating  
3 that he wanted to discuss the Desert Claim project with me personally and further indicated that  
4 enXco had no intention whatsoever to submit an application to Kittitas County related to the  
5 project EFSEC is reviewing.

6 Attached as Exhibit C is a copy of a letter sent by the BOCC in response to Mr. Husebys  
7 November 30, 2006 letter. That letter was signed on behalf of the BOCC by David Bowen who  
8 was serving as chairman of the BOCC at that time.

9 We have received no response from Mr. Husbey to our offer to meet with him in a public  
10 setting regarding this project.

11 I declare under penalty of perjury under the laws of the State of Washington that the  
12 foregoing is true and correct.

13 DATED this 30<sup>th</sup> day of March, 2007 in Ellensburg, Washington.

14  
15  
16   
17 Alan Crankovich



Darin Huseby  
Director, Northwest Region  
5015 NE Cleveland Avenue  
Tel: 503-493-2270  
Fax: 503-493-2268

November 30, 2006

To: Commissioners Bowen, Crankovich, and Huston,  
and Commissioner-Elect Mark McClain  
Kittitas County Board of Commissioners  
205 W 5<sup>th</sup> Ave, Suite 108  
Ellensburg, WA 98926

Dear Commissioners and Commissioner-Elect,

I am sending this letter as follow up to my meetings with each of you on October 24, 2006 (except Commissioner-Elect McClain). As you are aware, enXco has since submitted an Application for Site Certification to Washington EFSEC for the Desert Claim Wind Project. We have provided each of you with a copy of that application. I have attempted to reach each of you individually by phone in hopes of receiving feedback regarding our EFSEC application and perhaps engage in a positive discussion about the current state of the Desert Claim Project. Unfortunately, I have not received any responses to my voice mail messages.

As is evident in our EFSEC application, enXco has worked diligently to improve the project since the time of the County's denial. We have made a concerted effort to specifically address the concerns raised during the County process. The application to EFSEC includes the following improvements, which we feel should please the County:

- The project is now contiguous with regard to land parcels;
- The project now consists of fewer turbines;
- The project has been altered to address noise & shadow flicker issues.

I welcome the opportunity to visit with each of you in person to discuss our EFSEC application in more detail. It has always been enXco's hope to attain County approval for the Desert Claim Wind Project. This hope is in no way diminished by our application to EFSEC. While we do not intend to submit a new application to the County, we do feel there is ample opportunity for enXco and the County to work together within the context of the EFSEC process. I hope you will call me if you would like to schedule a meeting in Ellensburg.

Kindest regards,

A handwritten signature in dark ink, appearing to read 'Darin Huseby'. The signature is fluid and cursive, with a large loop at the end.

Darin Huseby  
Director, Northwest Region  
503-493-2270

Exhibit B-



Kittitas County, Washington

## BOARD OF COUNTY COMMISSIONERS

District One  
David B. Bowen

District Two  
Alan Crankovich

District Three  
Perry D. Huston

December 5, 2006

Dear Mr. Huseby:

We have received your letter of November 30, 2006 offering to discuss the enXco application to EFSEC. As you are aware, the current County comprehensive plan does not allow a wind farm in the area you have recently proposed to EFSEC. Likewise, the zoning in that area does not allow a wind farm in the area of your recent proposal. Despite this fact, you have told us in phone messages and in your recent correspondence that enXco does not intend to submit a land use change application to the County.

For your project to be consistent with our local land use regulations, enXco would need to obtain an amendment to the comprehensive plan and zoning through the county land use laws that were adopted under the GMA. That would require that enXco submit an application to the County to seek those changes. It is through the County's public hearing land use process that such county land use changes are considered.

If your decision to not submit the necessary application to the County is your final position on that point, such a position would be in clear contradiction of the EFSEC rules. Those rules require that an applicant act in good faith to resolve land use inconsistency. We have a lawfully adopted process in place for your company to seek consistency. We have no interest in violating the legal process by making a decision on a project outside of the lawfully adopted processes already established. To do so would be a violation of both the law and the public trust.

Since the Board of County Commissioners are the ones who make the local land use decision, we want to make sure that our local public process is not tainted. If you want to meet with the Board we could arrange a public meeting for you to discuss this with us. In that we do not have an application the Board will not, however, be able to make any decision on your project. As such, a meeting like this would be an information meeting only.

If you do submit an application we could then make the previously mentioned public meeting and its contents a part of the record. If you would like to set up such a public meeting please let us know and our staff will coordinate a time and location that can accommodate all of those who may want to attend.

Sincerely,

David B. Bowen  
Kittitas County Commissioner  
District # 1, Chairman

Exhibit C