

**FSA-153**  
(10-13-10)

U.S. DEPARTMENT OF AGRICULTURE  
Farm Service Agency

1. TYPE ACTIVITY (See Instructions on Page 2) (check one)

- A. Land Holding  B. Land Acquisition  C. Land Disposition   
D. Land Use Change to Agriculture  E. Land Use Change to Non-Agriculture

**AGRICULTURAL FOREIGN INVESTMENT DISCLOSURE ACT REPORT**

Read Instructions on Page 2 Before Filing in Any Data Below. (If Additional Space is Needed, Add information in Item 6, Page 2, or attach an additional sheet.)

ITEM		ITEM	
<b>2. Tract Location and Description</b>		<b>5. Type of Interest Held in the Agricultural Land (Check one)</b>	
A. Legal Description or FSA Tract Number  See Attached Exhibit A		A. Fee Interest (Ownership) Whole	
B. County or Parish Stutsman		B. Fee Interest (Ownership) Partial <b>What Percent</b>	
C. Number of Acres 157.49		C. Life Estate	
D. State North Dakota		D. Trust Beneficiary	
<b>3. Owner or Lessee of Tract (In Item 2A) (See Page 2)</b>		E. Purchase Contract	
A. Name Dakota Thunder Wind LLC		F. Other (Check Box and Explain Below.) <input checked="" type="checkbox"/>	
B. Tax ID No. (Nine Digits) 85-3873531		Long-term leasehold interest	
C. Legal Address (Street, City, State/Province, Country) 1 S. Wacker Drive Ste. 1800 Chicago, Illinois 60606		<b>6. How was this Tract Acquired or Transferred?</b>	
D. Type of Owner (If Item D1 is checked, skip Items D2 and D3.)		A. Cash Transaction	
1. Individual. (Indicate citizenship of husband and/or wife if applicable).		B. Credit or Installment Transaction	
a. Citizenship of individual(s)		C. Trade	
2. Government (Country) Canada		D. Gift or Inheritance	
3. Organization		E. Foreclosure	
a. Type		F. Other (Check Box and Explain Below.) <input checked="" type="checkbox"/>	
1) Corporation		Long-term leasehold interest	
2) Partnership		<b>7. Value of Agricultural Land:</b>	
3) Estate		A. Purchase Price of Land or if a land disposition, the original price paid by seller.	
4) Trust		B. Non-Purchase, Estimated Value at the Time of Acquisition	
5) Institution		C. What is the estimated current value or if a land disposition, the selling price of the tract of land?	
6) Association		D. How much of purchase price in Item 7A remains to be paid?	
7) Other (Check box and Explain): <input checked="" type="checkbox"/>		8. Date of Acquisition or Transfer (See Instructions, Item 8, Page 2.)	
b. Government or country under whose law the organization is created U.S.A.		Month March	
c. Principal place of business (For organizations only) Chicago, Illinois		Day 24	
d. List on separate sheet, the Name, Address and Country of all foreign persons who individually or in the aggregate hold significant interest or substantial control 1/ in the person owning the land.		Year 2021	
<b>E. Complete only if Item 1C, Land Disposition, is checked.</b>		9. Current Land Use (Usual use of land for idle land, report as Other Agriculture).	
1. Name of Person Receiving Tract		A. Crop	
2. Address (Street, City, State/Province, Country)		B. Pasture	
3. Citizenship: USA <input type="checkbox"/> Foreign <input type="checkbox"/> Unknown <input type="checkbox"/>		C. Forest or Timber	
<b>4. Representative of Foreign Person (Completing form, if applicable)</b>		D. Other Agriculture	
A. Name Matthew C. Luzadder		E. Non-Agriculture	
B. Address (Street, City, State/Province, Country) Kelley Drye & Warren LLP 333 West Wacker Drive 26th Floor Chicago, Illinois 60606		F. Total Acres (Should equal Item 2C) 157.49	
C. Telephone No. (Area Code): (312) 857-2623		<b>10. Intended Use as of This Date.</b> Check one or more or enter "NA" if Item 1C or 1E above is checked.	
D. Relationship of Representative to Foreign Person		A. No change. <input checked="" type="checkbox"/>	
1. Attorney <input checked="" type="checkbox"/>		B. Other Agriculture	
2. Manager		C. Non-Agriculture	
3. Agent		<b>11. Relationship of Owner to Producer.</b> Check one or more items if applicable. Enter "NA" if Item 1C or 1E is checked.	
4. Other (Explain on Item 6, Page 2)		A. Producer is:	
		1. Owner	
		2. Manager	
		3. Tenant or sharecropper (Item 11B must be completed.) <input checked="" type="checkbox"/>	
		B. Rental agreement is: (Not applicable if Item 1C or 1E above is checked.)	
		1. A crop share	
		2. Cash or fixed rent <input checked="" type="checkbox"/>	
		<b>12. The Producer on This Tract is:</b> Check one or more. If not applicable for Item 11A, then enter "NA". (Not applicable if Item 1C or 1E above is checked.)	
		A. The same person as when the tract was acquired. <input checked="" type="checkbox"/>	
		B. A new person.	

**CERTIFICATION:** I certify that the information entered in this report is complete and correct. I understand that falsification of reporting is subject to a civil penalty not to exceed 25% of the fair market value of the interest held in the tract of land.

14A. SIGNATURE (Owner or Legally Authorized Representative) <i>Matthew C. Luzadder</i>	14B. TITLE Attorney	14C. DATE (MM-DD-YYYY) 05/27/2021
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1/ Significant interest or substantial control as defined in 7 CFR Part 781.2(k)



**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 781 and the Agricultural Foreign Investment Disclosure Act of 1978 (Pub. L. 95-460). The information will be used to ensure that a foreign person who acquires, disposes of, or holds an interest in United States agricultural land discloses such transactions and holdings to the Secretary of Agriculture and to determine the effects of such transactions and holdings on family farms and rural communities. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is mandatory. Failure to furnish the requested information or falsification of reporting will result in a determination of non-compliance with the program which is subject to a civil penalty not to exceed 25 percent of the fair market value, as determined by the Farm Service Agency on the date of the assessment of such penalty, of the foreign person's interest in the agricultural land with respect to which such violation occurred.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0097. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.**

**DETERMINATION OF "FOREIGN PERSON" STATUS**

**DEFINITION:** "Person" means any individual, corporation, company, association, firm, partnership, society, joint stock company, trust, estate, or any other legal entity.

You are an "individual/foreign person" under the provisions of Pub. L. 95-460 and must complete the front side of this form (FSA-153) if your answer is "NO" to all the statements in Items 1, 2 and 3 below:		YES	NO
1. I AM a citizen of the United States.			X
2. I AM a citizen of the Northern Mariana Islands or the Trust Territories of the Pacific Islands.			X
3. I AM lawfully admitted to the United States for permanent residence, or paroled into the United States, under the Immigration and Nationality Act.			X
You are a "foreign person, organization or government," under the provisions of Pub. L. 95-460 and must complete the front side of this form (FSA-153) if your answer is "YES" to any of the statements in Items 4a, 4b and 5 below:		YES	NO
4. I AM a "person" other than an individual or government, which is created or organized under the laws of:			
a. A foreign government of which has its principal place of business located outside the United States.			X
b. Any State of the United States, and in which significant interest or substantial control <u>1</u> / is held directly or indirectly by any foreign individual, government, or person.		X	
5. I AM a foreign government.			X

**GENERAL INSTRUCTIONS**

Complete this form for each tract of land. Report as a tract all acreages under the same ownership in each county or parish acquired or transferred on the same date. Land in different counties or parishes and land acquired or transferred on different dates must be reported as separate tracts.

Return the original and two (2) copies to the County Farm Service Agency (FSA) Office where the tract of land is located. Retain a copy for your records.

For the original disclosure on FSA-153 on the tract(s) of land owned by the same person within a county or parish, each subsequent change of ownership or use must be reported by filing another FSA-153.

**ITEMS 1 AND 8 BELOW ARE TO BE USED AS INSTRUCTIONS ONLY. THESE INSTRUCTIONS ARE TO BE USED FOR INFORMATION AS YOU COMPLETE ITEMS 1 AND 8 ON PAGE 1.**

**ITEM 1. ONLY ONE BOX MAY BE CHECKED**

If the tract of land to be listed under Item 2 on the front side of this document was:

- Owned on February 1, 1979, check **A. Land Holding**  Reporting Date: *This document is required to be completed and returned by August 1, 1979.*

If the tract of land to be listed under Item 2 on the front page of this document was, on or after February 2, 1979:

- Acquired, check **B. Land Acquisition**
- Disposed of, check **C. Land Disposition**
- Changed from non-agricultural to agricultural use, check **D. Land Use Change to Agriculture**
- Changed from agricultural to non-agricultural, use check **E. Land Use Change to Non-Agriculture**

**NOTE: REPORT DATE.** If activity B, C, D or E is checked in Item 1 above, then return the completed FSA-153 within ninety (90) days from the date of the transaction.

**ITEM 8.** The date entered would be as follows for the activity checked in Item 1 above:

- Box A or B - Date acquired.
- Box C - Date disposed of.
- Box D or E - Date land use changed.

6. Additional Information (Use additional sheets if more space is needed).

**\*\* Significant interest or substantial control as defined in 7 CFR Part 781.2(k)**

U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

**EXHIBIT A**  
**Description of the Property**  
**Barry N. Kramer and Judy L. Kramer, husband and wife**  
**All located in Stutsman County, North Dakota**

01-3520000	S35, T137, R66, ACRES 157.49, NW14 LESS HY
<b>TOTAL ACRES:</b>	<b>157.49</b>

Northwest Quarter of Section 35, Township 137, Range 66,  
Stutsman County, North Dakota  
Less Highway

Form FSA 153  
Structure Chart  
Exhibit B  
Information required pursuant to Question 3D.(3)(d)

Lessee: Dakota Thunder Wind LLC

Address: One North Wacker Drive, Suite 1800, Chicago, IL 60606

State and Country of Organization: Delaware, USA

Principle Place of Business: Chicago, IL

100% Owner of Lessee: Invenergy Wind Development North America LLC

Address: One North Wacker Drive, Suite 1800, Chicago, IL 60606

State and Country of Organization: Delaware, USA

Principle Place of Business: Chicago, IL

100% Owner of Invenergy Wind Development North America LLC: Invenergy Renewables LLC:

Address: One North Wacker Drive, Suite 1800, Chicago, IL 60606

State and Country of Organization: Delaware, USA

Principle Place of Business: Chicago, IL

100% Owner of Invenergy Renewables LLC: Invenergy Renewables Holdings LLC

Address: One North Wacker Drive, Suite 1800, Chicago, IL 60606

State and Country of Organization: Delaware, USA

Principle Place of Business: Chicago, IL

35.60% Owner of Invenergy Renewables Holdings LLC: Invenergy IRH Holdings LLC

Address: One North Wacker Drive, Suite 1800, Chicago, IL 60606

State and Country of Organization: Delaware, USA

Principal Place of Business: Chicago, IL

32.17% Owner of Invenergy Renewables Holdings LLC: CDPQ Renewables Holdings Inc.

Address: 2915 Ogletown Road

State and Country of Organization: Delaware, USA

Principal Place of Business: Montreal, Canada

32.23% Owner of Invenergy Renewables Holdings LLC: CDPQ INVESTMENTS (U.S.) INC

Address: 2915 Ogletown Road

State and Country of Organization: Delaware, USA

Principal Place of Business: Montreal, Canada

100% Owner of CDPQ Renewable Holdings Inc.: CDP Infrastructure Fund G. P.

Address: 1000 place Jean-Paul- Riopelle bureau 12e

City and Country of Organization: Montreal, Canada

Principal Place of Business: Montreal, Canada

Form FSA 153  
Structure Chart  
Exhibit B

Information required pursuant to Question 3D.(3)(d)

100% Owner of CDPQ INVESTMENTS (U.S.) INC. : Capital d'Amérique CDPQ Inc.

Address: 1000 place Jean-Paul- Riopelle bureau 12e

City and Country of Organization: Montreal, Canada

Principal Place of Business: Montreal, Canada