STATE OF SOUTH DAKOTA

) IN CIRCUIT COURT
:SS

COUNTY OF HUGHES

) SIXTH JUDICIAL CIRCUIT

IN THE MATTER OF PUBLIC UTILITIES : 32CIV16-33

COMMISSION DOCKET NO. HP14-001, ORDER ACCEPTING CERTIFICATION OF:

PERMIT ISSUED IN DOCKET HP09-001 TO CONSTRUCT THE KEYSTONE XL : JUDICIAL NOTICE

PIPELINE

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On March 6, 2017, Appellee TransCanada Keystone Pipeline, LP ("Keystone") moved that the Court take judicial notice of the Presidential Memorandum Regarding Construction of the Keystone XL Pipeline dated January 24, 2017, and Keystone's Application for Presidential Permit for Keystone XL Pipeline Project dated January 26, 2017. At the hearing on March 8, 2016, on the merits of the pending appeal, at which all parties were represented by counsel of record, the Court orally granted Keystone's motion. Thus, as ruled in open court, it is hereby ORDERED AND ADJUDGED that Keystone's motion to take judicial notice is granted. Dated this day of March, 2017.

BY THE COURT:

Signed: 3/29/2017 11:26:21 AM

THE HONORABLE JOHN L. BROWN

CIRCUIT COURT JUDGE

Attest: TaraJo Deuter-Cross Clerk/Deputy

