

---

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

---

IN THE MATTER OF THE PETITION OF  
DAKOTA ACCESS, LLC PIPELINE, LP FOR  
A PERMIT TO CONSTRUCT THE DAKOTA  
ACCESS PIPELINE

**ROSEBUD SIOUX TRIBE  
EXHIBIT LIST**

**HP14-002**

---

Comes now the Rosebud Sioux Tribe, by and through counsel and hereby submits its witness and exhibit list for the above captioned matter. The Rosebud Sioux Tribe reserves the right to file additional rebuttal exhibits should the need arise.

Exhibit List

RST #1 – U.S. Army Corp of Engineers Nationwide Permit Information – (website link)

<http://www.nwd.usace.army.mil/Missions/CivilWorks/RegulatoryProgram/Permits.aspx>

RTS #2 – U.S. Army Corp of Engineers Regional Conditions Nationwide Permits – (website link) <http://www.nwo.usace.army.mil/Portals/23/docs/regulatory/SD/gen/SDRegConds.pdf>

RST #3 – U.S. Fish and Wildlife Service Energy Development; *Conservation Planning Services* (website link) <http://www.fws.gov/ecological-services/habitat-conservation/cp.html>

RST # 4 - U.S. Fish and Wildlife Services - Environmental Conservation Online System - (website link) <http://ecos.fws.gov/ecp/>

RST #5 - U.S. Fish and Wildlife Services; Refuge System Planning (website)

<http://www.fws.gov/mountain-prairie/refuges/planning.php>

RST #6 – U.S. Fish and Wildlife Services Field Office (website link)

<http://www.fws.gov/southdakotafieldoffice/>

RST #7 - South Dakota Wildlife Management Plan (website link)

<http://gfp.sd.gov/wildlife/management/plans/wildlife-action-plan.aspx>

RST #8 - South Dakota Department of Game Fish and Parks, Wildlife Division; *Perpetuating the Outdoor Heritage of South Dakota* (pdf)

RST #9 - Wood Buffalo National Park of Canada

<http://www.pc.gc.ca/eng/pn-np/nt/woodbuffalo/index.aspx>

RST # 10 - Dakota Access US Army Corps of Engineers Section 404/10 Permit Application (pdf document)

RST # 11 - U.S. Fish and Wildlife Service Species Assessment and Listing Priority Assignment Form for the Spragues Pipit (pdf)

RST #12 - Spragues Pipit Conservation Plan (pdf)

RST #13 - Piping Plover Recovery Plan of the Great Lakes and Northern Great Plains (pdf)

RST #14 - Federal Register Volume 80 Number 63; Threatened Species Designation for the Northern Long Eared Bat (pdf)

RST # 15 - Federal Register Volume 79 Number 238; Threatened Species Status for the Rufa Red Knot (pdf)

RST #16 - Topeka Shiner Management Plan (pdf)

RST #17 - US Fish and Wildlife Services; *Pallid Sturgeon Revised Recovery Plan* (pdf)

RST #18 - US Fish and Wildlife Services; *Pallid Sturgeon 5 year Review* (pdf)

RST #19 - US Fish and Wildlife Services; *Least Tern Recovery Plan* (pdf)

RST #20 - Federal Register; Volume 50 Number 102, Least Tern Endangered Species Designation (pdf)

RST #21 - US Fish and Wildlife Services; 2012 Comprehensive Conservation Plan: Huron, Madison and Sand Lake Management Districts. Summary (pdf)

RST #22 - US Fish and Wildlife Services; 2012 Comprehensive Conservation Plan: Huron, Madison and Sand Lake Management Districts. Chapter 2. (pdf)

RST #23 - South Dakota Department of Game Fish and Parks, Wildlife Division; *East River Fisheries Management Area Strategic Plan* (pdf)

RST# 24 - Western Prairie Fringed Orchid Recovery Plan (pdf)

RST #25- Federal Register; Volume 54, Number 187, Western Prairie Fringed Orchid Threatened Listing (pdf)

RST #26 - U.S. Fish and Wildlife Service 5 year Review Western Prairie Fringed Orchid (pdf)

RST #27 – U.S. Fish and Wildlife Service and U.S. Department of Interior National Wildlife Refuge System; National Wildlife Refuges in the Mountain Prairie Region (SD) (website link)

<http://www.fws.gov/mountain-prairie/refuges/sd/>

RST #28 – All of Dakota Access responses to discovery requests from all parties.

RST #29 – South Dakota Bat Management Plan

Dated this 23<sup>rd</sup> day of September, 2015

RESPECTFULLY SUBMITTED:

/s/ Matthew L. Rappold

Matthew L. Rappold

PO Box 873

Rapid City, SD 57709

(605)828-1680

[Matt.rappold01@gmail.com](mailto:Matt.rappold01@gmail.com)

### **CERTIFICATE OF SERVICE**

The undersigned attorney certifies that on the 23<sup>rd</sup> day of September 2015 he served a true and correct copy of the foregoing Rosebud Sioux Tribe's Witness List and Exhibits upon the following persons:

Ms. Patricia Van Gerpen  
Executive Director  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501  
[patty.vangerpen@state.sd.us](mailto:patty.vangerpen@state.sd.us)  
(605) 773-3201 - voice

Ms. Kristen Edwards  
Staff Attorney  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501  
[Kristen.edwards@state.sd.us](mailto:Kristen.edwards@state.sd.us)  
(605) 773-3201 - voice

Ms. Karen E. Cremer  
Staff Attorney  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

[karen.cremer@state.sd.us](mailto:karen.cremer@state.sd.us)

(605) 773-3201 – voice

Mr. Brian Rounds  
Staff Analyst  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

[brian.rounds@state.sd.us](mailto:brian.rounds@state.sd.us)

(605) 773-3201- voice

Mr. Darren Kearney  
Staff Analyst  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

[darren.kearney@state.sd.us](mailto:darren.kearney@state.sd.us)

(605) 773-3201 - voice

Mr. Brett Koenecke - representing Dakota Access, LLC  
May, Adam, Gerdes and Thompson, LLP  
PO Box 160  
Pierre, SD 57501

[Brett@mayadam.net](mailto:Brett@mayadam.net)

(605) 224-8803 - voice

(605) 224-6289 - fax

Ms. Kara Semmler - representing Dakota Access, LLC  
May, Adam, Gerdes and Thompson, LLP  
PO Box 160  
Pierre, SD 57501

[kcs@magt.com](mailto:kcs@magt.com)

(605) 224-8803 - voice

(605) 224-6289 - fax

Mr. Tom Siguaw  
Senior Project Director - Engineering  
Dakota Access, LLC  
1300 Main Street  
Houston, TX 77002

[tom.siguaw@energytransfer.com](mailto:tom.siguaw@energytransfer.com)

(713) 989-2841 - voice

(713) 989-1207 - fax

Mr. Keegan Pieper  
Associate General Counsel

Dakota Access, LLC  
1300 Main Street  
Houston, TX 77002  
[keegan.pieper@energytransfer.com](mailto:keegan.pieper@energytransfer.com)  
(713) 989-7003 - voice  
(713) 989-1212 - fax

Mr. Stephen Veatch  
Senior Director - Certificates  
Dakota Access, LLC  
1300 Main Street  
Houston, TX 77002  
[Stephen.veatch@energytransfer.com](mailto:Stephen.veatch@energytransfer.com)  
(713) 989-2024 - voice  
(713) 989-1205 - fax

Mr. Joey Mahmoud  
Senior Vice President - Engineering  
Dakota Access, LLC  
1300 Main Street  
Houston, TX 77002  
[Joey.mahmoud@energytransfer.com](mailto:Joey.mahmoud@energytransfer.com)  
(713) 989-2710 - voice  
(713) 989-1207 - fax

Mr. Jack Edwards  
Project Manager  
Dakota Access, LLC  
4401 S. Technology Dr.  
South Suite  
Sioux Falls, SD 57106  
[Jack.edwards@energytransfer.com](mailto:Jack.edwards@energytransfer.com)  
(844) 708-2639 - voice

Ms. Jennifer Guthmiller  
McPherson County Auditor  
PO Box 390  
Leola, SD 57456  
[mcpersonaud@valleytel.net](mailto:mcpersonaud@valleytel.net)  
(605) 439-3314 - voice

Mr. Keith Schurr  
Edmunds County Auditor  
PO Box 97  
Ipswich, SD 57451

[Keith.schurr@state.sd.us](mailto:Keith.schurr@state.sd.us)  
(605) 426-6762 - voice

Ms. Kelly Toennies  
Faulk County Auditor  
PO Box 309  
Faulkton, SD 57438  
[Kelly.toennies@state.sd.us](mailto:Kelly.toennies@state.sd.us)  
(605) 598-6224 - voice

Ms. Theresa Hodges  
Spink County Auditor  
210 E. Seventh Ave.  
Redfield, SD 57469  
[spinkcoauditor@nrctv.com](mailto:spinkcoauditor@nrctv.com)  
(605) 472-4580 - voice

Ms. Jill Hanson  
Beadle County Auditor  
Suite #201  
450 Third St. SW  
Huron, SD 57350  
[auditor@beadlesd.org](mailto:auditor@beadlesd.org)  
(605) 353-8400 - voice

Ms. Jennifer Albrecht  
Kingsbury County Auditor  
PO Box 196  
DeSmet, SD 57231  
[Jennifer.albrecht@state.sd.us](mailto:Jennifer.albrecht@state.sd.us)  
(605) 854-3832 - voice

Ms. Susan Connor  
Miner County Auditor  
PO Box 86  
Howard, SD 57349  
[minerauditor@minercountysd.org](mailto:minerauditor@minercountysd.org)  
(605) 772-4671 - voice

Ms. Roberta Janke  
Lake County Auditor  
200 E. Center St.  
Madison, SD 57042  
[lakeauditor@lakecountysd.com](mailto:lakeauditor@lakecountysd.com)  
(605) 256-7600 - voice

Ms. GERALYN SHERMAN  
McCook County Auditor  
PO Box 190  
Salem, SD 57058  
[mccookaud@triotel.net](mailto:mccookaud@triotel.net)  
(605) 425-2791 - voice

Mr. Bob LITZ  
Minnehaha County Auditor  
415 N. Dakota Ave.  
Sioux Falls, SD 57104  
[blitz@minnehahacounty.org](mailto:blitz@minnehahacounty.org)  
(605) 367-4220 - voice

Ms. Sheila Hagemann  
Turner County Auditor  
PO Box 370  
Parker, SD 57053  
[turcoaud@iw.net](mailto:turcoaud@iw.net)  
(605) 297-3153 - voice

Ms. Marlene Sweeter  
Lincoln County Auditor  
104 N. Main St.  
Canton, SD 57013  
[auditor@lincolncountysd.org](mailto:auditor@lincolncountysd.org)  
(605) 764-2581 - voice

Ms. Lisa Schaeffbauer  
Campbell County Auditor  
PO Box 37  
Mound City, SD 57646  
[campbellcommission@yahoo.com](mailto:campbellcommission@yahoo.com)  
(605) 955-3366 - voice

Ms. Karla Engle  
Special Assistant Attorney General  
South Dakota Department of Transportation  
700 E. Broadway Ave.  
Pierre, SD 57501-2586  
[karla.engle@state.sd.us](mailto:karla.engle@state.sd.us)  
(605) 773-3262 - voice

Mr. Scott Pedersen  
Chairman  
Lake County

200 E. Center St.  
Madison, SD 57042  
[lakegovt@lakecountysd.com](mailto:lakegovt@lakecountysd.com)  
(605) 256-7600 - voice

Mr. Manuel J. de Castro, Jr.  
Attorney  
Lake County States Attorney  
200 E. Center St.  
Madison, SD 57042  
[lakesa2@lakecountysd.com](mailto:lakesa2@lakecountysd.com)  
(605) 256-7630 - voice

General Manager  
WEB Water Development Association, Inc.  
PO Box 51  
Aberdeen, SD 57402  
[office@webwater.org](mailto:office@webwater.org)  
(605) 229-4749 - voice

Mr. Randy Kuehn  
17940 389th Ave.  
Redfield, SD 57469  
[rlkfarms@gmail.com](mailto:rlkfarms@gmail.com)  
(605) 472-1492 - voice

Mr. Jim Schmidt  
Chairman  
Lincoln County Board of Commissioners  
104 N. Main, Ste. 110  
Canton, SD 57013-1703  
[Auditor@lincolncountysd.org](mailto:Auditor@lincolncountysd.org)  
(605) 764-2581

Mr. Michael F. Nadolski - Representing Lincoln County Board of Commissioners  
Attorney  
Lincoln County  
Ste. 200  
104 N. Main  
Canton, SD 57077  
[mnadolski@lincolncountysd.org](mailto:mnadolski@lincolncountysd.org)  
(605) 764-5732 - voice  
(605) 764-2931 - fax

Mr. Bret Merkle - Representing Pente Farms, LLC; KKKP Property, LLLP; Pederson Ag, LLC;



Calvin Schreiber; DLK&M, LLC; Jean Osthus; and Daniel & Marcia Hoiland  
Merkle Law Firm  
PO Box 90708  
Sioux Falls, SD 57109-0708  
[bret@merklelaw.com](mailto:bret@merklelaw.com)  
(605) 339-1420 - voice

Ms. Cindy Heiberger  
Commission Chairman  
Minnehaha County  
415 N. Dakota Ave.  
Sioux Falls, SD 57104  
[cjepsen@minnehahacounty.org](mailto:cjepson@minnehahacounty.org)  
(605) 367-4220 - voice

Mr. Kersten Kappmeyer  
Attorney  
Minnehaha County  
415 N. Dakota Ave.  
Sioux Falls, SD 57104  
[kkappmeyer@minnehahacounty.org](mailto:kkappmeyer@minnehahacounty.org)  
(605) 367-4226 - voice  
(605) 367-4306 - fax

Mr. Glenn J. Boomsma - Representing: Peggy A. Hoogestraat, Kevin J. Schoffelman, Linda Goulet, Corlis Wiebers, Mavis Parry, Shirley Oltmanns, Janice E. Petterson, Marilyn Murray, Delores Andreessen Assid, Joy Hohn, and Orrin E. Geide  
Attorney  
Breit Law Office, P.C.  
606 E. Tan Tara Circle  
Sioux Falls, SD 57108  
[glenn@breitlawpc.com](mailto:glenn@breitlawpc.com)  
(605) 336-8234 - voice  
(605) 336-1123 - fax

Ms. Peggy A. Hoogestraat  
27575 462nd Ave.  
Chancellor, SD 57015  
[gardengalpeggy@gmail.com](mailto:gardengalpeggy@gmail.com)  
(605) 647-5516 - voice

Ms. Joy A. Hohn  
46178 263rd St.  
Hartford, SD 57033  
[rjnchohn@gmail.com](mailto:rjnchohn@gmail.com)  
(605) 212-9256 - voice

Ms. Marilyn J. Murray  
1416 S. Larkspur Trl.  
Sioux Falls, SD 57106  
[murrayma1@sio.midco.net](mailto:murrayma1@sio.midco.net)  
(605) 321-3633 - voice

Mr. Larry A. Nelson - Representing: City of Hartford  
Frieberg, Nelson and Ask, L.L.P.  
PO Box 38  
Canton, SD 57013  
[lnelson@frieberglaw.com](mailto:lnelson@frieberglaw.com)  
(605) 987-2686 - voice

Ms. Teresa Sidel  
City Administrator  
City of Hartford  
125 N. Main Ave.  
Hartford, SD 57033  
[cityhall@hartfordsd.us](mailto:cityhall@hartfordsd.us)  
(605) 528-6187 - voice

Ms. Linda Glaeser  
Manager  
Rocky Acres Land Investment, LLC  
27324 91st Ave. E.  
Graham, WA 98338  
[lglaeser@seattlecca.org](mailto:lglaeser@seattlecca.org)  
[lmglaeser@wwdb.org](mailto:lmglaeser@wwdb.org)  
(253) 670-1642 - voice

Ms. Linda Goulet  
27332 Atkins Pl.  
Tea, SD 57064  
[45Lgoulet@gmail.com](mailto:45Lgoulet@gmail.com)  
(605) 359-3822 - voice

Mr. Dale E. Sorenson  
Dale E. Sorenson Life Estate  
45064 241st St.  
Madison, SD 57042  
[a77man@msn.com](mailto:a77man@msn.com)  
(605) 480-1386 - voice

Ms. Kimberly Craven - Representing Dakota Rural Action and Indigenous Environmental Network (IEN)

3560 Catalpa Way  
Boulder, CO 80304  
[kimecraven@gmail.com](mailto:kimecraven@gmail.com)  
(303) 494-1974 - voice

Ms. Sabrina King  
Community Organizer  
Dakota Rural Action  
518 Sixth Street, #6  
Rapid City, SD 57701  
[sabrina@dakotarural.org](mailto:sabrina@dakotarural.org)  
(605) 716-2200 - voice

Mr. Frank James  
Staff Director  
Dakota Rural Action  
PO Box 549  
Brookings, SD 57006  
[fejames@dakotarural.org](mailto:fejames@dakotarural.org)  
(605) 697-5204 - voice  
(605) 697-6230 - fax

Ms. Debra K., Mr. Duane H. & Mr. Dennis S. Sorenson  
24095 451st Ave.  
Madison, SD 57042  
[stubbyfarmer@yahoo.com](mailto:stubbyfarmer@yahoo.com)  
(605) 480-1370 - Debra Sorenson - voice  
(605) 480-1162 - Duane Sorenson - voice  
(605) 480-1055 - Dennis Sorenson - voice

Mr. Douglas Sorenson  
24095 451st Ave.  
Madison, SD 57042  
[plowboy@svtv.com](mailto:plowboy@svtv.com)  
(605) 480-1385 - voice

Mr. William Haugen  
Haugen Investments LP  
PO Box 545  
Hartford, SD 57033  
[wh401889@hotmail.com](mailto:wh401889@hotmail.com)  
(605) 359-9081 - voice

Mr. Phillip Fett  
PO Box 572  
Lennox, SD 57039

[vonfett529@gmail.com](mailto:vonfett529@gmail.com)  
(605) 366-7155 - voice

Mr. Orrin E. Geide  
46134 263rd St.  
Hartford, SD 57033  
(605) 261-4815 - voice

Ms. Shirley M. Oltmanns  
26576 466th Ave.  
Sioux Falls, SD 57106  
[ssoltm@gmail.com](mailto:ssoltm@gmail.com)  
(605) 941-0005 - voice

Mr. Bradley F. Williams  
1044 Overlook Rd.  
Mendota Heights, MN 55118  
[bwilliams@bestlaw.com](mailto:bwilliams@bestlaw.com)  
(612) 414-4950 - voice

Mr. Craig L. & Ms. Dotta-Jo A. Walker  
733 NE 15th St.  
Madison, SD 57042  
[court\\_walker@hotmail.com](mailto:court_walker@hotmail.com)  
(605) 256-0263 - voice

Mr. Kevin J. Schoffelman  
712 W. Fourth Ave.  
Lennox, SD 57039  
[klschoff@outlook.com](mailto:klschoff@outlook.com)  
(605) 310-7062 - voice

Ms. Diane Best  
Attorney  
City of Sioux Falls  
224 W. Ninth St.  
Sioux Falls, SD 57117-7402  
[dbest@siouxfalls.org](mailto:dbest@siouxfalls.org)  
(605) 367-8600 - voice

Mr. Charles J. Johnson  
45169 243rd St.  
Madison, SD 57042  
[c-bjohnson@sylv.com](mailto:c-bjohnson@sylv.com)  
(605) 270-2665 - voice

Ms. Janice E. Petterson  
6401 S. Lyncrest Ave., Apt. 307  
Sioux Falls, SD 57108  
[grmjarp@sio.midco.net](mailto:grmjarp@sio.midco.net)  
(605) 201-6897 - voice

Ms. Corliss F. Wiebers  
607 S. Elm St.  
PO Box 256  
Lennox, SD 57039  
[wiebersco@gmail.com](mailto:wiebersco@gmail.com)  
(605) 647-2634 - voice

Mr. Paul A Nelsen  
46248 W. Shore Pl.  
Hartford, SD 57033  
[paul@paulnelsonconstruction.com](mailto:paul@paulnelsonconstruction.com)  
(605) 366-1116 - voice

Mr. Paul F. Seamans  
27893 244th St.  
Draper, SD 57531  
[jacknife@goldenwest.net](mailto:jacknife@goldenwest.net)  
(605) 669-2777 - voice

Delores Andreessen Assid  
c/o Laurie Kunzelman  
3604 E. Woodsedge St.  
Sioux Falls, SD 57108  
(605) 321-5539 - voice

Mr. John Wellnitz  
305 A St.  
Osceola, SD 57353  
[johnwellnitz@gmail.com](mailto:johnwellnitz@gmail.com)  
(605) 350-5431 - voice

Mr. John Stratmeyer  
46534 272nd St.  
Tea, SD 57064  
(605) 261-5572 - voice

Mr. Lorin L. Brass  
46652 278th St.  
Lennox, SD 57039

[brass@iw.net](mailto:brass@iw.net)

(605) 759-5547 - voice

Mr. Tom Goldtooth  
Executive Director  
Indigenous Environmental Network  
[ien@igc.org](mailto:ien@igc.org)

Mr. Dallas Goldtooth  
Community Organizer  
Indigenous Environmental Network  
[goldtoothdallas@gmail.com](mailto:goldtoothdallas@gmail.com)

Ms. Paula Antoine  
RST-Sicangu Oyate Land Office  
PO Box 658  
Rosebud, SD 57570  
[wopila@gwtc.net](mailto:wopila@gwtc.net)  
(605) 747-4225 - voice

Mr. Royal Yellow Hawk  
RST- Sicangu Lakota Treaty Office  
PO Box 430  
Rosebud, SD 57570  
[yellowhawkroyal@yahoo.com](mailto:yellowhawkroyal@yahoo.com)  
(605) 856-2998 - voice

Ms. Thomasina Real Bird - Representing - Yankton Sioux Tribe  
Attorney  
Fredericks Peebles & Morgan LLP  
1900 Plaza Dr.  
Louisville, CO 80027  
[trealbird@ndnlaw.com](mailto:trealbird@ndnlaw.com)  
(303) 673-9600 - voice

Ms. Jennifer S. Baker – Representing Yankton Sioux Tribe  
Attorney  
Fredericks Peebles & Morgan LLP  
1900 Plaza Dr.  
Louisville, CO 80027  
[Jbaker@ndnlaw.com](mailto:Jbaker@ndnlaw.com)  
303-673-9600 - voice  
303-673-9155 – fax

Ms. Mavis A. Parry  
3 Mission Mtn. Rd.

Clancy, MT 59634  
[mavisparry@hotmail.com](mailto:mavisparry@hotmail.com)  
(406) 461-2163 - voice

Ms. Margo D. Northrup - Representing: South Dakota Association of Rural Water Systems, Inc.  
Attorney  
Riter, Rogers, Wattier & Northrup LLP  
PO Box 280  
Pierre, SD 57501-0280  
[m.northrup@riterlaw.com](mailto:m.northrup@riterlaw.com)  
(605) 224-5825 - voice

Dated this 23<sup>rd</sup> day of September 23, 2015

Matthew L. Rappold  
Matthew L. Rappold