

STATE OF SOUTH DAKOTA )  
 : SS  
COUNTY OF DEUEL )

IN CIRCUIT COURT  
THIRD JUDICIAL CIRCUIT

*In the Matter of Special Exception Permit  
Application of Crowned Ridge Wind II, LLC  
(Deuel County Application WES Sec. 1215)*

GARRY EHLEBRACHT, STEVEN  
GREBER, MARY GREBER, RICHARD  
RALL, AMY RALL and  
LARETTA KRANZ,

*Petitioners,*

vs.

DEUEL COUNTY PLANNING  
COMMISSION, *sitting as* DEUEL  
COUNTY BOARD OF ADJUSTMENT, and  
CROWNED RIDGE II, LLC,

*Respondents.*

19CIV18-000061

CROWNED RIDGE  
WIND II, LLC'S RESPONSES  
TO DISCOVERY REQUESTS TO  
RESPONDENT  
(Second Set, Served March 29, 2019)

COMES NOW RESPONDENT, CROWNED RIDGE WIND II, LLC ("Crowned Ridge"), through its counsel of record, and for its Responses to Request for Discovery Responses to Respondent (Second Set), provides as follows:

**Discovery by Interrogatory and Other Requests**

INT-33: Identify the Person responding to this Discovery (Second Set).

**RESPONSE:** Legal representatives of Crowned Ridge in conjunction with development representatives of Crowned Ridge, Tyler Wilhelm and Jamie Gentile.

INT-34: At any time relevant to the Permit, did You, or any Affiliate, enter into a Development Agreement with Deuel County?

**RESPONSE:** Objection. This interrogatory seeks information that is irrelevant and is not reasonably calculated to lead to admissible evidence. (This objection is made here, and wherever it appears in the responses that follow, because the information sought is beyond the scope of review of the Court on Writ of Certiorari.) Without waiving this objection, Crowned Ridge answers "no."

INT-35: If Your answer to INT-34 is in the affirmative, Identify also the parties, the date or dates of such Development Agreements, the Persons having possession of the Development Agreement, and describe the essence of such Development Agreement, according to Your understanding.

**RESPONSE:** N/A

INT-36: At any time relevant to the Permit, or any efforts Relating to the seeking, prosecution or issuance of the Permit, did You, or any Affiliate, or any Person acting on Your behalf, make any Communication (whether written and comprised of one or more Documents, or oral in nature) to any Person (whether in a public or private setting, and including any board or agency of a local governmental entity or agency) regarding the Tax Revenue that You expect or have at any time projected to be generated from or by reason of the wind development project now described in the Permit?

**RESPONSE:** Objection. This interrogatory seeks information that is irrelevant and is not reasonably calculated to lead to admissible evidence. Without waiving this objection, Crowned Ridge refers Petitioners to the record in this case. Without waiving this objection, Crowned Ridge further states that it is not aware of any other such discussions other than possibly comments similar to any on the record having been made at hearings regarding county ordinance revisions.

INT-37: If Your answer to INT-36 is in the affirmative, Identify further as follows:

- (a) The date or dates on which, and the place or setting of, such Communication(s) was or were made by You or any Affiliate, or Persons acting on Your behalf.
- (b) Identify the Person or Persons to whom the Communication was made, and if such Persons also comprise a governing board, agency or contractor of Deuel County, Identify also the name of such.
- (c) Identify the Person or Persons making or extending the Communication on Your behalf.
- (d) Provide a summary of each Communication.
- (e) Identify any Documents Related to the Communication concerning Tax Revenue.
- (f) If any Documents comprising the Communication concerning Tax Revenue are also presented within the Return, Identify the Bates number of such.

**RESPONSE:** See Answer to Interrogatory #36.

DOC-6: Produce a true copy of each written Document comprising a Development Agreement.

**RESPONSE:** Objection. This request seeks information that is irrelevant and is not reasonably calculated to lead to admissible evidence. Without waiving this objection, Crowned Ridge states that it has no such agreements.

**DOC-7:** Produce each Document that describes or depicts any projected amount of Tax Revenue as represented in any Communication as listed in Your response to INT-37.

**RESPONSE:** Objection. This request seeks information that is irrelevant and is not reasonably calculated to lead to admissible evidence. Without waiving this objection, Crowned Ridge refers Petitioners to the record in this case.

Dated this 12<sup>th</sup> day of April, 2019.

LYNN, JACKSON, SHULTZ & LEBRUN, P.C.



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on April 12, 2019, I caused the following document:

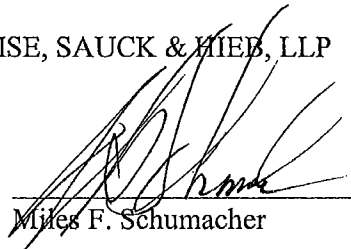
- **CROWNED RIDGE WIND II, LLC'S RESPONSES TO DISCOVERY REQUESTS TO RESPONDENT (Second Set, Served March 29, 2019)**

to be served electronically with the Clerk of Court through Odyssey File & Serve, upon the following:

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