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April 18, 2025

SD Public Utilities Commission
ATTN: Patricia Van Gerpen, Exec. Dir.
VIA PUC FILING SERVICE

**RE: HP 24-001
DOUG LOWE DECLARATION**

Dear Ms. Van Gerpen:

Landowners opposed to Summit's Application and who moved the Commission to Deny the Application filed approximately 80 Declarations covering approximately 120 parcels targeted by Summit's Application.

On April 17, 2025, Summit filed its Response to the Commission as to its plan moving forward. Summit included a copy of an Easement purportedly signed by Douglas R. Lowe. Upon reviewing that document, counsel for Landowners contacted Mr. Lowe. Mr. Lowe did not remember Summit having him sign any such document nor that it was an Easement, apparently, more than 3 years ago. Mr. Lowe, therefore, submits his Amended Declaration as attached and filed here which supersedes and replaces his prior submission. Paragraph 4 of this Amended Declaration contains the substantive modifications from his prior Declaration.

Thank you for your attention in this matter.

Very Truly,

BIRMINGHAM & CWACH LAW OFFICES, PLLC



Ryan D. Cwach

Enc.

Cc: HP24-001 Service List