

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

---

**IN THE MATTER OF THE  
APPLICATION OF DEUEL HARVEST  
WIND ENERGY LLC FOR A PERMIT  
OF A WIND ENERGY FACILITY AND  
A 345-KV TRANSMISSION LINE IN  
DEUEL COUNTY**

---

\* **APPLICANT’S FIRST SET OF DATA**  
\* **REQUESTS TO HEATH STONE**  
\* **EL18-053**  
\*  
\*  
\*

Below, please find Deuel Harvest Wind Energy LLC’s (“Applicant”) First Set of Data Requests to Heath Stone. Please submit responses within 10 business days or promptly contact the undersigned to discuss an alternative arrangement.

- 1-1) Provide copies of all data requests submitted by PUC staff to you in this proceeding and copies of all responses to those data requests. Provide this information to date and on an ongoing basis.
- 1-2) Identify the address of your permanent residence (where you reside).
- 1-3) Identify all property you own within the vicinity of the Deuel Harvest North Wind Farm (“Project”) and the location (by section, township, and range) of such property. Are there any habitable buildings on the property you own?
- 1-4) If you have a residence in the vicinity of the Project, identify whether you live at the residence throughout the entire year and, if not, how many months of the year you reside at the residence.
- 1-5) Identify how you use your land, including, but not limited to, whether you use your land for agricultural purposes.
- 1-6) Identify any sensitive or unique features of your property that you assert would be impacted by the Project.
- 1-7) Describe your concerns regarding the Project.
- 1-8) Describe what mitigation measures would address the concerns you identified in response to Request 1-7 and whether any of the mitigation measures identified by the Applicant in its Application could address any of your concerns.
- 1-9) Identify any documents, information, education, training, or professional experience you have relied upon to form your opinions concerning the Project. Where you have relied upon documents or other tangible materials, please provide such documents and/or materials.

- 1-10) Identify any witnesses, including expert witnesses, you plan to have testify on your behalf. For each witness (including expert witnesses), please provide a resume or statement of qualifications of the witness(es), identify the subject matter regarding which the witness will testify, and identify and provide any exhibits the witness will refer to or introduce.
- 1-11) Are you asserting that the Project will negatively impact your property value? If so, provide copies of any appraisals or other valuations that have been conducted for such property within the last ten years.
- 1-12) Identify any communications, written or otherwise, you have had with units, officials, and/or representatives of local, state, and/or federal governments or agencies concerning the Project.
- a) For any written communications, provide a copy of the communication; and
  - b) For any unwritten communications, provide the date of the communication, the persons involved, and the subject matter of the communication.
- 1-13) With respect to your petition for intervention, you state you are a “landowner adjacent to project area. In dispute with turbine placement around property & family’s property.”
- a) What is the address and legal description of your property?
  - b) What is the address and legal description of your family’s property?
  - c) Please describe, in detail, the “dispute” you have with turbine placement.

Dated this 13th day of February 2019.

By /s/ Lisa Agrimonti  
Mollie M. Smith  
Lisa M. Agrimonti  
FREDRIKSON & BYRON, P.A.  
Attorneys for Applicant  
200 South Sixth Street, Suite 4000  
Minneapolis, MN 55402  
Phone: (612) 492-7000  
Fax: (612) 492-7077

EL18-053 - In the Matter of the Application of Deuel Harvest Wind Energy LLC for a Permit of a Wind Energy Facility and a 345-kV Transmission Line in Deuel County

Applicant First Set of DR

Heath Stone

1-2) 803 Lac Qui Parle St. Gary SD 57237

1-3) Personal Property- Glenwood Township T-116-N, R 48 Sec. 34  
Stones Conservation Partnership LLP-Glenwood Township T-116-N, R48 Sec. 34,35  
No habitable buildings

1-4) No residence

1-5) South Dakota Pheasant Hunts is a licensed preserve that operates its business on the property listed above. This is the main source of income derived from the property. My family enjoys the property for its peace and quietness and plentiful wildlife that inhabit the area. Outdoor recreation, education and preservation of habitat are the main focus of the property. Every fall hunters come and enjoy pheasant hunting on our property. Food plots are planted in the spring and haying some portions of the property is done late summer.

1-6) I have an abandoned building site located near Turbine 103. Future plans are to build a home at the site. There are several deer stands located on the property listed above. The property hosts a variety of wildlife and crucial habitat for grassland bird species that need big blocks of grass to thrive. The property has a diverse community of native fauna that provides habitat for all wildlife and insects.

1-7) As mentioned above, there is an old building site on our property we want to build a house on in the future. Turbine 103 would be within the set back distance of non-participating residences in the Deuel County ordinance. Turbines 103, 109, 110, 111 are in close proximity to the property and will cause uncertainty to our pheasant hunting operation and put our clients at risk if a turbine malfunctions. The turbines close to the property will have a negative impact on the pheasant population since pheasants avoid the areas near the turbines.

Throughout the project several turbines are located near permanent wetlands that are staging areas for waterfowl in the spring and fall migrations and vital for local waterfowl that use these waters to rear their broods. Turbine 6,13, 14, 63,64, 85, 86, 95, 96, 101, 102, 109-115, 118, 119, 120, 121 all pose a direct threat to waterfowl coming and going from these bodies of waters. Waterfowl are sensitive to tall structures next to wetlands and will cause them to avoid them all together.

Turbines throughout the project are located too close to ecological sensitive areas.

1-8) Turbines near non-participating property lines should have a setback of 1 mile. Turbine 103 is restricting future development on my property and turbines 109, 110, and 111 pose a direct threat to our pheasant operation. Turbines 6, 13, 14, 63, 64, 85, 86, 95, 96, 101, 102, 109-115, 118, 119, 120, 121 shall have a setback of 1 mile due to their close proximity to these wetlands that are vital for waterfowl to utilize these bodies of water for brood rearing, roosting and staging.

1-9) I have a B.S. in Wildlife and Fisheries Sciences. I am a conservationist. I have acquired my professional expertise by reading and studying papers and documents to better our habitat, wildlife populations and pheasant operation on our property.

1-10) None at this time.

1-11) None at this time

1-12) Gary Jaeger (County Commissioner)-unwritten, Present-Gary and I, discussion took place about the wind farms that were moving into the area. I voiced my concerns for wildlife and setbacks. Do not remember the date.

Lynn Pederson (County Commissioner)-unwritten, Present-Lynn and I, discussion took place about the wind farms that were moving in to the area. I voiced my concerns for wildlife and setbacks. Do not remember the date.

1-13) A) Personal Property- Glenwood Township T-116-N, R 48 Sec. 34

B) Stones Conservation Partnership LLP-Glenwood Township T-116-N, R48 Sec. 34,35

C) As stated above