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From the offices of Miles F. Schumacher

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March 23, 2021

Ms. Patricia Van Gerpen, Executive Director
South Dakota Public Utilities Commission
Capital Building, 1st Floor
500 East Capital Avenue
Pierre, SD 57501-5070

Re: Docket No. EL19-003
Application to the SD PUC for a Facility Permit to Construct
A 300 Megawatt Wind Facility

Dear Ms. Van Gerpen:

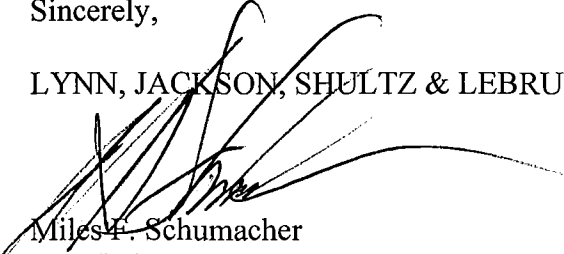
As provided in section II. D. 1. of the Motion For Approval of Mitigation Plan filed March 18, 2021, this letter will serve as notification that on March 19, 2021 a fully executed Waiver was obtained from the third landowner, and Crowned Ridge Wind, LLC ("Crowned Ridge") now holds executed Waivers from landowners at Locations 1-3.

Late Sunday night, March 21, 2021, an attorney who indicated that he now represents the third landowner stated that he wishes to rescind the executed waiver. Under South Dakota law rescission of a contract is allowed only under statutorily specified circumstances, none of which are applicable here. Accordingly, it is the position of Crowned Ridge the executed Waiver remains valid and enforceable and Crowned Ridge is prepared to seek judicial confirmation of the validity of the Waiver should it become necessary.

If you have any questions, please let me know.

Sincerely,

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



Miles F. Schumacher
MFS/kab