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JUL 16 2013

STATE OF SOUTH DAKOTA

MINERALS & MINING PROGRAM

**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
BOARD OF MINERALS AND ENVIRONMENT**

**IN THE MATTER OF THE LARGE
SCALE MINE PERMIT APPLICATION
OF POWERTECH (USA) INC.**

**WILD HORSE SANCTUARY,
SUSAN WATT, & DAYTON
HYDE'S SECOND SET OF
INTERROGATORIES AND
REQUESTS FOR PRODUCTION
OF DOCUMENTS TO SOUTH
DAKOTA DENR**

TO: STATE OF SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT &
NATURAL RESOURCES AND THEIR ATTORNEYS OF RECORD: DIANE BEST
AND ROXANNE GIEDD:

These Interrogatories and Requests for Production shall be deemed to be continuing. If information is discovered by or becomes known to you, your attorney, or to anyone acting on your behalf, after answering and before trial, which would change or add to the answers given, you are hereby directed and requested to furnish the information, under oath, to the undersigned in a timely manner. It is intended that any information held by any persons acting on behalf of you will be revealed in the answers hereto.

INTERROGATORIES

INTERROGATORY NO. 40: Does the DENR typically receive revised and resubmitted applications? If so, please state the circumstances under which such resubmitted applications are allowed and the statutory authority for the same.

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST NO. 8: Please produce copies of all notes or other documents made by any staff member of DENR when they reviewed any portion of the mine permit application specifically dealing with hydrology, geology or hydrogeology aspects of the permit; any emails between staff, or staff and any other consultant, regarding the hydrology, geology or hydrogeology aspects of the permit application; and any other documents not currently located on the DENR website that deal with the hydrology, geology, and hydrogeology aspects of the pending mine permit application.

Dated this 12th day of July, 2013.

BANGS, McCULLEN, BUTLER,
FOYE & SIMMONS, L.L.P.

BY: 
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**ATTORNEYS FOR BLACK HILLS
WILD HORSE SANCTUARY,
SUSAN WATT, & DAYTON HYDE**

CERTIFICATE OF SERVICE

The undersigned certifies that on ^{July 12} ~~July 3~~, 2013, he caused true and correct copies of the above to be served upon each of the persons identified below as follows:

- | | |
|--|---|
| <input checked="" type="checkbox"/> First Class Mail | <input type="checkbox"/> Overnight Mail |
| <input type="checkbox"/> Hand Delivery | <input type="checkbox"/> Facsimile |
| <input type="checkbox"/> Electronic Mail | <input type="checkbox"/> ECF System |

Roxanne Giedd
1302 E. Hwy. 14, Suite 1
Pierre, SD 57501

Diane Best
317 N. Main Ave.
Sioux Falls, SD 57014

**ATTORNEYS FOR STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES**



Michael M. Hickey