

STATE OF SOUTH DAKOTA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
WATER MANAGEMENT BOARD

RECEIVED

AUG 13 2013

WATER RIGHTS  
PROGRAM

IN THE MATTER OF WATER )  
PERMIT APPLICATIONS 2685-2 )  
and 2686-2, POWERTECH (USA), )  
INC. )

IN THE MATTER OF THE 2012 )  
GROUNDWATER DISCHARGE )  
PLAN APPLICATION SUBMITTED )  
BY POWERTECH (USA), INC. )

ORDER GRANTING IN PART AND  
DENYING IN PART MCLEAN  
PETITION TO INTERVENE

The South Dakota Department of Environment and Natural Resources, on July 25, 2013, received a petition to intervene in the above-captioned from Linsey McLean, Piedmont, SD. The petition is untimely and does not include the requested party status for intervention as set forth in the February 14, 2013, Procedural Order.

Upon review of the petition to intervene and consideration of the administrative record in this matter, the Prehearing Chair finds that though the McLean Petition is sufficiently untimely to grant intervention under "Option A" of the Procedural Order, that granting Mclean intervention under "Option B" of the Procedural Order would not prejudice any of the existing parties.

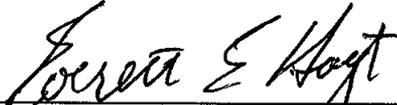
Therefore it is hereby

ORDERED that the Petition from Linsey McLean is accepted, and the petitioner is granted leave to intervene and to participate under "Option B" of the Procedural Order; it is further

ORDERED to the extent petitioner seeks intervention under "Option A" it is denied; it is further

ORDERED that petitioner be provided a copy of the February 14, 2013,  
Procedural Order.

Dated this 9<sup>th</sup> day of August, 2013.

  
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Everett Hoyt, Prehearing Chair  
South Dakota Water Management Board