



**BANGS McCULLEN**  
— LAW FIRM —

**Reply to Rapid City Office**

Writer's e-mail address: mhickey@bangsmccullen.com

July 1, 2015

**RECEIVED**

**JUL 06 2015**

**WATER RIGHTS PROGRAM**

Via E-Mail and U.S. Mail  
Eric Gronlund  
DENR Water Rights Program  
Foss Building  
523 East Capitol  
Pierre, SD 57501-3182

**Re: *In the Matter of the Application of the United Order of South Dakota, Application No. 2730-2***

Dear Eric:

Please find enclosed our original document titled *Linda Van Dyke Kilcoin's Witness and Exhibit Disclosures* regarding the above-entitled matter. By copy of this letter, all interested parties have been served.

Pursuant to the *Procedural and Scheduling Order*, I am emailing you a copy of our exhibits at this time. The exhibits will be provided to the Board, counsel, court reporter and all parties at the time of the hearing.

If you have any questions or comments, please advise.

Sincerely,

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

Michael M. Hickey

MMH:ke  
Enclosure

Cc: Jeanne Goodman; Matt Naasz; Ann F. Mines Bailey  
Rodney Freeman; Chad Comes, P.E.; William R. Hansen  
Cheryl Schrempp Dupris; Peter A. Fahmy; Jeff Connolly;  
Lois Witte; Craig Bobzien; Mr. and Mrs. David Albrecht;  
Toni Martin; Doug Leshner; Rick Fox; Dean and Delia Johnson;  
Karl & Suzanne Von Rump; and Client

**RAPID CITY**

- Charles L. Rifer
- Allen G. Nelson
- James P. Hurley
- Michael M. Hickey
- Terry L. Hafer
- Red Schlauger
- Daniel F. Duffy
- Jeffrey G. Hurd
- John H. Kalorth
- Terry G. Westergaard
- Steven R. Nolan
- Gregory J. Eriandson
- Eric J. Pickar
- Sarah E. Baron-Houy
- Jacob M. Ovasney
- Kara L. Frankman
- Benjamin D. Tronnes
- Mark F. Marshall
- Of Counsel*

**SIOUX FALLS**

- Thomas M. Duehr
- Robert H. Morrison
- Mr. Duehr is also admitted in the States of North Dakota, Minnesota and Missouri.*

**RAPID CITY**

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- Suite 100
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**STATE OF SOUTH DAKOTA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
WATER MANAGEMENT BOARD**

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**IN THE MATTER OF THE WATER  
APPLICATION NO. 2730-2, UNITED  
ORDER OF SOUTH DAKOTA.**

**Linda Van Dyke Kilcoin's  
Witness and Exhibit  
Disclosures**

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In accordance with the provisions of the Procedural and Scheduling Order, set forth below is a listing of the witnesses and exhibits which Linda Van Dyke Kilcoin, intends to offer.

Witnesses:

**Michael Fleming  
P.O. Box 65  
26850 Stage Stop Road  
Pringle, SD 57779**

Mr. Fleming is the president of the Canyon Rim Ranch Homeowners Association and will testify concerning the adverse impact the proposed application would have on owners of the property.

**James Farmer  
6600 Dark Canyon Road  
Rapid City, SD 57702**

Mr. Farmer owns property near the location of the proposed well and will testify concerning the adverse impact the proposed application would have on his property.

**Linda Van Dyke Kilcoin  
23470 Paradise Drive  
Hill City, SD 57745**

Ms. Kilcoin will testify concerning the adverse impact the proposed application would have on her springs and property.

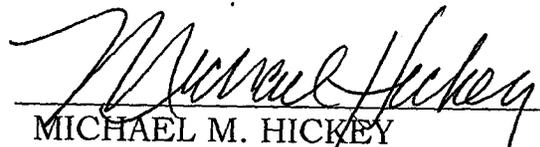
Exhibits:

1. Exhibit 21, Declaration of Trust of United Order of the United Order of South Dakota;
2. Exhibit 22, Affidavit of Stephen P. Harker;
3. Exhibit 23, Letter of Authority; and
4. Any exhibits designated by any other party.

Dated this 1<sup>st</sup> day of July, 2015.

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

BY:



MICHAEL M. HICKEY  
333 West Blvd., Suite 400  
P.O. Box 2670  
Rapid City, SD 57709  
Phone: (605) 343-1040

[mhickey@bangsmccullen.com](mailto:mhickey@bangsmccullen.com)  
**Attorneys for Linda Van Dyke  
Kilcoin**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served a copy of this legal document upon the persons herein next designated, all on the date below shown, by depositing copies thereof in the United States mail at Rapid City, South Dakota, postage prepaid, in envelopes addressed to said addressees, to wit:

Jeanne Goodman, Chief Engineer  
DENR Water Rights Program  
Foss Building  
523 East Capitol  
Pierre, SD 57501

Eric Gronlund  
DENR Water Rights Program  
Foss Building  
523 East Capitol  
Pierre, SD 57501  
**Via e-mail:** [Eric.Gronlund@state.sd.us](mailto:Eric.Gronlund@state.sd.us)

Matt Naasz  
Assistant Attorney General  
1302 East Highway 14, Suite 1  
Pierre, SD 57501

Ann F. Mines Bailey  
Assistant Attorney General  
1302 East Highway 14, Suite 1  
Pierre, SD 57501

Rodney Freeman  
Prehearing Chair  
Water Management Board  
P.O. Box 176  
Huron, SD 57350

Jeffrey R. Connolly  
Gunderson Palmer Law Firm  
P.O. Box 8045  
Rapid City, SD 57709

Cheryl Schrempp DuPris  
Assistant U.S. Attorney  
US Department of Justice  
225 South Pierre St., Suite 337  
Pierre, SD 57501

Lois Witte  
Office of the General Counsel  
Mountain Region  
740 Simms St., Room 309  
Golden, CO 80401-4720

Mr. & Mrs. David Albrecht  
High Lonesome Ranch  
26541 Stagecoach Springs Road  
Custer, SD 57730-9109

Doug Leshner  
Stone Meadow Ranch  
26699 Remington Road  
Custer, SD 57730

Dean & Delia Johnson  
14585 East French Creek Road  
Fairburn, SD 57738

Chad Comes, PE  
Hearing Chair  
Water Management Bd.  
% The City of Madison  
116 West Center Street  
Madison, SD 57042  
William R. Hansen  
Jeff Hughes  
National Park Service  
1201 Oak Ridge Drive, Suite 250  
Fort Collins, CO 80525-5596

Peter A. Fahmy  
National Park Service  
12795 W. Alameda Parkway, Ste. 198  
Lakewood, CO 80228

Craig Bobzien  
Forest Supervisor  
Black Hills National Forest  
1019 North 5<sup>th</sup> Street  
Custer, SD 57730

Toni Martin  
4141 Villa Ridge Ct #122  
Rapid City, SD 57701

Rick Fox  
P.O. Box 35  
Hermosa, SD 57744

Karl R. and Suzanne K. Von Rump  
11560 Farmer Road  
Custer, SD 57730

which are the last addresses of the addressees known to the subscriber.

Dated this 1<sup>st</sup> day of July, 2015.

  
MICHAEL M. HICKEY