

**NEIL SIMPSON UNIT #2
80 MW COAL-FIRED POWER PLANT**

**WYOMING INDUSTRIAL SITING ADMINISTRATION
REQUEST FOR WAIVER OF PERMIT APPLICATION**

**SUBMITTED BY
BLACK HILLS CORPORATION
A SOUTH DAKOTA CORPORATION
DOING BUSINESS AS
BLACK HILLS POWER AND LIGHT COMPANY**

DOCKET NO. WISA 92-1

NOVEMBER 1991

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In accordance with the provisions of W.S. 35-12-107, a request for a waiver of the permit application provisions of the Industrial Development Information and Siting Act, W.S. Ch. 35-12, is herewith submitted for Neil Simpson Unit #2, an 80 MW coal-fired power plant (hereafter, "Power Plant"). This Request for Waiver is presented for the review of the Industrial Siting Council. Contained in this Request is the information and data required by statute and regulation, set out in a format designating each statutory requirement followed with a response containing the required information and data. Additional data is contained in the Appendix, Exhibits 1 through ~~16~~⁹, attached hereto and incorporated herein by reference.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (i): The name and address of the applicant, and if the applicant is a partnership, association or corporation, the names and addresses of the managers designated by the applicant responsible for permitting or construction of the facility;

RESPONSE:

The applicant is Black Hills Corporation, doing business as Black Hills Power and Light Company (hereafter "Black Hills"). Black Hills is a South Dakota corporation with offices located at 625 Ninth Street, P. O. Box 1400, Rapid City, South Dakota 57709. Permitting and construction of the Power Plant will be the responsibility of Tom Ohlmacher, Director of Engineering and Operations, 625 Ninth Street, P. O. Box 1400, Rapid City, South Dakota 57709.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (ii): A description of the nature and location of the facility;

RESPONSE:

The facility proposed for development by the applicant is Neil Simpson Unit #2 Power Plant located approximately six (6) miles east of the city of Gillette, in Campbell County, Wyoming. The Power Plant will be an 80 MW air cooled, coal-fired, steam electric generating plant, equipped with pollution control equipment including aerial condensers and dry scrubbers. The proposed site for the facility will place the Power Plant adjacent to the existing Wyodak Coal Mine and will allow the Power Plant to utilize existing coal delivery facilities at Wyodak Coal Mine. The Power Plant will be interconnected to existing Black Hills electric transmission lines with the addition of a step up transformer. Vicinity maps describing the location and features of the proposed Power Plant are included as Exhibits 1 and 2.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (iii): Estimated time of commencement of construction and construction time;

RESPONSE:

The construction phase is scheduled to be 28 months in length. Based on a January 1, 1997 commercial operation date, construction is scheduled to commence August, 1994, and is estimated to be completed in November, 1996. During 1994, construction activities will consist of preliminary site work including clearing, leveling and grading land, excavation, substructures, and foundation work. In 1995, major construction contracts are scheduled to begin, such as the erection of buildings and structures, mechanical, electrical and substation construction including the steam generator, steam turbine, and major auxiliary equipment. During 1996, major activities will involve

setting the steam turbine, setting and placing equipment and piping, completing termination of electrical systems, installation and checkout of control systems, and completion of the substation. In November and December 1996, initial plant start up and performance testing will be conducted prior to commercial operation scheduled for January, 1997. A construction schedule providing additional detail on various major construction activities is included as Exhibit 3. The above schedule could be accomplished one (1) year earlier with construction to commence in August of 1993 and to be completed in November 1995, if permitting and financing can be attained at an earlier date. In such event, all dates herein would be one (1) year earlier.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (iv): Estimated number and job classifications by calendar quarter of employees of the applicant, or contractor or subcontractor of the applicant, during the construction phase and during the operating phase;

RESPONSE:

During the construction phase in 1994, the construction work force is estimated to reach a quarterly high of 50 workers from August through December with a quarterly average of 35 workers. During the 1995 construction phase from January through December, the construction work force is estimated to average 172 workers with a peak quarterly level of 294 workers. The construction workforce during 1996 is estimated to average 211 workers per month, with a peak monthly level of 336 construction workers. A further breakdown of estimated numbers of workers and job classifications by calendar quarter during construction is provided on Exhibit 4. The Power Plant will be operated by a permanent staff of 44 workers. The job classifications and distribution of the permanent employees are included in Exhibit 5.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (v): Estimated population increases attributable to the facility;

RESPONSE:

Black Hills' best estimate regarding population increases during the construction phase of the Power Plant is based on the assumption that in general seventy-five percent (75%) of the craft labor will be unavailable in the local workforce. Beginning with the first quarter of construction, the monthly average of

workers migrating to the area in the third quarter of 1994 will be 23 workers, gradually increasing to a peak monthly average of 258 workers during the first quarter of 1996, and then dropping to a monthly average of 56 workers during the fourth quarter of 1996 when construction is scheduled to be completed. These population increases are estimates of Black Hills based on information provided by Wyoming Department of Employment, Job Service of Wyoming, and the Campbell County Economic Development Corporation, in addition to data of Black Hills.

Significant population increase is not expected during the operational life of the Power Plant since a majority of the job openings will be filled by local applicants. However, some population increases may occur should the local workforce be inadequate to fully staff the Power Plant. The best estimate projects that a maximum of 20 permanent positions will be filled by individuals not currently living in the area. In addition, the Power Plant could result in an additional 100 secondary jobs created in Campbell County as a result of the "ripple effect" of the new facility. Total potential population increases during the operation of the Power Plant could be as much as an additional 88 persons for the Campbell County area, including 59 persons for the city of Gillette. These potential population increases are estimates of Black Hills based on information obtained from Wyoming Department of Employment, Job Service of Wyoming, and the Campbell County Economic Development Corporation, in addition to data of Black Hills.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (vi): Estimated additional revenue to local governments due to the facility;

RESPONSE:

Additional annual revenue to be shared directly by local governments from the construction and operating phases of the proposed Power Plant will be derived from sales, use, property and production taxes. In an effort to maximize local revenue, Black Hills will require that each contractor or subcontractor obtain or provide proof that it possesses a valid Wyoming sales and use tax license which is effective for Campbell County, Wyoming. Also, Black Hills will require all purchases of materials be made with each contractor's or subcontractor's applicable sales and use tax license or licenses. To the extent reasonably possible, Black Hills will require that all out-of-state purchases by

contractors or subcontractors shall be made or constructed so that applicable use tax shall be due the State of Wyoming. During the construction phase, sales, use, property and productions taxes are expected to generate approximately \$1,270,000 in tax revenue to be distributed to the governmental jurisdictions within Campbell County. During the operation phase, additional annual local tax revenue from sales, use, property, and production taxes is estimated to be \$930,000. Also, during the 28-month construction phase an estimated \$8,000,000 in local expenditures by construction workers is anticipated. Present projections indicate local expenditures by the permanent workforce will approximate \$800,000 annually. These figures do not include possible Impact Assistance Payments to local governmental units. A detailed estimate of the revenue expected from both construction and operational phases is included as Exhibits 6 and 7.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (vii): Estimated construction cost of the facility;

RESPONSE:

The total direct cost for construction of the Power Plant is estimated at \$119,000,000 in 1991 dollars. The estimated direct cost was derived from actual cost estimates for equipment and materials, construction contracts, engineering contracts, construction management, licensing and contingency costs. Actual construction costs are estimated to include an additional four percent (4%) per year escalation for inflation. These estimates do not include interest on funds used during construction. A generalized direct cost summary is included as Exhibit 8.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (viii): A brief description of the methods and strategies the applicant will use to maximize the employment and utilization of the existing local or in-state contractors and labor force during the construction and operation of the facility;

RESPONSE:

Black Hills will cooperate with the Employment Security Commission and the Job Service Administration offices in Campbell County and with other agencies and organizations within the community to maximize the use of local resources in filling positions at the Power Plant during both construction and operational phases of the project. Black Hills will require that all contractors and subcontractors provide to the local Job

Service Office written descriptions for skilled and unskilled positions needed for the project and allow the local Job Service Office to screen all job applicants for skilled and unskilled positions. To the extent reasonable, all unskilled, skilled and professional positions will be staffed by qualified local job applicants. Qualified local and in-state contractors will be included on bidder lists and given the opportunity to submit proposals on contracts for supplies and services.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (ix): Any other information the applicant considers relevant or required by council rule or regulation;

RESPONSE:

Other information considered relevant or required by council rule has not been identified.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (x): The procedures proposed to avoid constituting a public nuisance, endangering the public health and safety, human or animal life, property, wildlife or plant life, or recreational facilities which may be adversely affected by the facility;

RESPONSE:

The Power Plant will be operated in compliance with all state and federal air, water, and land quality laws and regulations. All discharges and emissions will be strictly monitored and made only in compliance with all applicable laws and regulations. Access to the Power Plant will be via existing Interstate 90 and U.S. Highways 14 and 16, and no additional highways or roads will be required for access. All large equipment and heavy materials delivery will be made by rail directly to the facility site, thus minimizing the possibility of traffic congestion near the area. Trash and refuse from the Power Plant will be disposed of in a proper manner utilizing a regulated disposal service. Access to the Power Plant will be controlled to maintain security and limit the likelihood of unauthorized entry. Safety training will be provided to all employees, and visitors will be compelled to follow applicable safety procedures. All construction and operation activities will be conducted in compliance with permit restrictions so that wildlife and plant life on the site receive minimal disturbance and are not unduly disturbed. There are no recreational facilities that could receive adverse impacts in the immediate vicinity of the Power Plant.

STATUTORY REQUIREMENT, W.S. 35-12-107(b) (xi): Preliminary evaluations of or plans and proposals for alleviating social, economic or environmental impacts upon local government or any special districts which may result from the proposed facility, including voluntary company agreements with local governments.

RESPONSE:

Black Hills has discussed the Neil Simpson Unit #2 Power Plant project with the following jurisdictions and local organizations: Mayor, City Administrator, and Director of the Department of Community Development for the City of Gillette; Mayor of Wright; Campbell County Commissioners; Campbell County School District Superintendent of Schools; Campbell County Memorial Hospital Chief Executive Officer; Campbell County Chamber of Commerce; the Campbell County Economic Development Corporation; the Mayor of the Town of Moorcroft; and Crook County School District. All parties contacted expressed support for the project and predicted beneficial impacts to the affected area as a result of the proposed Power Plant. Preliminary evaluations of the social, economic,, and environmental impacts upon the local community, governmental units, and special districts have identified no adverse social, economic, or environmental impacts upon affected jurisdictions. Black Hills plans to complete its analysis of the housing available to accommodate the peak construction workforce when the 1991-1992 Land Use Inventory, Volume 1: Housing and Demographic Estimates prepared by the City of Gillette, Department of Community Development, Planning Division is completed. See also Response to Statutory Requirement, W.S. 35-12-107(h) (ii).

STATUTORY REQUIREMENT, W.S. 35-12-107(h) (i): That the facility would not produce an unacceptable environmental, social or economic impact; and

RESPONSE:

Black Hills projects that construction of the Power Plant may be expected to have an impact on employment, personal income, housing, public recreation, and traffic patterns around Gillette, and may result in temporary population shifts. Access to the Power Plant will be via existing Interstate 90 and U.S. Highways 14 and 16, and no additional highways or roads will be required for access. All large equipment and heavy materials delivery will be made by rail directly to the facility site, thus minimizing

the possibility of traffic congestion near the area. Also, the Power Plant will be equipped with pollution control equipment and operated strictly in compliance with all applicable laws and regulations. The additional Wyodak coal production required for the Power Plant will be undertaken only in compliance with existing permits and renewals of those permits, and applicable laws and regulations. None of these potential impacts are of an unacceptable level nor are they anticipated to be experienced to any significant degree during the commercial operation of the Power Plant.

STATUTORY REQUIREMENT, W.S. 35-12-107(h) (ii): That the applicant has reached agreement with local governments affected by the facility on the mitigation required to alleviate adverse effects resulting from the facility.

RESPONSE:

Black Hills has discussed the Neil Simpson Unit #2 Power Plant project with the following governmental jurisdictions and local organizations: Mayor, City Administrator, and Director of the Department of Community Development for the City of Gillette; Mayor of Wright; Campbell County Commissioners; Campbell County School District Superintendent of Schools; Campbell County Memorial Hospital Chief Executive Officer; Campbell County Chamber of Commerce; the Campbell County Economic Development Corporation; the Mayor of the Town of Moorcroft; and Crook County School District. All parties contacted expressed support for the project and predicted beneficial impacts to the affected area as a result of the proposed Power Plant. It is anticipated that impact assistance payments will prove adequate to address socio-economic impacts upon affected jurisdictions and no special mitigation measures have been proposed by any of the affected jurisdictions.

STATUTORY REQUIREMENT, W.S. 35-12-107(j) (iii): The proposed facility is in compliance with all local ordinances and land use plans.

RESPONSE:

The proposed project is in compliance with all local ordinances and land use plans. The project area is outside the incorporated limits of the city of Gillette and is not subject to any zoning ordinances from that entity. Other regulatory agencies with jurisdiction over certain aspects of this project require the acquisition of several permits. Among the permits presently held on this proposed project are the

following: An Industrial Siting Council Permit is the subject of the present proceeding; preliminary steps have been taken to obtain the necessary air permit such as submitting to the U.S. Environmental Protection Agency a justification for use of existing meteorological data in preparing the air permit application.

STATUTORY REQUIREMENT, W.S. 35-12-108(a): If an applicant applies for an industrial siting permit, pursuant to W.S. 35-12-106, or for a waiver of the application provisions, pursuant to W.S. 35-12-107, for a facility which requires the use of eight hundred (800) or more acre feet of the waters of this state annually, the applicant shall prepare and submit to the state engineer a water supply and water yield analysis with a request for a preliminary and final opinion as to the quantity of water available for the proposed facility.

RESPONSE:

In response to the potential need for a water supply and water yield analysis to be submitted to the State Engineer for review, the applicant has calculated the consumptive water use requirements for the Power Plant. The water balance calculations indicate an annual flow of 88 gallons per minute (gpm) which is the equivalent of 141.94 acre feet per year. The result of calculating maximum annual water use is included as Exhibit 9. The water use requirements for the Power Plant are less than the threshold value of 800 acre feet per year specified in this statute. Consequently, the applicant is not required to submit a water supply and water yield analysis to the State Engineer for an opinion.

REQUEST FOR NOTICE: Black Hills requests that notice of any and all hearings, party interventions, and all other procedural matters applicable to this proceeding be mailed, one copy each to:

Tom Ohlmacher
Director of Engineering & Operations
Black Hills Power and Light Company
P. O. Box 1400
Rapid City, SD 57701

Mrg Simon
David E. Morrill
MORRILL BROWN & THOMAS
P. O. Box 8108
Rapid City, SD 57709

Mrg Simon
Mrg Simon

David E. Morrill
David E. Morrill
Attorneys for Black Hills
Corporation
MORRILL BROWN & THOMAS
625 Ninth Street, 8th Floor
P. O. Box 8108
Rapid City, SD 57709
605-348-7516

BLACK HILLS CORPORATION,
d/b/a BLACK HILLS POWER
AND LIGHT COMPANY

By: Daniel P. Landguth
Daniel P. Landguth
Chairman, President and
Chief Executive Officer

By: Tom Ohlmacher
Tom Ohlmacher
Director of Engineering
and Operations

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

On the 18th day of November, 1991, Daniel P. Landguth, being first duly sworn on his oath, deposes and says: That he is the Chairman, President and Chief Executive Officer of Black Hills Corporation, a South Dakota corporation, d/b/a Black Hills Power and Light Company, and that he, as such Chairman, President and Chief Executive Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Chairman, President and Chief Executive Officer; that he has read the same and knows the contents thereof to be true of his own knowledge except as

to those matters therein stated on information and belief,
and as to such matters he believes them to be true.

Daniel P. Landguth
Daniel P. Landguth

Subscribed and sworn to before me this 18th day of
November, 1991.

Marencia Zimmerman
Notary Public
My commission expires:

(SEAL)

MY COMMISSION EXPIRES FEBRUARY 26, 1998

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

On the 18th day of November, 1991, Tom Ohlmacher, being first duly sworn on his oath, deposes and says: That he is the Director of Engineering and Operations of Black Hills Power and Light Company, an assumed name of Black Hills Corporation, a South Dakota corporation, and that he, as such Director of Engineering and Operations, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Director of Engineering and Operations; that he has read the same and knows the contents thereof to be true of his own knowledge except as to those matters therein stated on information and belief, and as to such matters he believes them to be true.

Tom Ohlmacher
Tom Ohlmacher

Subscribed and sworn to before me this 18th day of
November, 1991.

Donna M. Seiden
Notary Public
My commission expires: 8/27/94

(SEAL)

NEIL SIMPSON UNIT #2
80 MW COAL-FIRED POWER PLANT

WYOMING INDUSTRIAL SITING ADMINISTRATION
REQUEST FOR WAIVER OF PERMIT APPLICATION

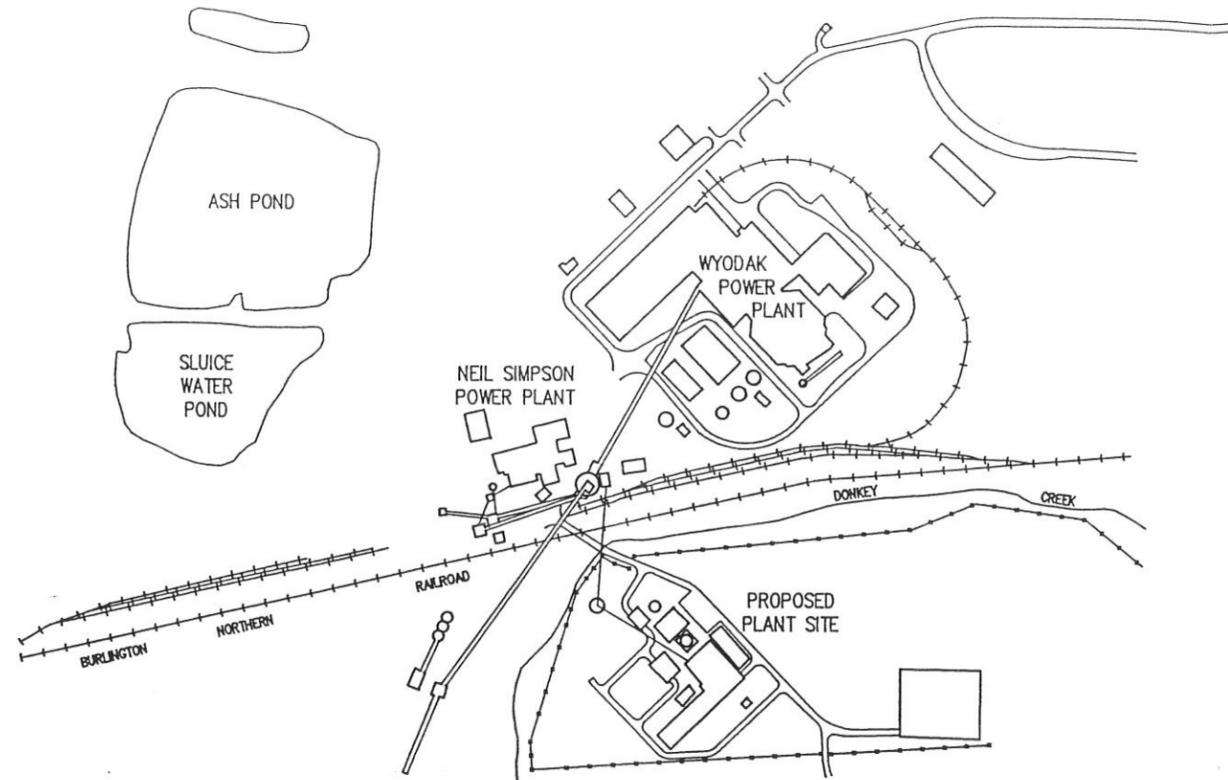
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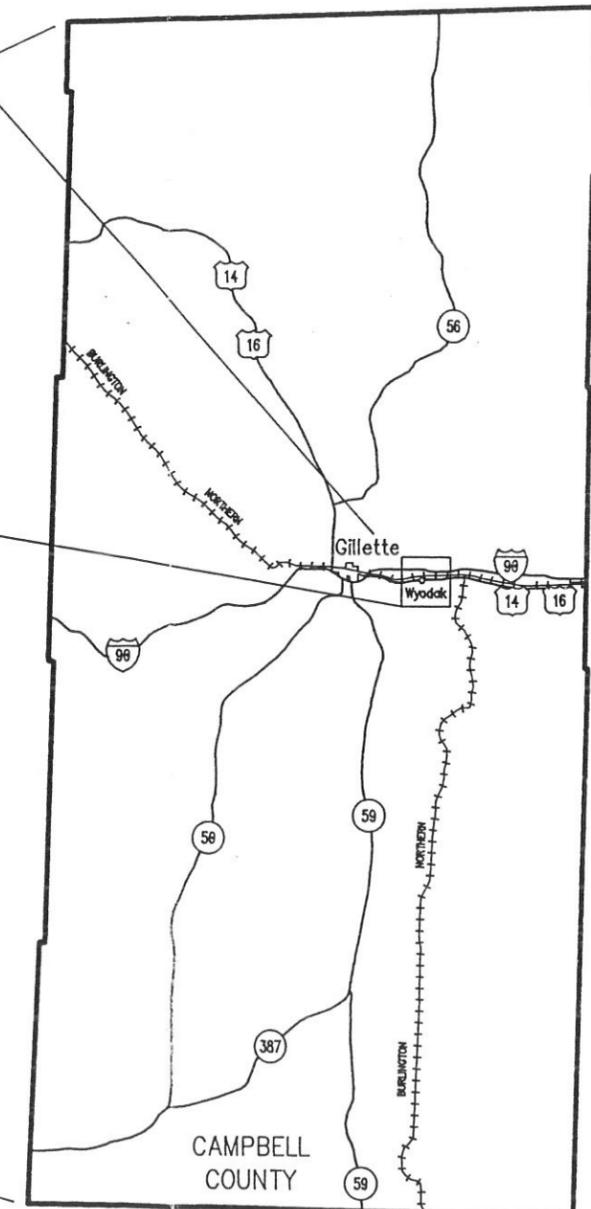
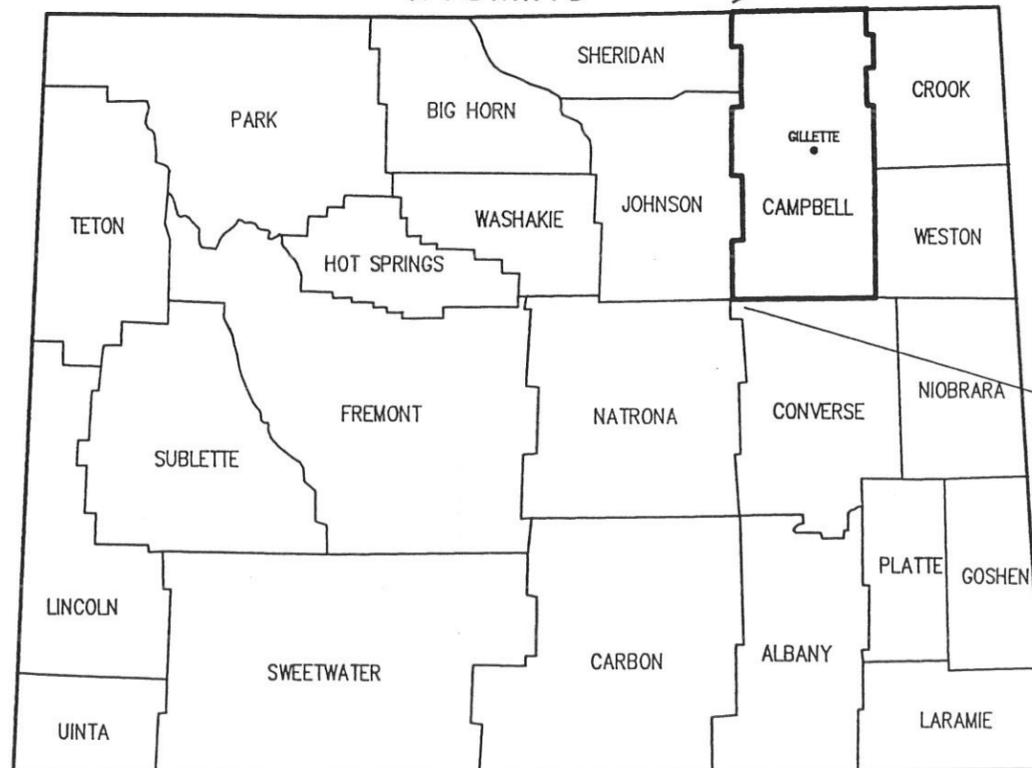
NOVEMBER 1991

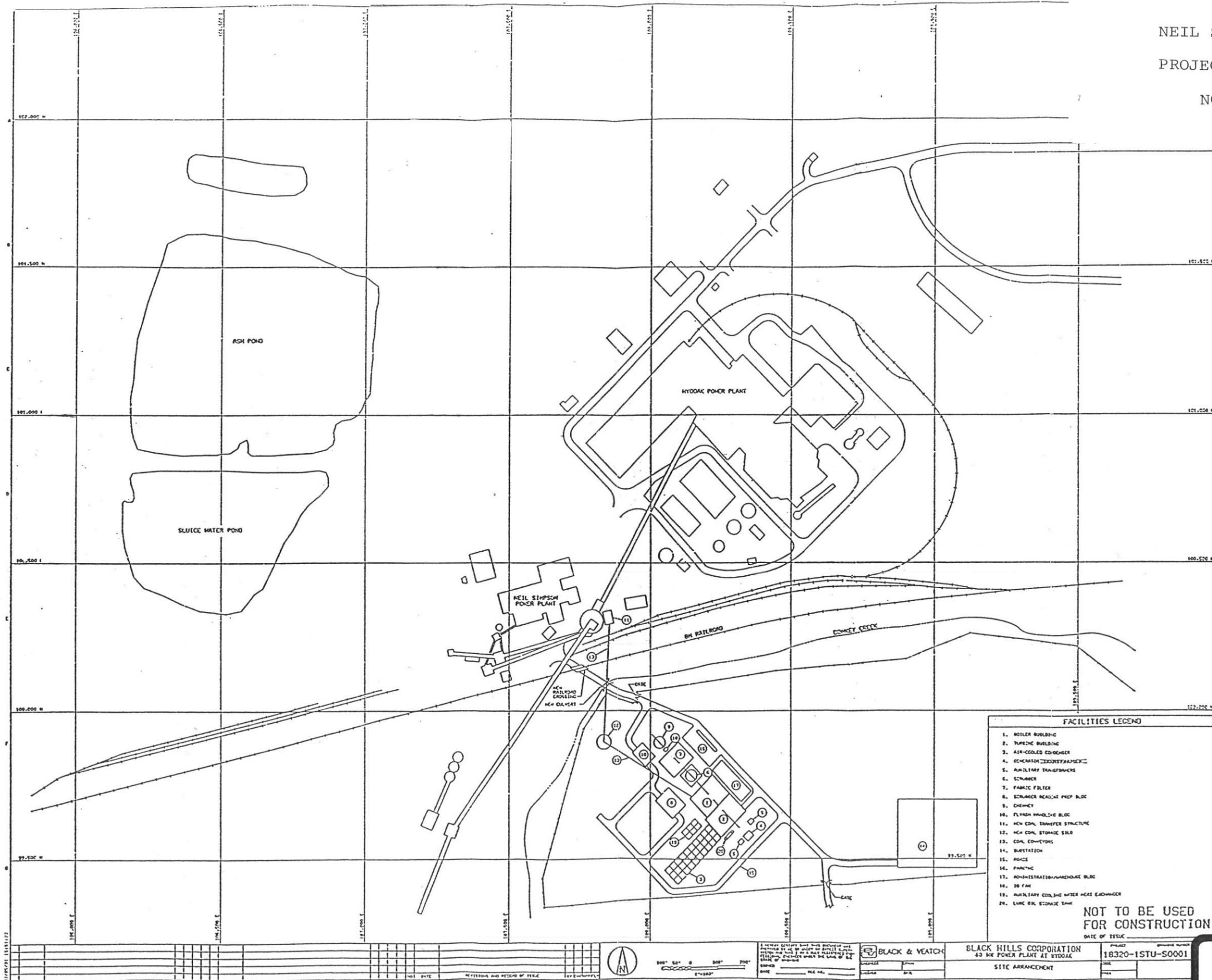
APPENDIX

- Exhibit 1: Vicinity map: Site Location in Relation to State of Wyoming and Campbell County
- Exhibit 2: Vicinity map: Site Arrangement
- Exhibit 3: Construction Milestone Summary Schedule
- Exhibit 4: Estimated Construction Workforce Labor Summary by Calendar Quarter for 28-Month Construction Phase
- Exhibit 5: Estimated Permanent Workforce of Neil Simpson Unit #1 and Unit #2 by Job Classification
- Exhibit 6: Estimated Tax Revenue for Construction Phase and Operational Phase
- Exhibit 7: Estimated Annual Tax Revenue Generated by Wyodak Coal Production for Neil Simpson Unit #2 for Operational Years 1 through 40
- Exhibit 8: Direct Cost Summary
- Exhibit 9: Estimated Water Balance Flow Chart



WYOMING





FACILITIES LEGEND

1. BOILER BUILDING
2. TURBINE BUILDING
3. AIR-COOLED CONDENSER
4. DEAERATOR/CONDENSATE
5. AUXILIARY TRANSFORMERS
6. SWITCHER
7. FABRIC FILTER
8. SWITCHER HEATING PREP BLDG
9. CHIMNEY
10. FLYASH HANDLING BLDG
11. HCW COAL TRANSFER STRUCTURE
12. HCW COAL STORAGE SILO
13. COAL CONVEYORS
14. SUBSTATION
15. POND
16. PARKING
17. ADMINISTRATION/WORKSHOP BLDG
18. BLDG
19. AUXILIARY COOLING WATER HEAT EXCHANGER
20. LIGNITE STORAGE SILO

NOT TO BE USED FOR CONSTRUCTION

DATE OF ISSUE

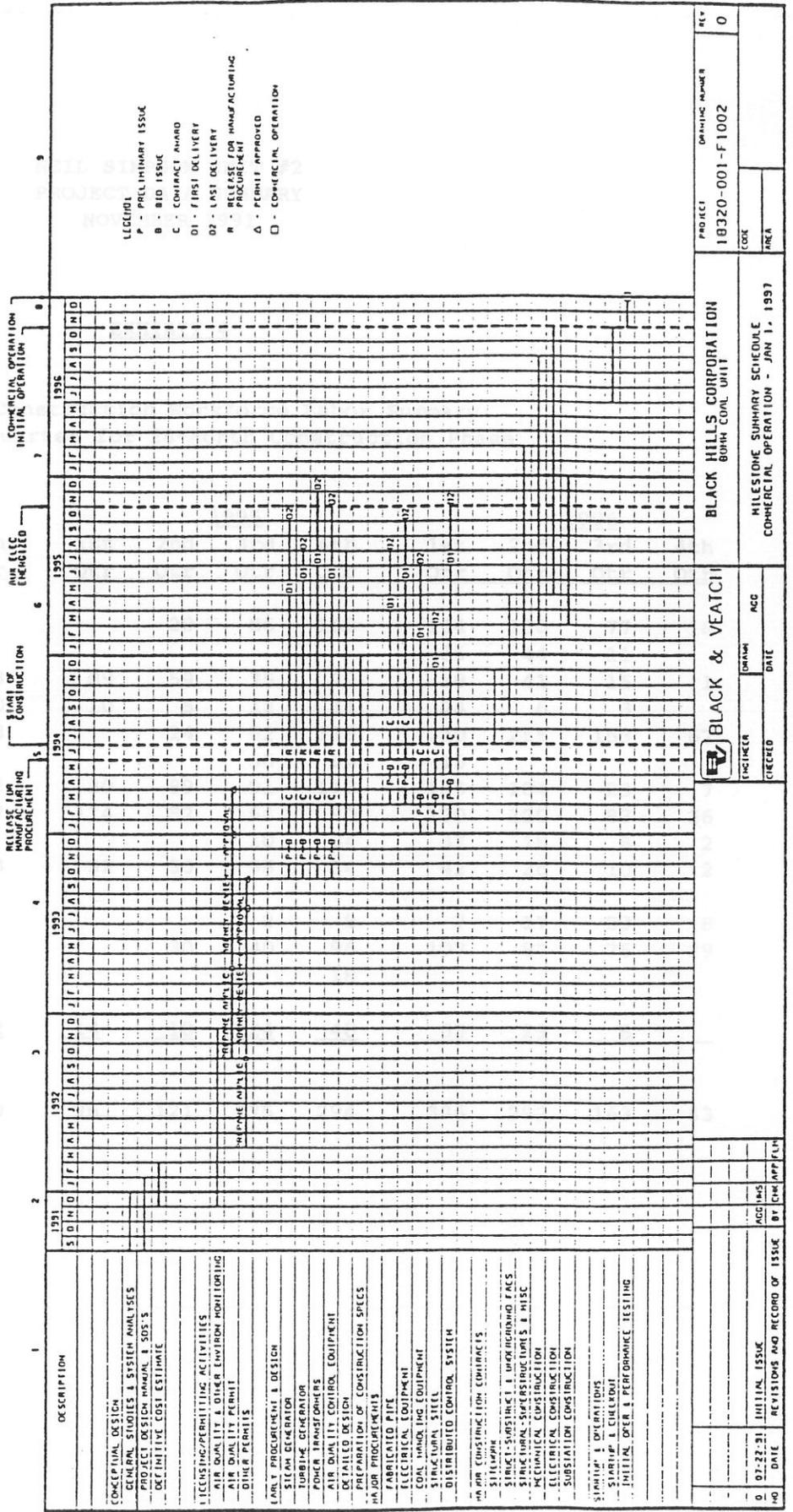
<p>BLACK & VEATCH</p>		<p>BLACK HILLS CORPORATION 43 MW POWER PLANT AT HYDRAK</p>		<p>PROJECT NUMBER 18320-1STU-S0001</p>	
<p>DATE</p>		<p>SHEET NO.</p>		<p>DATE OF ISSUE</p>	
<p>SCALE</p>		<p>DATE</p>		<p>DATE</p>	

EXHIBIT

2

NEIL SIMPSON UNIT #2
PROJECT DATA SUMMARY
NOVEMBER 1991

EXHIBIT



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NEIL SIMPSON UNIT #2
PROJECT DATA SUMMARY
NOVEMBER 1991

EXHIBIT 5

Estimated Permanent Workforce
of Neil Simpson Unit #1 and Unit #2
by Job Classification

<u>Job Classification</u>	<u>Neil Simpson Unit #1</u>	<u>Neil Simpson Unit #2</u>	<u>Total Units 1 & 2</u>
Plant Manager	1	*	1
Plant Supervisor	1	*	1
Material Coordinator	1	*	1
Clerk	1	*	1
Maintenance Engineer		1	1
Results Engineer		1	1
Operations Foreman	4	1	5
Unit Operator		6	6
Machine Operator	4	4	8
Equipment Operator	4	6	10
Utility Persons	2	14	16
Maintenance Foreman	1	*	1
Mechanics	2	6	8
Electricians	2	4	6
Instrumental Tech.		1	1
TOTAL	23	44	67

* Managerial functions for both Unit #1 and Unit #2 will be the responsibility of current personnel.

NEIL SIMPSON UNIT #2
PROJECT DATA SUMMARY
NOVEMBER 1991

EXHIBIT 6

Estimated Tax Revenue
For Construction Phase and Operational Phase

<u>CONSTRUCTION PHASE:</u>	<u>TOTAL TAX REVENUE FOR 28-MONTH CONSTRUCTION PHASE</u>
<u>Direct Construction Costs</u>	
Sales or Use Taxes (Total 3%)	\$ 1,680,000
Sales or Use Taxes (Total 1%)	\$ 554,400
<u>Construction Payroll Taxes on Local Expenditures</u>	
Sales Tax (Total 3%)	\$ 245,000
Sales Tax (Total 1%)	\$ 80,000
<u>OPERATIONAL PHASE:</u>	<u>ANNUAL REVENUE</u>
<u>Operation Payroll - Taxes on Local Expenditures</u>	
Sales Tax (Total 3%)	\$ 24,000
Sales Tax (Total 1%)	\$ 8,000
<u>Property Taxes</u>	\$ 775,000

NEIL SIMPSON UNIT #2
PROJECT DATA SUMMARY
NOVEMBER 1991

EXHIBIT 7

Estimated Annual Tax Revenue
Generated by Wyodak Coal Production
For Neil Simpson Unit #2
For Operational Years 1 Through 40

*Based on Additional Annual Coal Production
of 400,000 Tons Per Year

	<u>Annual</u>	<u>40-Year Revenue</u>
Production Taxes	\$145,000	\$5,800,000
Severance Taxes	\$200,000	\$8,000,000
State Share of Federal Royalty Taxes	\$175,000	\$7,000,000

NEIL SIMPSON UNIT #2
PROJECT DATA SUMMARY
NOVEMBER 1991

EXHIBIT 8

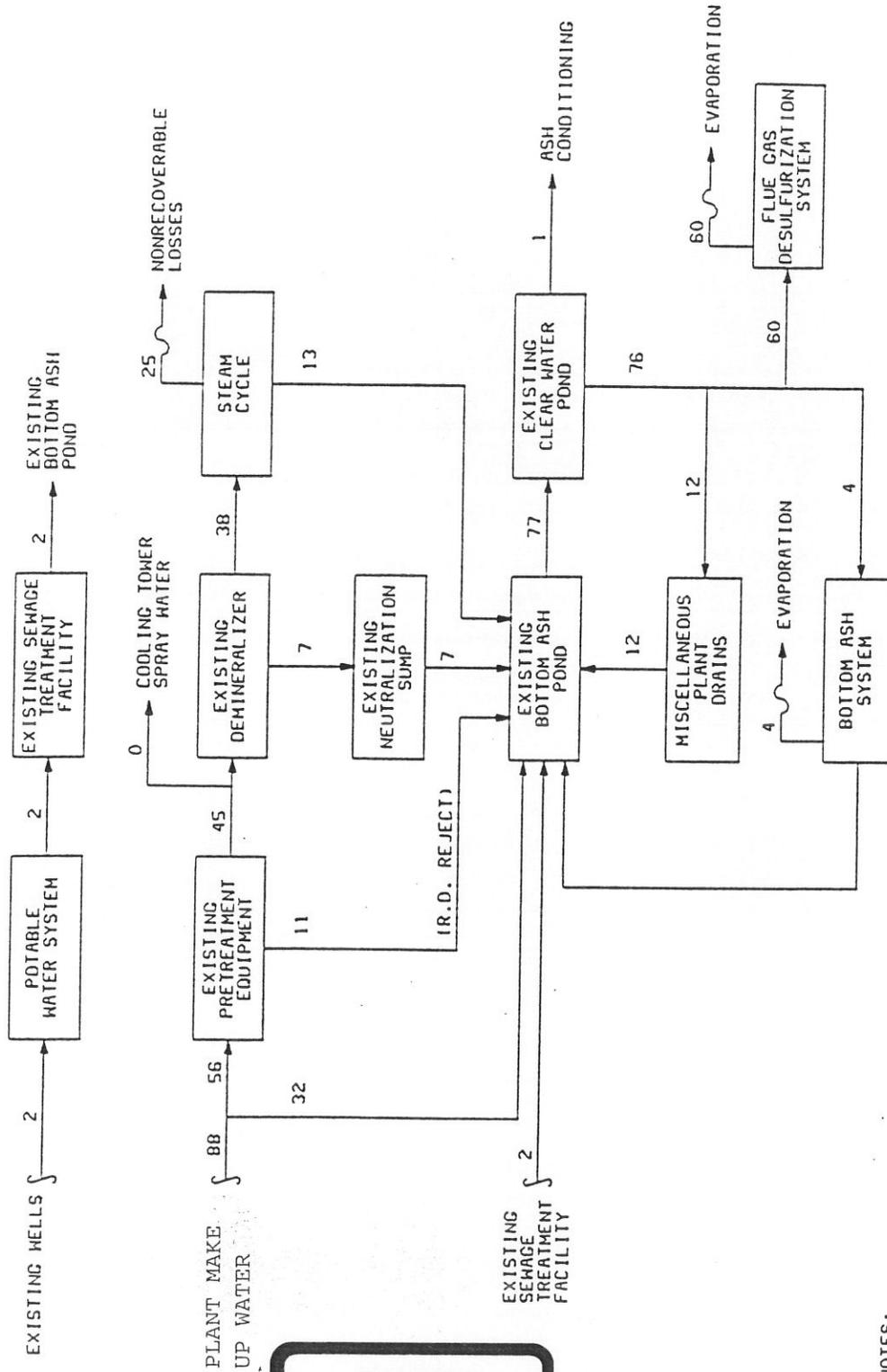
DIRECT COST SUMMARY

Figures based on 1991 Dollars and
construction completion by December 31, 1996

Equipment & Materials	\$ 73,000,000
Construction Contracts	29,000,000
Engineering & Construction Management	9,400,000
Licensing & Permitting	600,000
Contingency	<u>7,000,000</u>
TOTAL DIRECT COSTS	<u>\$119,000,000*</u>

* Included in the Total Direct Costs is Pollution
Control Equipment of \$16,000,000.

NEIL SIMPSON UNIT #2
 PROJECT DATA SUMMARY
 NOVEMBER 1991



NOTES:

1. ALL FLOWS ARE IN GPM.
2. FLOWS ARE BASED ON THE PLANT OPERATING AT AN 80% ANNUAL AVERAGE CAPACITY FACTOR.

BLACK HILLS CORPORATION
 80 MW PLANT AT WYODAK
 WATER BALANCE