

**FALL RIVER COUNTY
COUNTY COMMISSIONERS**
FALL RIVER COUNTY COURTHOUSE
906 NORTH RIVER STREET
HOT SPRINGS, SOUTH DAKOTA 57747
PHONE: (605) 745-5132, FAX: (605) 745-6835

October 2, 2018

Frank Maynard
Fall River County Office of Emergency Management
906 North River Street
Hot Springs, SD 57747

Re: Letter of Commitment as a participating jurisdiction in the Fall River County's Multi-jurisdictional Pre-Disaster Mitigation Plan

Dear Mr. Maynard,

As the Federal Emergency Management Agency's (FEMA) Local Mitigation Plan requirements under 44 CFR §201.6 specifically identify criteria that allow for multi-jurisdictional mitigation plans and that many issues are better resolved by evaluating hazards more comprehensively by coordinating at the county, regional, or watershed level, the County of Fall River is submitting this letter of commitment to confirm that the County has agreed to participate in Fall River County's Pre-Disaster Mitigation Plan.

Further, as a condition to participating in the mitigation planning; the City agrees to meet the requirements for mitigation plans identified in 44 CFR §201.6 and to provide such cooperation as is necessary and in a timely manner to Fall River County to complete the plan in conformance with FEMA requirements.

The City understands that it must engage in the following planning process, as more fully described in FEMA's *Local Multi-Hazard Mitigation Planning Guidance*, including, but not limited to:

- Identification of hazards unique to the jurisdiction and not addressed in the master planning document;
- Conducting a vulnerability analysis and an identifying risks, where they differ from the general planning area;
- The formulation of mitigation goals responsive to public input and development of mitigation actions complementary to those goals (a range of actions must be identified specific for each jurisdiction);
- Demonstration that there has been opportunities for participation in the planning process by all community stakeholders (examples of participation include relevant involvement in any planning process, attending meetings, contributing research, data, or other information, commenting on drafts of the plan, etc.);
- Documentation of an effective process to maintain and implement the plan; and,
- Formal adoption of the Pre-Disaster Mitigation Plan by the jurisdiction's governing body (each jurisdiction must officially adopt the plan).

Therefore, with a full understanding of the obligations incurred by participating in the FEMA mitigation planning process as a participant in a multi-jurisdictional plan; I, Joe Falkenburg, commit the County of Fall River to the Fall River County Multi-jurisdictional Pre-Disaster Mitigation Planning effort.

Executed this 2 day of October, 2018.

Joe Falkenburg, Chairman
Fall River County Commissioners

PETITION TO VACATE RIGHT-OF-WAY

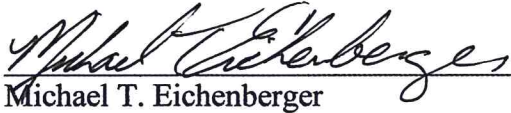
Come now Michael T. Eichenberger and Regina R. Eichenberger, husband and wife, of 1402 Limecreek avenue, Gillette, Wyoming 82716 and hereby petition the County Commission of Fall River County, South Dakota to vacate the dedicated right-of-way (.568 acres, more or less) lying between Tract E in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (NE1/4SE1/4NE1/4) of Section 34, Township 7 South, Range 5 East of the Black Hills Meridian, Fall River County, South Dakota, as shown in Book XVII of Plats, page 32 and a parcel of land formerly known as Lot 11R of Country View Subdivision located in the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section 34, Township 7 South, Range 5 East of the Black Hills Meridian, Fall River County, South Dakota as shown on Plat filed in Book XI of Plats, page 5 which was vacated in 1988, but later sold by Warranty Deed in 1994 by the Lot 11R description, in a Deed prepared by Robert Mines. All of the lots adjoining said right-of-way except one are provided and use public highway access on Country View Road or Country View Drive. The lot which could still use said right-of-way is owned by Mick W. Irwin. His use of said right-of-way is basically impossible because of a huge canyon through the right-of-way which would cost in excess of a half million dollars for a bridge. He has also paid no taxes on the property which lies to the east of petitioner's property, since the 2014 taxes.

The right-of-way area proposed to be vacated was transferred by Quit Claim Deed on February 10, 1998 to the petitioners by both of the adjoining land owners, Steve and Carla Simunek on the north and Dale L. and Shelly Marie Lockhart on the South. Petitioners have paid the property taxes on this right-of-way area ever since 1998.

The underwriter for Southern Hills Title Insurance Company has said that this petition to the Commission is necessary and following Commission approval, petitioners will have to replat

their entire property including the above-described right-of-way, Lot 11R, Tract E and Lot 12R into one newly described tract and then the title insurance will insure good and merchantable title.

Dated this 25 of September, 2018.


Michael T. Eichenberger


Regina R. Eichenberger

Codified Laws

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Statute

1-25-11

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1-25-11. Recording of open public meeting to be permitted. No state, political subdivision, or public body may prevent a person from recording, through audio or video technology, a public meeting that is open to the public as long as the recording is reasonable, obvious, and not disruptive.

Source: SL 2016, ch 11, § 1.

[Back to Chapter 1-25](#)

[Get Chapter 1-25](#)

Aaron Eberle

From: cathy sotherland [csblackhillsrealestate@yahoo.com]
Sent: Tuesday, September 25, 2018 12:13 PM
To: frcaud@gwtc.net
Subject: Replat to be approved/signed at the Co. Commissioners Meeting Oct 2

Please schedule a time for me to meet with the Co. Commissioners to approve a replat for Sue Galeano. She is selling her property and currently has 3 separate, adjoining parcels that need to be changed into one parcel for the Lender. None of the boundaries have been modified.

PARCEL 014-200000-00805-092-01/ 43acres Morris Subdivision No.2: Lots 1 and 2 in N1/2NW1/4, Less Lot H-1 of 7.90 A, Less Lot A of 4.10 A, ,Sec 9, T8, R5 BHM

PARCEL 014-200000-00805-092-02/ 4.49 acres Morris Subdivision No. 2: Lot 3, Sec. 9, T8, R5 BHM

PARCEL 014-200000-00805-091-10/ 15.51 acres Morris Subdivision No. 2: Lot 4, Sec 9, T8, R5 BHM

I would also like to get all of the other signatures at that time including Randy Seiler, Hwy Dept.

Please contact me if you have any questions or to let me know when I am scheduled.

Cathy Sotherland, *CNE, ABR, ACRES-SD*

Owner, Broker

The Real Estate Group, Hot Springs Properties

110 N. Chicago Street, Hot Springs, SD 57747

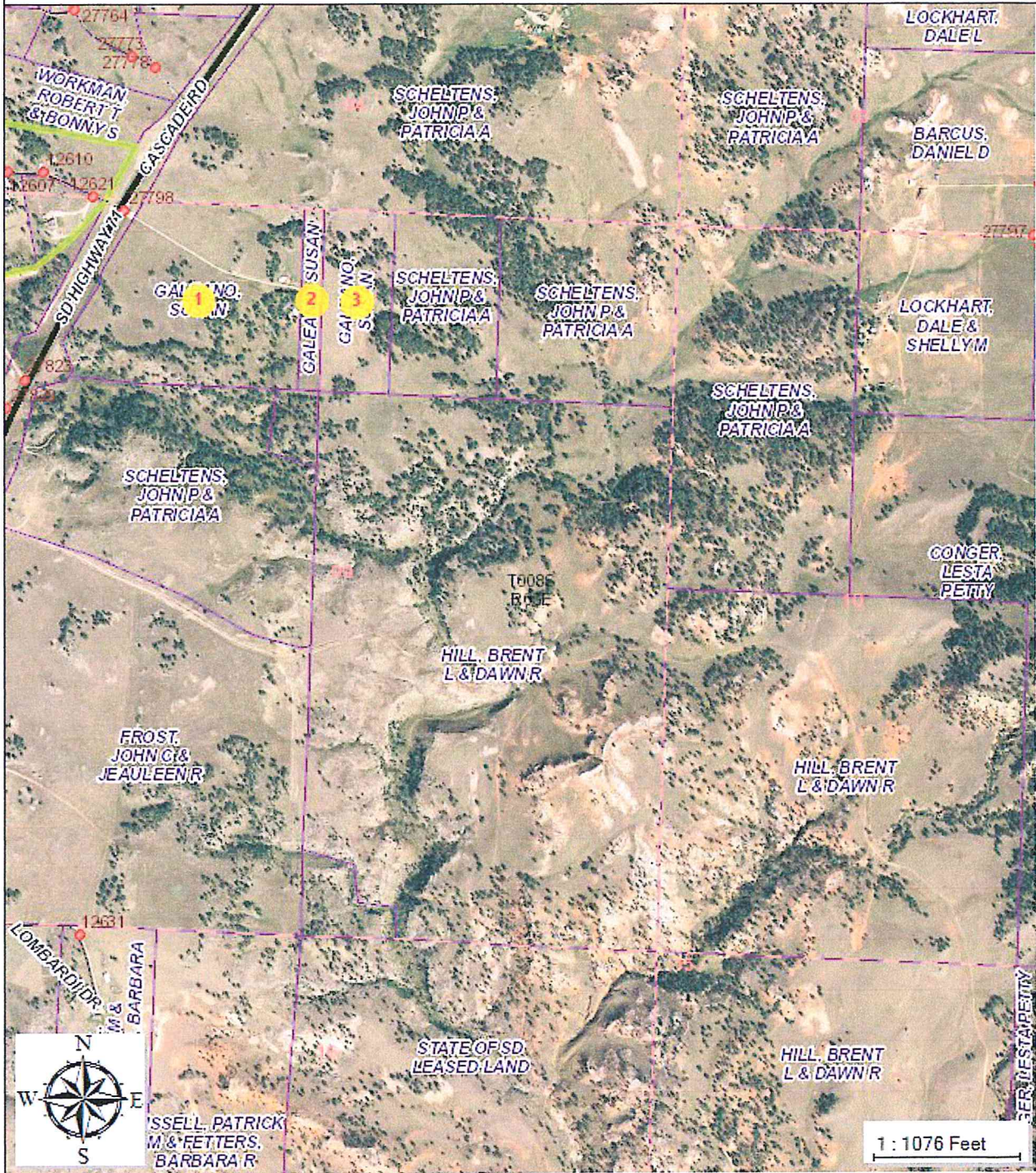
csblackhillsrealestate@yahoo.com

Office: (605) 745-SOLD (7653)

Cell: (605) 890-6225

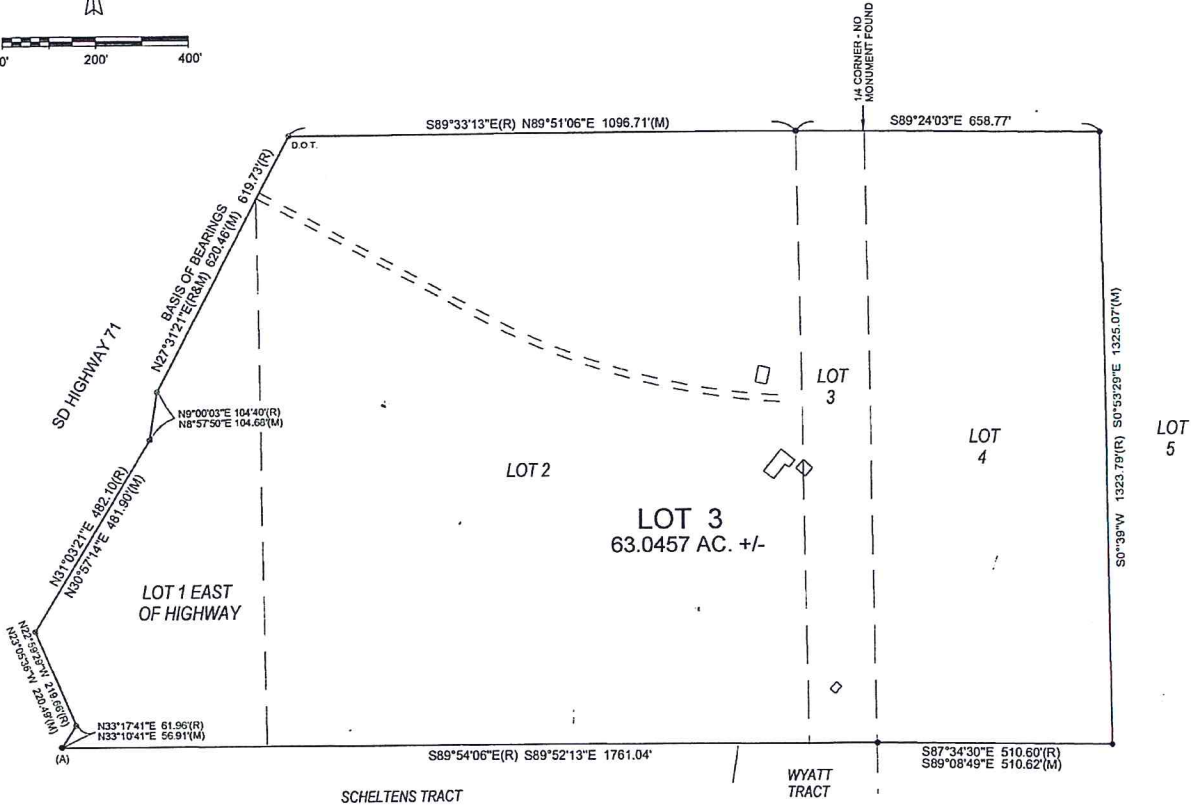
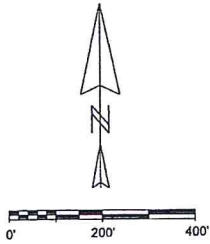
Fax: (605) 745-7667

For all of your real estate needs!



Parcel files cannot be downloaded from this map. If you wish to purchase parcel data please contact the GIS Department at 605-745-7584 or gis.fallriver@gmail.com This map is for general reference only. Last Update: Sept 4, 2018 (Land transactions filed with the Register of Deeds before Aug 1, 2018) The user acknowledges and accepts the limitations of this data, including the fact that the data is in a constant state of change, correction, and maintenance. This map does not represent a legal survey of the land. This map should not be used for legal proceedings or land purchase. Fall River County takes no responsibilities for any inaccuracies.

**LOT 3 OF CAVERN WELLS RANCHETTES
FORMERLY LOT 1 EAST OF HIGHWAY 71 AND ALL LOTS 2, 3 & 4 OF MORRIS SUBDIVISION NO. 2
LOCATED IN N1/2NW1/4 & NW1/4NE1/4 OF SECTION 9. T8S, R5E, B.H.M.
FALL RIVER COUNTY, SOUTH DAKOTA**



BASIS OF BEARINGS
FROM HIGHWAY PLAT
BOOK XIV PAGE 40

PREPARED BY:
HANSON SURVEYING & MAPPING
832 HORACE MANN DRIVE
RAPID CITY, SD 57701
605-388-9652

September 19, 2018

CERTIFICATE OF OWNERSHIP
State of South Dakota, County of Fall River

I, Susan Galeano, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision and erosion and sediment control regulations.

In witness whereof, I, have set my hand and seal.

Owner: _____
Susan Galeano

On the _____th day of _____, 2018, before me, a Notary Public, personally appeared Susan Galeano, known to me to be the person described in the foregoing instrument and acknowledged to me that she signed the same.

Notary Public: _____

My Commission Expires: _____

CERTIFICATE OF SURVEYOR
State of South Dakota, County of Fall River

I, Michael R. Hanson, Registered Land Surveyor No. 6251 of the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.

In witness whereof, I have hereunto set my hand and official seal of this _____th day of _____, 2018.

LEGEND

- (R) Survey Information of record from previous plats.
- (M) Information measured for this plat.
- Found Survey Monument - 1/2" Rebar
- ⊗ Found Alum. D.O.T. Cap
- (A) Found Anderson Cap

CERTIFICATE OF COUNTY AUDITOR

I, Fall River County Auditor, do hereby certify that the above instrument is a true and correct copy of the resolution adopted by the Board of Commissioners of Fall River County, South Dakota, at an official meeting held on the _____th day of _____, 2018.

Fall River County Auditor: _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Fall River County, do hereby certify that my office has been furnished with a true copy of the within plat.

Dated this _____th day of _____, 2018.

Director of Equalization of Fall River County

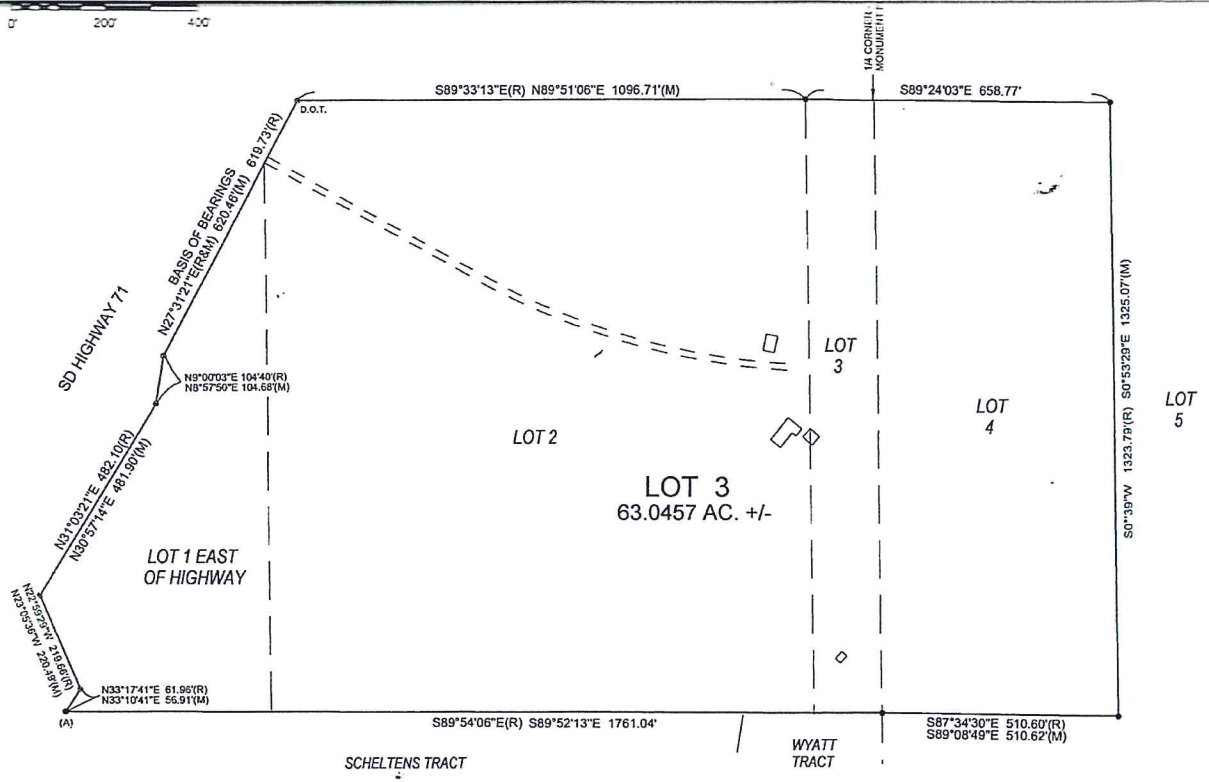
CERTIFICATE OF COUNTY TREASURER
State of South Dakota, County of Fall River

I, Fall River County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.

Dated this _____ day of _____, 2018.

Fall River County Treasurer

CERTIFICATION OF REGISTER OF DEEDS
State of South Dakota, County of Fall River



BASIS OF BEARINGS
FROM HIGHWAY PLAT
BOOK XIV PAGE 40

PREPARED BY:
HANSON SURVEYING & MAPPING
832 HORACE MANN DRIVE
RAPID CITY, SD 57701
605-388-9652

September 19, 2018

LEGEND

- (R) Survey Information of record from previous plats.
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I, Susan Galeano, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision and erosion and sediment control regulations.

In witness whereof, I, have set my hand and seal.

Owner: _____
Susan Galeano

On the _____ th day of _____, 2018, before me, a Notary Public, personally appeared Susan Galeano, known to me to be the person described in the foregoing instrument and acknowledged to me that she signed the same.

Notary Public: _____

My Commission Expires: _____

CERTIFICATE OF SURVEYOR
State of South Dakota, County of Fall River

I, Michael R. Hanson, Registered Land Surveyor No. 6251 of the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.

In witness whereof, I have hereunto set my hand and official seal of this _____ th day of _____, 2018.

Registered Land Surveyor: _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

Whereas, there has been presented to the County Commissioners of Fall River County, South Dakota the within plat of the above described lands, and it appearing to this Board that the system of streets conforms to the system of streets of existing plats and section lines of the county; adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible; all provisions of the county subdivision regulations have been complied with; all taxes and special assessments upon the property have been fully paid; and the plat and survey have been lawfully executed; and now therefore, BE IT RESOLVED that said plat is hereby approved in all respects.

Dated this _____ day of _____, 2018.

Chairperson, Fall River County Board of Commissioners

CERTIFICATE OF COUNTY AUDITOR

I, Fall River County Auditor, do hereby certify that the above instrument is a true and correct copy of the resolution adopted by the Board of Commissioners of Fall River County, South Dakota, at an official meeting held on the _____ th day of _____, 2018.

Fall River County Auditor: _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Fall River County, do hereby certify that my office has been furnished with a true copy of the within plat.

Dated this _____ th day of _____, 2018.

Director of Equalization of Fall River County

CERTIFICATE OF COUNTY TREASURER
State of South Dakota, County of Fall River

I, Fall River County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.

Dated this _____ day of _____, 2018.

Fall River County Treasurer

CERTIFICATION OF REGISTER OF DEEDS
State of South Dakota, County of Fall River

Filed for record this _____ day of _____, 2018,

at _____ o'clock _____ M. and recorded in Book _____ of Plats on Page _____.

Fall River County Register of Deeds

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and that the location of the intersection of the proposed subdivision road with the existing public road is hereby approved.

Highway Authority

Date: _____



10/2 / Agencia

September 17, 2018

Fall River County Commissioners
Atten: Sue Ganje
906 N. River Str
Hot Springs, SD 57747

Ref: Fall River County Roads Right-of-Way – Longhorn Rd

Golden West Telecommunications of Wall, SD has received a service request from 27155 Longhorn Rd, Kylene Olson, in the Buffalo Gap, SD exchange. In order to place the required cable, Golden West is making application to place the buried cable and bore Longhorn Rd in the area indicated on the enclosed construction sheet.

Enclosed is one copy of the Application for Permit to Occupy County Highway Right of Way. Also enclosed is a construction sheet, showing the areas of public right of way where the cable is staked for placement and boring during the construction.

When approved, please return the original permit application to my attention at PO Box 411 Crown Street, Wall, SD 57790.

If you have any questions, comments or concerns, please contact me directly at 605-279-1245 or e-mail, bekkireinert@goldenwest.com.

Sincerely,

A handwritten signature in cursive script that reads "Bekki Reinert".

Bekki Reinert
Golden West Telecommunications
ROW Technician
PO Box 411
Wall, SD 57790
605-279-1245

Enclosure:1

APPLICATION FOR PERMIT TO OCCUPY COUNTY HIGHWAY RIGHT-OF-WAY

TO: THE BOARD OF COUNTY COMMISSIONERS

DATE: 9/17/2018

FALL RIVER COUNTY,
HOT SPRINGS, SOUTH DAKOTA

Application is hereby made by Golden West Telecommunications, South Dakota for permit to occupy highway right-of-way located from: 27155 Longhorn Rd - Bore across Longhorn Rd and place telecommunication cable in the ROW
To: _____

AERIAL FACILITIES: Location, type and size of the proposed line and anchors with respect to the centerline of the road or outer edge of the right-of-way and location of crossings showing any right-of-way are shown on Exhibit "A" (Sketch) attached.

UNDERGROUND FACILITIES: A sketch showing the approximate route and location of the proposed facility for which a permit is hereby requested is attached as Exhibit "A" and made a part hereof.

The following information is pertinent to the proposed installation:

1. Intended usage or rating: Provide telecommunication service to Kylene Olson at 27155 Longhorn Rd
2. Pipe size, cable size and type: BFO 2
3. Outside diameter: N/A
4. Maximum pressure at which pipeline will be operated: N/A
5. Size and Type of metal casing: N/A
6. Minimum depth of cable or pipeline: Bore will be 8' below bed of road, cable will be placed 36" deep in ROW
7. Casing will be installed by minimum size boring and will extend from toe of in-slope to toe of in-slope.
8. This installation will comply with the most recently adopted ASA, Code for Gas Transmission and Distribution Pipe systems or the National Safety Code. Marker sign(s) will be installed where appropriate.

The installation and maintenance of said utility facilities will not interfere with or impair construction, maintenance or use of any highway and will comply with all safety regulations of the State and Federal Government. When trenching is done on County R.O.W. the trenches must be tamped to avoid any settlement.

Future adjustments and maintenance will be in accordance with State and Federal Laws and Regulations and will be performed at no cost to the County or the Federal Government.

APPROVED _____ 20 ____

County Chairman

County Auditor

SUBMITTED 17-Sep 20 18

Golden West Telecommunications

By Bekki Lewent

ROW Technician / GWTC

Title

[EXT] Longhorn Rd Permit for Golden West

Bekki Reinert <BekkiReinert@GoldenWest.com>

Mon 9/17/2018 2:10 PM

To:Ganje, Sue <Sue.Ganje@state.sd.us>;

 2 attachments

Longhorn Rd Permit.pdf; Cover Letter.pdf;

Hi Sue,

Attached is a permit for approval to bore Longhorn Rd and place telecommunication cable in the public ROW of Longhorn Rd to provide service to Kylene Olson at 27155 Longhorn Rd. Please submit this application to the Fall River County Commissioners for approval. I will not be sending a hard copy unless you request me to do so by responding to this e-mail. Please contact me directly if you have any questions or concerns.

Thank you,
Bekki

Bekki Reinert

ROW Technician
Golden West Telecommunications
PO Box 411
415 Crown Street
Wall, SD 57790
bekkireinert@goldenwest.com
605-279-2161
605-279-1245 (Direct)
605-209-9067 (Cell)
605-279-2797 (Fax)



LAW OFFICES OF
BENNETT MAIN GUBBRUD & WILLERT
 A PROFESSIONAL CORPORATION
 618 STATE STREET
BELLE FOURCHE, SOUTH DAKOTA 57717
 TEL (605) 892-2011
 FAX (605) 892-4084
 Email: bellelaw@bellelaw.com

MAX MAIN*
 DWIGHT A. GUBBRUD*
 *LICENSED in SOUTH DAKOTA and WYOMING

Est. 1908

KELLEN B. WILLERT**
 **LICENSED in SOUTH DAKOTA, WYOMING and COLORADO

September 24, 2018

Steven R. Blair
 Assistant Attorney General
 1302 East Hwy 14, #1
 Pierre, SD 57501

Eckard Water Company
 Brad Thomsen, President
 P.O. Box 538
 Edgemont, SD 57735

Quinto Ranch LLC
 Brad Thomsen, Member
 P.O. Box 69
 Edgemont, SD 57735

Susan R. Henderson
 P.O. Box 731
 Edgemont, SD 57735

Fall River County Board of Commissioners
 Sue Ganje, Auditor
 906 N River Street
 Hot Springs, SD 57747

RE: In the Matter of the Application of Peter K. Roosevelt; Case No. 5-2017; Our File No. 2123.015018.

Enclosed for each of you is a copy of an Affidavit of Mailing in the above-referenced matter. This is intended as service upon you by mail.

Sincerely,

BENNETT MAIN GUBBRUD & WILLERT, P.C.

Max Main

MM/hp
 Encs.
 cc: Client

**STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
BOARD OF MINERALS AND ENVIRONMENT**

**IN THE MATTER OF THE APPLICATION OF
PETER K. ROOSEVELT, DENVER, CO, FOR
APPROVAL OF A PERMIT TO INJECT
PRODUCTION WATER INTO THE EXISTING
2-33 ALKALI FEDERAL WELL LOCATED IN
THE NW¼ NE¼ SECTION 33, TOWNSHIP 11
SOUTH, RANGE 1 EAST, IN FALL RIVER
COUNTY, ABOUT EIGHTEEN MILES
SOUTHWEST OF EDGEMONT, SD, TO
INJECT PRODUCTION WATER IN THE
UNCONSOLIDATED SAND OF THE
MINNELUSA FORMATION FOR SALT
WATER DISPOSAL.**

**OIL AND GAS
CASE NO. 5-2017**

AFFIDAVIT OF MAILING

STATE OF SOUTH DAKOTA)

) ss.

County of Butte

)

HOLLY PARKS, being first duly sworn on oath, deposes and says that she is a legal assistant for the law firm of Bennett Main Gubbrud & Willert, P.C., attorneys for Peter K. Roosevelt, the applicant in the above entitled matter; and that on September 6, 2018, in Belle Fourche, County of Butte, State of South Dakota, she personally mailed, by certified mail, return receipt requested, true and correct copies of the Notice of Contested Case Hearing and the Notice of Recommendation for a Permit to Inject in the above-entitled matter to the following entity at its last known post office address as follows:

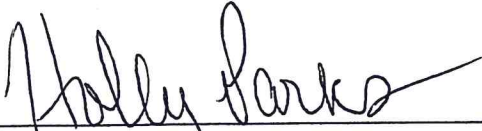
US Department of Interior
Bureau of Land Management
99 23rd Ave. W., Suite A
Dickinson, ND 58601

Affiant further says that said copies were securely enclosed and sealed in an envelope addressed respectively to each of said persons as above stated, with postage thereon as certified, return receipt requested, first class mail, and deposited in an official United States mail box provided under the auspices of the United States for mailing first class mail at the place of mailing above stated, and that there is regular United States mail

communication between the place where each of said copies were mailed and the place to which each was addressed.

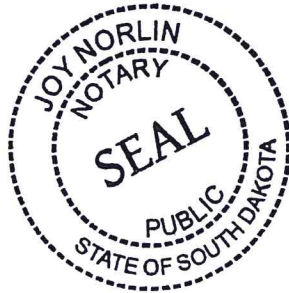
Attached hereto is the "certified mail receipt" showing the original mailing and the "domestic return receipt" received.

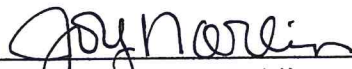
Dated September 21, 2018.



HOLLY PARKS

Subscribed and sworn to before me this 21st day of September, 2018.





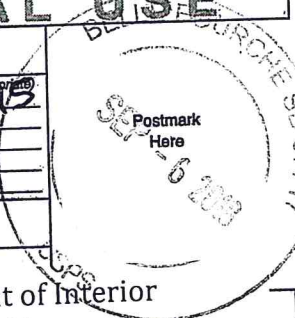
Joy Norlin, Notary Public
My Commission Expires: 02/03/2023.

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Extra Services & Fees (check box, add fee as appropriate)		
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.75	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	\$ 1.21	
Total Postage and Fees	\$ 7.41	
Sent To	U.S. Department of Interior	
Street and Ap.	Bureau of Land Management	
City, State, Zi	99 23rd Ave W, Suite A	
	Dickinson, ND 58601	

PS Form 3801, September 2002

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
<p>1. Article Addressed to:</p> <p style="text-align: center;">U.S. Department of Interior Bureau of Land Management 99 23rd Ave W, Suite A Dickinson, ND 58601</p>	<p>3. Service Type</p> <table style="width: 100%; font-size: 0.8em;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise																
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™																
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<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																	
 9590 9402 2562 6306 7987 92																	
<p>2. Article Number (transfer from service label)</p> <p style="font-size: 1.2em; font-weight: bold;">7017 2680 0000 3968 2119</p>																	
PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt																	



OFFICE OF ATTORNEY GENERAL

1302 East Highway 14, Suite 1
Pierre, South Dakota 57501-8501
Phone (605) 773-3215
Fax (605) 773-4106
TTY (605) 773-6585
<http://atg.sd.gov/>



MARTY J. JACKLEY
ATTORNEY GENERAL

CHARLES D. McGUIGAN
CHIEF DEPUTY ATTORNEY GENERAL

September 18, 2018

Brenda Binegar
Dept. of Env. & Natural Resources
523 E. Capitol Ave.
Pierre, SD 57501

Re: *In the Matter of the Application for Permit to Inject Production Water of
Peter K. Roosevelt, Oil & Gas case no. 05-2017*

Dear Brenda:

Enclosed please find the original of the Department's Notice of Entry of Order to be filed in the above-referenced matter. True and correct copies have been sent to those individuals listed in the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Blair".

Steven R. Blair
Assistant Attorney General

SRB/mn
Enclosures

cc/encl: Parties on Attached Certificate of Service
Mike Lees & Brian Walsh – DENR

STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

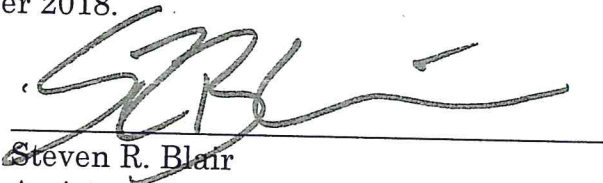
BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF APPLICATION)	OIL AND GAS NO. 5-2017
FOR PERMIT TO INJECT)	
PRODUCTION WATER OF PETER K.)	NOTICE OF ENTRY OF ORDER
ROOSEVELT)	

TO: ALL PARTIES OF RECORD:

Please take notice that on August 27, 2018, Hearing Chairman Gregg Greenfield entered his Scheduling Order in the above-referenced contested action. A copy of the signed Order is attached to this Notice and hereby served upon you.

Dated this 18th day of September 2018.



Steven R. Blair
Assistant Attorney General
1302 East Highway 14, Suite 1
Pierre, South Dakota 57501-8501
Telephone: (605) 773-3215
steven.blair@state.sd.us

*Counsel for Department of Environment
and Natural Resources*

STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF APPLICATION)	OIL AND GAS NO. 5-2017
FOR PERMIT TO INJECT)	
PRODUCTION WATER OF PETER K.)	SCHEDULING ORDER
ROOSEVELT)	

Upon consideration of the Motion for Scheduling Order filed by the Department of Environment and Natural Resources and being otherwise fully informed as to all matters pertinent thereto, the following Order shall be entered in the above captioned action.


It is ORDERED:

1. No later than **October 4, 2018**, each party who will be represented by an attorney at the contested hearing shall be required to have their attorney file a Notice of Appearance in this matter. Further, any non-resident counsel must be able to demonstrate compliance with the *pro hac vice* requirements of SDCL 16-18-2 by this date.
2. No later than **October 4, 2018**, each party must disclose in writing the names of all witnesses that party intends to call in their case-in-chief.
3. No later than **October 4, 2018**, each party must also disclose in writing the names of all expert witnesses that party intends to call in its case-in-chief. Each party must include in this disclosure a copy of the *curriculum vitae* of each expert witness, as well as a copy of any expert report prepared by each expert witness. If no expert report is available, the disclosure must include a short summary of the expert's expected testimony and the expert's conclusions.
4. No later than **October 4, 2018**, each party must submit a list identifying all exhibits that party intends to offer as evidence in its case-in-chief. Each party must provide to all other parties a copy of each identified exhibit. The copies of exhibits must be marked sequentially under the following schedule:

- a. Peter K. Roosevelt: exhibit numbers 1-99;
 - b. Department of Env. & Nat. Resources: Exhibit numbers 100-199;
 - c. Quinto Ranch, LLC: Exhibit numbers 200-299;
 - d. Eckhard Water Company: Exhibit numbers 300-399;
 - e. Susan Henderson: Exhibit numbers 400-499; and
 - f. Fall River County Commission: Exhibit numbers 500-599.
5. The disclosure of witnesses and exhibits to any other party, including any copies or attachments, may be carried out by electronic means. Copies of each disclosure must also be submitted by first class mail to Brenda Binegar, Department of Env. & Natural Resources, for filing in the Board's file.
 6. No later than **October 11, 2018**, all pre-hearing motions must be filed with the Hearing Chair and served upon all parties of record. Motions will be considered immediately prior to the commencement of the contested hearing unless the Hearing Chair sets a prehearing conference, or any party requests such a conference.
 7. The contested case hearing held in this matter will be heard before the Board of Minerals and Environment on **October 18, 2018**.

Dated this 27th day of August, 2018

BOARD OF MINERALS & ENVIRONMENT



Gregg Greenfield
Hearing Chair

STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF APPLICATION)	OIL AND GAS NO. 5-2017
FOR PERMIT TO INJECT)	
PRODUCTION WATER OF PETER K.)	CERTIFICATE OF SERVICE
ROOSEVELT)	

The undersigned hereby certifies that the original of the Department's NOTICE OF ENTRY OF ORDER was filed with:

Brenda Binegar
DENR Minerals & Mining Program
523 E. Capitol Ave.
Pierre, SD 57501

Further, the undersigned certifies that a true and correct copy of the above-referenced document was served by United States Mail, first class, postage prepaid, upon the following:

Max S. Main
Bennett, Main, Gubbrud & Willert, P.C.
618 State Street
Belle Fourche, SD 57717
Counsel for Applicant

Eckard Water Company
Brad Thomsen, President
P.O. Box 538
Edgemont, SD 57735
Petitioner – Intervenor

Quinto Ranch, LLC
Brad Thomsen, Member
P.O. Box 69
Edgemont, SD 57735
Petitioner – Intervenor

Susan R. Henderson
P.O. Box 731
Edgemont, SD 57735
Petitioner – Intervenor

Fall River Co. Board of Commissioners
Sue Ganje, Auditor
906 N. River Street
Hot Springs, SD 57747
Petitioner – Intervenor

Gregg Greenfield
4901 S. Isabel Place, #210
Sioux Falls, SD 57108
Hearing Chair, Brd. of Minerals & Environment

And hand delivered to:

Charles McGuigan
Chief Deputy Attorney General
1302 E. Highway 14, Suite 1
Pierre, SD 57501
Counsel, Brd. of Minerals and Environment

On this 18th day of September 2018.



Steven R. Blair
Assistant Attorney General
1302 East Highway 14, Suite 1
Pierre, South Dakota 57501-8501
Telephone: (605) 773-3215
steven.blair@state.sd.us

*Counsel for Department of Environment
and Natural Resources*

STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
BOARD OF MINERALS AND ENVIRONMENT



IN THE MATTER OF THE APPLICATION OF
PETER K. ROOSEVELT, DENVER, CO, FOR
APPROVAL OF A PERMIT TO INJECT
PRODUCTION WATER INTO THE EXISTING
2-33 ALKALI FEDERAL WELL LOCATED IN
THE NW¼ NE¼ SECTION 33, TOWNSHIP 11
SOUTH, RANGE 1 EAST, IN FALL RIVER
COUNTY, ABOUT EIGHTEEN MILES
SOUTHWEST OF EDGEMONT, SD, TO
INJECT PRODUCTION WATER IN THE
UNCONSOLIDATED SAND OF THE
MINNELUSA FORMATION FOR SALT
WATER DISPOSAL.

OIL AND GAS
CASE NO. 5-2017

CERTIFICATE OF
SERVICE

The undersigned hereby certifies that the original of the AFFIDAVIT OF MAILING was filed with:

Brenda Binegar
DENR Minerals & Mining Program
523. E. Capital Ave.
Pierre, SD 57501

Further, the undersigned certifies that a true and correct copy of the above-referenced document was served by United States Mail, first class, postage prepaid upon the following:

Steven R. Blair
Assistant Attorney General
1302 East Hwy 14, #1
Pierre, SD 57501
*Counsel for Department of
Environment and Natural Resources*

Eckard Water Company
Brad Thomsen, President
P.O. Box 538
Edgemont, SD 57735
Petitioner – Intervenor

Quinto Ranch LLC
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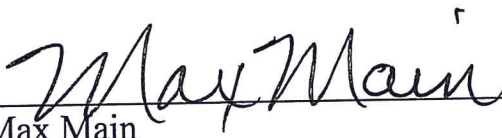
Susan R. Henderson
P.O. Box 731
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Petitioner - Intervenor

Fall River County Board of Commissioners
Sue Ganje, Auditor
906 N River Street
Hot Springs, SD 57747
Petitioner – Intervenor

Gregg Greenfield
4901 S. Isabel Place, #210
Sioux Falls, SD 57108
*Hearing Chair, Brd. Of Minerals
& Environment*

Charles McGuigan
Chief Deputy Attorney General
1302 E. Highway 14, Suite 1
Pierre, SD 57501
Counsel, Brd. Of Minerals and Environment

On this 25th day of September, 2018.



Max Main
Bennett, Main, Gubbrud & Willert, P.C.
618 State Street
Belle Fourche, SD 57717
Counsel for Applicant

**STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
BOARD OF MINERALS AND ENVIRONMENT**

**IN THE MATTER OF THE APPLICATION OF
PETER K. ROOSEVELT, DENVER, CO, FOR
APPROVAL OF A PERMIT TO INJECT
PRODUCTION WATER INTO THE EXISTING
2-33 ALKALI FEDERAL WELL LOCATED IN
THE NW¼ NE¼ SECTION 33, TOWNSHIP 11
SOUTH, RANGE 1 EAST, IN FALL RIVER
COUNTY, ABOUT EIGHTEEN MILES
SOUTHWEST OF EDGEMONT, SD, TO
INJECT PRODUCTION WATER IN THE
UNCONSOLIDATED SAND OF THE
MINNELUSA FORMATION FOR SALT
WATER DISPOSAL.**

**OIL AND GAS
CASE NO. 5-2017**

AFFIDAVIT OF MAILING

STATE OF SOUTH DAKOTA)

) ss.

County of Butte)

HOLLY PARKS, being first duly sworn on oath, deposes and says that she is a legal assistant for the law firm of Bennett Main Gubbrud & Willert, P.C., attorneys for Peter K. Roosevelt, the applicant in the above entitled matter; and that on September 6, 2018, in Belle Fourche, County of Butte, State of South Dakota, she personally mailed, by certified mail, return receipt requested, true and correct copies of the Notice of Contested Case Hearing and the Notice of Recommendation for a Permit to Inject in the above-entitled matter to the following entity at its last known post office address as follows:

US Department of Interior
Bureau of Land Management
99 23rd Ave. W., Suite A
Dickinson, ND 58601

Affiant further says that said copies were securely enclosed and sealed in an envelope addressed respectively to each of said persons as above stated, with postage thereon as certified, return receipt requested, first class mail, and deposited in an official United States mail box provided under the auspices of the United States for mailing first class mail at the place of mailing above stated, and that there is regular United States mail

communication between the place where each of said copies were mailed and the place to which each was addressed.

Attached hereto is the "certified mail receipt" showing the original mailing and the "domestic return receipt" received.

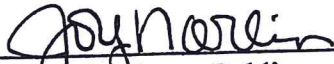
Dated September 21, 2018.



HOLLY PARKS

Subscribed and sworn to before me this 21st day of September, 2018.





Joy Norlin, Notary Public
My Commission Expires: 02/03/2023.

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

7017 2680 0000 3968 2119

Certified Mail Fee \$ 3.45

Extra Services & Fees (check box, add fee as appropriate)

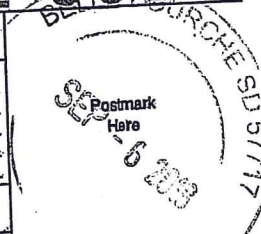
Return Receipt (hardcopy) \$ 2.75

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____



Postage \$ 1.21

Total Postage and Fees \$ 2.41

Sent To
 Street and Apt.
 City, State, ZIP

U.S. Department of Interior
 Bureau of Land Management
 99 23rd Ave W, Suite A
 Dickinson, ND 58601

PS Form 380

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <u>[Signature]</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>	
<p>1. Article Addressed to:</p> <p>U.S. Department of Interior Bureau of Land Management 99 23rd Ave W, Suite A Dickinson, ND 58601</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below: _____</p>	
<p>2. Article Number (transfer from service label)</p> <p><u>7017 2680 0000 3968 2119</u></p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>		<p>Domestic Return Receipt</p>

[EXT] Kane County v. United States – Notice of filing Motion for Award of Attorney Fees and Non-Taxable Expenses

Stearns, Nichole <NStearns@smithcurrie.com>

Thu 9/27/2018 1:36 PM

To: Saltman, Alan <ASaltman@Smithcurrie.com>;

Cc: Fleming, Robert <ROFleming@smithcurrie.com>;

The purpose of this email is to give you notice that Class Counsel has, today, filed its “Motion for Award of Attorney Fees and Non-Taxable Expenses” in the United States Court of Federal Claims, in *Kane County, Utah v. United States*, Nos. 17-739C and 17-1991C (Consolidated).

Copies of that Motion, a supporting Brief, and a supporting Declaration have been posted on Class Counsel’s informational webpage, www.SmithCurrie.com/PiltPaymentsInfo, and are available for your review.

Should you wish to file an objection to that Motion, Class Counsel suggests that you do so no later than October 11, 2018.

What happens next? We are working with government counsel to place before the Court all information needed for entry of final judgment, and expect final judgment to be entered shortly after the Court decides the Motion for Fees and Expenses.

Sincerely,
Alan I. Saltman
Class Counsel

Smith, Currie & Hancock LLP
1025 Connecticut Avenue, N.W.
Suite 600
Washington, D.C. 20036
202-452-2140
202-775-8217 (fax)
aisaltman@smithcurrie.com

SMITHCURRIE

This electronic message transmission contains information from the law firm of Smith, Currie & Hancock LLP, which may be confidential or privileged. The information is intended for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this

Seventh Judicial Circuit Court
PO Box 230
Rapid City SD 57709-0230
(605) 394-2571

CIRCUIT JUDGES

Craig A. Pfeifle, Presiding Judge
Matthew M. Brown
Jeffrey R. Connolly
Jeff W. Davis
Robert Gusinsky
Heidi L. Linngren
Robert A. Mandel
Jane Wipf Pfeifle

MAGISTRATE JUDGES

Scott M. Bogue
Todd J. Hyronimus
Bernard Schuchmann
Marya Tellinghuisen

COURT ADMINISTRATOR

Kristi W. Erdman

STAFF ATTORNEY

Laura Hilt

September 26, 2018

Fall River County /Oglala Lakota County Commissioners
Joe Falkenburg, Chair
PO Box 69
Edgemont, SD 57735

Dear Commissioner Falkenburg:

I am pleased to inform that the Unified Judicial System has secured another year of funding for the Court Security Grant Program to help offset the costs of security improvements in courthouses. Grant request are being accepted until December 1, 2018. Counties may be eligible for up to 50% match on security expenses, depending on availability of funding.

Please see attached correspondence from Chief Justice Gilbertson. Thank you and I look forward to hearing from you.

Sincerely,



Craig A. Pfeifle
Presiding Judge
Seventh Judicial Circuit

Cc: Carol Foster



Supreme Court
STATE OF SOUTH DAKOTA

David Gilbertson
CHIEF JUSTICE

TO: Chair, Boards of County Commissioners
Sheriffs
State's Attorneys

RE: Court Security Grant Money

DATE: September 20, 2018

I am pleased to inform you that the Unified Judicial System has secured another year of funding for the Court Security Grant Program to help offset the costs of security improvements in courthouses. Since 1999, the UJS has distributed \$1,030,297 for 384 county grants throughout the state. The money helped pay part of the costs of the projects ranging from the installation of panic alarm systems to purchasing metal detectors and bulletproofing benches. The UJS has \$10,000 available in FY 2019 to help continue the important work of upgrading the security of courthouses throughout the state.

The \$10,000 appropriated by the Legislature for FY2019 may not underwrite all of the projects that are requested for this fiscal year. Therefore, as in the past, we will allocate funding based on the following priorities:

1. **Purchasing new or upgrading existing panic alarm systems.** It is our belief that being able to call law enforcement quickly and quietly in a dangerous situation remains the most effective means for diffusing problems before they spin out of control.
2. **Purchasing metal detectors.** We received several requests in the past to purchase hand-held and portable metal detectors for use in the courthouses. We will again assist in funding the purchase of this important equipment.
3. **Purchasing locks and peepholes for court facilities.** As noted in past years' grants, securing facilities can be done very economically by installing locks and peepholes throughout court facilities.
4. **Other miscellaneous expenses.** These expenses could include bulletproofing benches (we strongly recommend Kevlar for this purpose) and other measures directly related to improving courthouse security.

Court Security Grant Money
September 20, 2018
Page Two

Grant applications should be submitted to Gregory L. Sattizahn, State Court Administrator, 500 East Capitol Avenue, Pierre, South Dakota, 57501-5070 by **December 1, 2018**. Counties will be eligible for up to a 50% match on security expenses, depending on the availability of funding, the above priorities, and the number of projects submitted.

The grant applications should include a cover letter requesting the funds, description of the project and a written cost proposal or estimate from the vendor of the improvements to be made. Verbal quotes will not be accepted. Please contact Aaron Olson at 773-4872 if you have any grant application questions.

I would again like to extend my sincere thanks to those of you who have been attentive to courthouse security issues. Improving courthouse security not only benefits those who work in such facilities, but also the many members of the public who transact business in them. I look forward to working with you in our continuing efforts to improve courthouse security.

Sincerely yours,



David Gilbertson
Chief Justice

cc: Bob Wilcox, County Commissioners Association
Presiding Judges
Circuit Court Administrators
Gregory L. Sattizahn, State Court Administrator
Aaron Olson, Director of Budget & Finance
Kent Grode, Director of Information & Technology