



***FALL RIVER COUNTY  
COMMISSIONERS OFFICE  
COURTHOUSE  
906 NORTH RIVER ST  
HOT SPRINGS, SOUTH DAKOTA 57747  
PHONE: (605) 745-5130 FAX: (605) 745-6835***

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September 16, 2021

Hon. Mike Rounds  
716 Hart Senate Office Bldg.  
Washington DC 20515

Dear Senator Rounds,

As the national conversation on infrastructure concludes in the coming weeks, several provisions have been brought to our attention that we believe would impact the supply chain in Fall River County. Several sections within the House's version of the infrastructure bill would disrupt freight rail operations and service across South Dakota, push heavier trucks onto local highways, and negatively impact such aspects as our oil and gas development and international trade.

These include such provisions as requiring crew size mandates on railroads but not on other modes of transportation and a multi-billion dollar unfunded mandate to replace locomotives built prior to 2008. Another provision would require freight trains coming into the United States from Mexico to nearly immediately stop once they enter the country and perform a Mexican-to-American crew interchange and safety inspections. This contradicts an existing procedure allowing trains to proceed up to 15 miles inland and stop at proper railyards before they make their exchanges and checks thus risking unsafe conditions on the border and bottlenecks with international trade. These are just some of the provisions that are causes for concern in the rail title of the bill that could adversely impact rail service in South Dakota and nationwide.

Closer to home, a provision in the House bill would effectively prohibit the movement of fossil fuels, namely liquefied natural gas, by freight trains. Moving these products by rail is one of the key methods of moving these materials from nearby developments like the Bakken Field. Interestingly this prohibition does not extend to other forms of transportation such as the trucking industry. This means we may see an increase in heavy trucks carrying these materials in places like Fall River County as they move southward towards distribution hubs like Denver. Policies like these aren't just shortsighted because they needlessly attack an industry but they

create ancillary problems for our communities. Moving freight by rail is three times more efficient than trucks and 99.99 percent of hazmat trains reach their final destination without incident. Policy changes that push more freight onto trucks actually increase pollution all while making roads less safe for passenger vehicles. In addition, the freight rail industry is privately owned, operated and maintained which means they cover the cost of their own infrastructure and repair. Pushing more trucks onto local highways only increases the burden on South Dakota taxpayers.

As a result of these issues, the county is requesting you oppose unnecessary policies like these whether they be included in a final infrastructure bill in the coming weeks or in future efforts that would impact the freight rail system. Instead, I would urge you to consider the existing benefits our freight rail system provides our economy and local communities such as efficiently moving freight, helping to lower emissions, creating good paying jobs, and providing transportation options to local businesses when weighing your infrastructure policies.

Sincerely,

Joe Falkenburg  
Chairman  
Fall River County Commission



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906 NORTH RIVER ST  
HOT SPRINGS, SOUTH DAKOTA 57747  
PHONE: (605) 745-5130 FAX: (605) 745-6835**

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September 16, 2021

Hon. Dusty Johnson  
1714 Longworth House Office Bldg.  
Washington DC 20515

Dear Congressman Johnson,

As the national conversation on infrastructure concludes in the coming weeks, several provisions have been brought to our attention that we believe would impact the supply chain in Fall River County. Several sections within the House's version of the infrastructure bill would disrupt freight rail operations and service across South Dakota, push heavier trucks onto local highways, and negatively impact such aspects as our oil and gas development and international trade.

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Joe Falkenburg  
Chairman  
Fall River County Commission



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COMMISSIONERS OFFICE  
COURTHOUSE  
906 NORTH RIVER ST  
HOT SPRINGS, SOUTH DAKOTA 57747  
PHONE: (605) 745-5130 FAX: (605) 745-6835**

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September 16, 2021

Hon. John Thune  
511 Dirksen Senate Office Bldg.  
Washington DC 20515

Dear Senator Thune,

As the national conversation on infrastructure concludes in the coming weeks, several provisions have been brought to our attention that we believe would impact the supply chain in Fall River County. Several sections within the House's version of the infrastructure bill would disrupt freight rail operations and service across South Dakota, push heavier trucks onto local highways, and negatively impact such aspects as our oil and gas development and international trade.

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Sincerely,

Joe Falkenburg  
Chairman  
Fall River County Commission

**AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER**

TO THE HONORABLE BOARD OF FALL RIVER COUNTY COMMISSIONERS:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County on this 31st day of August 2021.

|   |    |              |
|---|----|--------------|
| <b>Total Amount of Deposit in First Interstate Bank, HS:</b>                      | \$ | 1,655,737.89 |
| <b>Total Amount of Deposit in First National Bank, Lead:</b>                      | \$ | 1,000.00     |
| <b>Total Amount of Cash:</b>  | \$ | 4,395.66     |
| <b>Total Amount of Treasurer's Change Fund:</b>                                   | \$ | 900.00       |
| <b>Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days:</b> | \$ | 17,446.49    |

**SAVINGS:**

|                                       |    |              |
|---------------------------------------|----|--------------|
| First Interstate Bank, HS:            | \$ | 1,125,132.86 |
| First National Bank of Lead: ICS Acct | \$ | 1,046,105.73 |

**CERTIFICATES OF DEPOSIT:**

|                                       |    |              |
|---------------------------------------|----|--------------|
| First Interstate, HS:                 | \$ | 788,864.24   |
| Black Hills Federal Credit Union, HS: | \$ | 250,000.00   |
| Bank of the West, HS:                 | \$ | 542,423.60   |
| Schwab Treasury:                      | \$ | 274,327.74   |
| First National Bank, Lead:            | \$ | 309,081.91   |
| Black Hills Community, Rapid City:    | \$ | 805,786.21   |
| Liberty National, Sioux Falls:        | \$ | 4,023,703.80 |

**Itemized list of all items, checks and drafts that have been in the Treasurer's possession over three days:**

|                                |    |        |
|--------------------------------|----|--------|
| Register of Deeds Change Fund: | \$ | 500.00 |
| Highway Petty Cash:            | \$ | 20.00  |
| Election Petty Cash:           | \$ | 15.00  |

**RETURNED CHECKS:**

|                 |            |    |        |
|-----------------|------------|----|--------|
| Brun, Cyril     | 9/2/2020   | \$ | 806.60 |
| Caveye, Russell | 10/26/2020 | \$ | 64.77  |

**TOTAL \$ 10,846,312.50**

Dated This 31st Day of August 2021.



Sue Ganje, County Auditor of Fall River County



Teresa Pullen, County Treasurer of Fall River County

|                         |           |                      |
|-------------------------|-----------|----------------------|
| County Monies           | \$        | 10,568,913.91        |
| Held for other Entities | \$        | 85,276.73            |
| Held in Trust           | \$        | 192,121.86           |
| <b>TOTAL</b>            | <b>\$</b> | <b>10,846,312.50</b> |

The Above Balance Reflects County Monies, Monies Held in Trust, and Monies Collected for and to be remitted to Other ENTITIES: SCHOOLS, TOWNS, AND STATE.



# EMPOWER Coalition

## of the Southern Hills, Inc.

*Established March 2009*

September 07, 2021

To Whom It May Concern:

Pursuant to SDCL 22-25-24 & 25 local raffles need to provide notice to the city and county governments where the raffle is being held.

EMPOWER Coalition of the Southern Hills, Inc. would like to submit a raffle request to the City of Hot Springs, and County of Fall River, South Dakota to raise funds for the Toys for Kids program during a Poker Run and Car Show Fundraiser to be held on September 17<sup>th</sup> & 18<sup>th</sup>, 2021 at the Hills Edge Auto. The raffle request is for the Poker Run itself and to sell 50/50 tickets for the event. Thank you for your consideration.

|                          |  |
|--------------------------|--|
| Organization Name:       | EMPOWER Coalition of the Southern Hills, Inc. Toys for Kids  |
| Organization Address:    | 302 South 19 <sup>th</sup> Street, Hot Springs, SD 57747   |
| Contact Name:            | Valerie Henry  |
| Contact Phone Number:    | 605-440-2584   |
| Contact Email Address:   | <a href="mailto:val@gwtc.net">val@gwtc.net</a>   |
| Date of Event:           | September 17, 2021, 4pm and September 18, 9am to 7pm   |
| Location of Event:       | American Legion, 104 5 Jennings Avenue, Hot Springs, SD 57747  |
| Cost of Tickets:         | 50/50 raffle tickets are \$1 each, 6 for \$5, or arm length for \$20   |
| List of Prizes or Value: | 50% of Poker Hand sales; Raffle tickets prize is 50% of the money taken in by the raffle ticket sales. The other 50% is retained by the nonprofit, which is EMPOWER. Each ticket purchased equals one entry in the drawing for a winner. |
| Proceeds to be used for: | EMPOWER Coalition of the Southern Hills, Inc. Toys for Kids  |

Respectfully submitted,

Valerie L. Henry  
CEO





*Emergency Management  
Fall River County*

*Franklin W. Maynard CEM CFM  
906 N. River St.  
Hot Springs, SD 57747*

605 745-7562 605 890-7245 em@frcounty.org



Date: September 16, 2021

Subj: Commission Update

1. **SD Dept. of Emergency Management:** I attended the Edgemont City Council Meeting on September 7<sup>th</sup>, to provide updates to the county Pre Disaster Mitigation Plan (PDM) and the Local Emergency Operations Plan (LEOP). I attended the Oelrichs Town Board meeting on August 2<sup>nd</sup>, 2021 to provide the same information. I am scheduled to attend the Hot Springs City Council meeting on September 20, 2021 to do the required updates.
2. **Fall River County Annual Exercise:** The exercise was held on Sept. 15, 2021. I will be completing the required paperwork for full credit.
3. **Corrections Training (Lexipol):** One of the requirements for the Safety Benefits program is to provide training to jailers, dispatchers, and law enforcement personnel. Lexipol provides virtual training modules to accomplish these requirements. Additionally, there are modules that meet the needs of the office personnel within the county. The cost is \$3,264 per year for 51 employees. I would recommend approval.
4. **Fires & Incidents:**
  1. 9/04/2021: Sig. 1 fatality Hwy 79: Fall River Sheriff, SD Highway Patrol, Hot Springs Ambulance, Hot Springs Fire, SD GFP, and Fall River Coroner.
  2. 9/11/2021: Grass Fire: 6 miles south of Provo: 12 acres: Ardmore Fire, Edgemont Fire, and Buffalo Gap National Grasslands.
  3. 9/11/2021: Sig. 1: Oral Road: Vehicle in the Irrigation Canal. Fall River Sheriff, Hot Springs Ambulance.

A handwritten signature in black ink that reads 'Franklin W. Maynard'.

*Franklin W. Maynard, CEM, CFM  
Emergency Manager  
Fall River County  
906 N. River Street  
Hot Springs, SD 57747*



Esri Inc  
380 New York Street  
Redlands CA 92373

## **Subject: Renewal Quotation**

**Date:** 09/10/2021  
**To:** Stacey Martin  
**Organization:** County of Fall River  
GIS Dept  
**Fax #:** 605-745-6835 **Phone #:** 605-745-7584  
**From:** Alan Chrest  
**Fax #:** 909-307-3083 **Phone #:** 888-377-4575 Ext. 2857  
**Email:** achrest@esri.com

Number of pages transmitted  
(including this cover sheet): 4

Quotation #26029099  
Document Date: 07/12/2021

Please find the attached quotation for your forthcoming term. Keeping your term current may entitle you to exclusive benefits, and if you choose to discontinue your coverage, you will become ineligible for these valuable benefits and services.

If your quote is regarding software maintenance renewal, visit the following website for details regarding the maintenance program benefits at your licensing level  
<http://www.esri.com/apps/products/maintenance/qualifying.cfm>

All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your coverage at a later date.

Please note: Certain programs and license types may have varying benefits. Complimentary User Conference registrations, software support, and software and data updates are not included in all programs.

Customers who have multiple copies of certain Esri licenses may have the option of supporting some of their licenses with secondary maintenance.

For information about the terms of use for Esri products as well as purchase order terms and conditions, please visit  
<http://www.esri.com/legal/licensing/software-license.html>

If you have any questions or need additional information, please contact Customer Service at 888-377-4575 option 5.



**esri**<sup>®</sup>

380 New York Street  
Redlands, CA 92373  
Phone: 888-377-45752857  
Fax #: 909-307-3083

# Quotation

**Date:** 07/12/2021

**Quotation Number:** 26029099

County of Fall River  
GIS Dept  
906 N River St  
Hot Springs SD 57747  
**Attn:** Stacey Martin

**Send Purchase Orders To:**

Environmental Systems Research Institute, Inc.  
380 New York Street  
Redlands, CA 92373-8100  
Attn: Alan Chrest

**Please include the following remittance address on your Purchase Order:**

Environmental Systems Research Institute, Inc.  
P.O. Box 741076  
Los Angeles, CA 90074-1076

**Customer Number:** 229788

For questions regarding this document, please contact Customer Service at 888-377-4575.

| Item | Qty | Material#  | Unit Price           | Extended Price      |
|------|-----|--|----------------------|---------------------|
| 10   | 1   | 52384<br>ArcGIS Desktop Advanced Concurrent Use Primary Maintenance<br>Start Date: 10/11/2021<br>End Date: 10/10/2022      | 3,000.00             | 3,000.00            |
| 1010 | 1   | 98696<br>ArcGIS Publisher for Desktop Concurrent Use Primary Maintenance<br>Start Date: 10/11/2021<br>End Date: 10/10/2022 | 500.00               | 500.00              |
| 2010 | 1   | 87192<br>ArcGIS Desktop Basic Single Use Primary Maintenance<br>Start Date: 10/11/2021<br>End Date: 10/10/2022             | 400.00               | 400.00              |
|      |     |  | <b>Item Subtotal</b> | 3,900.00            |
|      |     |  | <b>Estimated Tax</b> | 0.00                |
|      |     |  | <b>Total</b>         | <b>USD 3,900.00</b> |

**DUNS/CEC: 06-313-4175 CAGE: 0AMS3**

**Quotation is valid for 90 days from document date.**

Any estimated sales and/or use tax has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. Esri reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state taxes directly, then prior to invoicing, your organization must provide Esri with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

**Issued By:** Alan Chrest      **Ext:** 2857

[CSBATCHDOM]

To expedite your order, please reference your customer number and this quotation number on your purchase order.



**esri**<sup>®</sup>

380 New York Street  
Redlands, CA 92373  
Phone: 888-377-45752857  
Fax #: 909-307-3083

# Quotation

Page 2

Date: 07/12/2021

Quotation Number: 26029099

| Item | Qty | Material# | Unit Price | Extended Price |
|------|-----|-----------|------------|----------------|
|------|-----|-----------|------------|----------------|

### Renewal Options:

- Online: Renew through My Esri site at <https://my.esri.com>
  - Credit Card
  - Purchase Order
  - Email Authorization
- Email or Fax: Email Authorization, Purchase Order or signed quote to:
  - Fax: 909-307-3083
  - Email: [service@esri.com](mailto:service@esri.com)

Requests via email or signed quote indicate that you are authorized to obligate funds for your organization and your organization does not require a purchase order.

If there are any changes required to your quotation please respond to this email and indicate any changes in your invoice authorization.

If you choose to discontinue your support, you will become ineligible for support benefits and services. All maintenance fees from the date of discontinuation will be due and payable if you decide to reactivate your support coverage at a later date.

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <http://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <http://assets.esri.com/content/dam/esrisites/media/legal/ma-full/ma-full.pdf> apply to your purchase of that item. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <http://www.esri.com/en-us/legal/terms/state-supplemental> apply to some state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin.

In order to expedite processing, please reference the quotation number and any/all applicable Esri contract number(s) (e.g. MPA, ELA, SmartBuy GSA, BPA) on your ordering document.



**esri**<sup>®</sup>

380 New York Street  
Redlands, CA 92373  
Phone: 888-377-45752857  
Fax #: 909-307-3083

# Quotation

Page 3

**Date:** 07/12/2021

**Quotation No:** 26029099

**Customer No:** 229788

| Item | Qty | Material# | Unit Price | Extended Price |
|------|-----|-----------|------------|----------------|
|------|-----|-----------|------------|----------------|

US FEDERAL CUSTOMERS: If you are a federal customer or a contractor purchasing on behalf of a federal customer a purchase order is required to receive an invoice. Please email the purchase order to [service@esri.com](mailto:service@esri.com)

By signing below, you are authorizing Esri to issue a software support invoice in the amount of USD \_\_\_\_\_ plus sales tax, if applicable.

Please check one of the following:

I agree to pay any applicable sales tax.

I am tax exempt. Please contact me if Esri does not have my current exempt information on file.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Title

**FARRELL, FARRELL & GINSBACH  
LAWYERS**

441 NORTH RIVER STREET  
HOT SPRINGS, SOUTH DAKOTA 57747  
PHONE: 605.745.5161  
FAX: 605.745.3154  
EMAIL: farrellginsbach@gwtc.net

**WILLIAM R. HUSTEAD  
COLE J. ROMEY**

**PATRICK M. GINSBACH, OF COUNSEL  
JANE M. FARRELL, OF COUNSEL  
MARTIN P. FARRELL (1940-1995)**

*Serving the Southern Hills for 75 years*

September 9, 2021

Fall River County Auditor  
Attn: Bobby  
906 N River Street  
Hot Springs, SD 57747

Re: Wynia Petition to Vacate Section

Dear Bobby,

Enclosed please find the Petition to Vacation Section Line Right-of-Way. Please contact Patrick Ginsbach with any questions.

Sincerely,



Lacey Rapp  
Office Manager

Encl.

RECEIVED  
SEP 09 2021

BY: BT

~~RECEIVED  
SEP 09 2021~~

**PETITION TO VACATION SECTION LINE RIGHT-OF-WAY**

TO: FALL RIVER COUNTY COMMISSIONERS

WE, THE UNDERSIGNED qualified voters of Fall River County in the State of South Dakota, pursuant to SDCL 31-3-6, petition the Fall River County Commission to vacate the below listed section line highway, as a public interest that will be served by the proposed vacating of the section line highway:

1. The beginning course and termination of the section line highways to be vacated are as follows:

That portion of the section line highway between Sections 22 and 23 of Township 7 South, Range 5 East of the Black Hills Meridian, commencing on the area where the section line enters Tract D located in the SE1/4NE1/4 of Section 22 and Tract D of the SW1/4NW1/4 Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, and then traveling in a southerly direction 286' to a point where the section line exits Tract D in the SE1/4NE1/4 of Section 22, and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River County, South Dakota, according to the Plat thereof recorded in Book VIII of Plats, page 62 in the office of the Fall River County Register of Deeds.

2. The land owners adjacent to the location of the section line highway are:

Estate of Derelle Wynia  
12793 US Hwy 18  
Hot Springs, South Dakota 57747

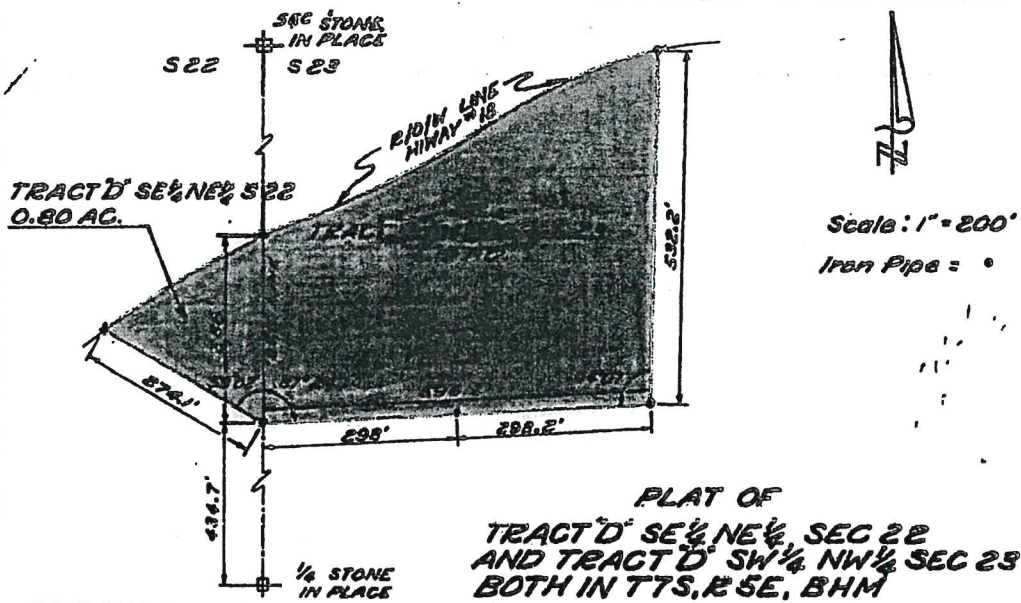
The State of South Dakota  
500 E. Capitol Ave.  
Pierre, SD 57501

Black Hills Hardscapes, Inc.  
1205 Sheridan Street  
Hot Springs, SD 57747

3. That the Petitioners seek to vacate the said street that has never been used as a street, nor is it needed for access and is undeveloped, and the section line travels through platted property, known as Tract D in the SE1/4NE1/4 of Section 22 and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River



WHEREFORE, your Petitioners pray that notice of the time and place when and where the Petition will be considered, be published one per week for two successive weeks in the Hot Springs Herald Star and at that hearing, that portion of the street as described in this Petition be vacated, subject to any Easements of record.



**PLAT OF  
TRACT D SE 1/4 NE 1/4 SEC 22  
AND TRACT D SW 1/4 NW 1/4 SEC 23  
BOTH IN T7S, R5E, BHM**

**SURVEYOR'S CERTIFICATE**  
I, George G. Ross, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE OWNER, I HAVE SURVEYED AND PLATTED TRACT D SE 1/4 NE 1/4 SEC. 22, AND TRACT D SW 1/4 NW 1/4 SEC. 23, T7S, R5E, B.H.M. AS SHOWN HEREON, ALL DIMENSIONS SHOWN ARE TRUE AND CORRECT.

George G. Ross  
REGISTERED LAND SURVEYOR

**ACKNOWLEDGEMENT OF SURVEYOR**  
STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE  
BE IT REMEMBERED THAT ON THIS 24<sup>th</sup> DAY OF JANUARY, 1967, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED George G. Ross KNOWN TO ME TO BE THE PERSON, DESCRIBED IN, AND WHO EXECUTED THE FOREGOING CERTIFICATE.  
MY COMMISSION EXPIRES APRIL 25, 1969.

George E. Olysted  
NOTARY PUBLIC

**OWNER'S CERTIFICATE**  
I (WE), Clayton A. Calhoun & Leslie J. Calhoun OWNERS OF TRACT "D" SE 1/4 NE 1/4 SEC. 22, TRACT "D" SW 1/4 NW 1/4 SEC. 23, T7S, R5E, B.H.M. DO HEREBY APPROVE THE SURVEY AND PLAT, WITNESS (OUR, MY) HAND THIS 24<sup>th</sup> DAY OF FEBRUARY, 1967.

OWNER Clayton A. Calhoun  
OWNER Leslie J. Calhoun

**ACKNOWLEDGMENT OF OWNERS**  
STATE OF INDIANA, COUNTY OF LAKE  
BE IT REMEMBERED THAT ON THIS 24<sup>th</sup> DAY OF FEBRUARY, 1967, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED Clayton A. Calhoun & Leslie J. Calhoun, KNOWN TO ME TO BE THE PERSON DESCRIBED IN, AND WHO EXECUTED THE FOREGOING OWNER'S CERTIFICATE.  
MY COMMISSION EXPIRES 1-18-68.

Betty J. Webster  
NOTARY PUBLIC

**CERTIFICATE OF COUNTY TREASURER**  
STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER  
I, Wallace J. Peterson, COUNTY TREASURER OF FALL RIVER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON THE LANDS PLATTED ABOVE

AS SHOWN BY RECEIPTS OF MY OFFICE, HAVE BEEN PAID TO DATE.  
DATE: Mar 21, 1967

Wallace J. Peterson  
COUNTY TREASURER

**OFFICE OF REGISTER OF DEEDS**  
STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER  
FILED FOR RECORD THIS 28 DAY OF March, 1967, AT 2:15 O'CLOCK P.M. AND RECORDED IN BOOK 111 OF PLATS ON PAGE 62 THEREIN.



1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.

2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.

3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.

4. Abbreviations of common usage may be used. Ditto marks may not be used.

5. Failure to provide all information requested may invalidate the signature.

| NAME                |   | RESIDENCE  | DATE/COUNTY  |
|---------------------|---|--|--|
| SIGN<br>1<br>PRINT  | <i>Lony Masecklein</i><br>Lony Masecklein     | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>807 ALMOND ST #2<br>CITY OR TOWN<br>HOT SPRINGS SD 57747        | DATE OF SIGNING<br>E 8-26-21<br>COUNTY OF REGISTRATION<br>FALL RIVER     |
| SIGN<br>2<br>PRINT  | <i>Webb Carson</i><br>Webb Carson             | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>13059 FAHLE CT<br>CITY OR TOWN<br>HOT SPRINGS SD 57747          | DATE OF SIGNING<br>Fall River<br>COUNTY OF REGISTRATION<br>FALL RIVER    |
| SIGN<br>3<br>PRINT  | <i>Royce Jones</i><br>Royce Jones             | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>1339 Dexter<br>CITY OR TOWN<br>H.S. SD. 57747                   | DATE OF SIGNING<br>8-20-21<br>COUNTY OF REGISTRATION<br>Fall River       |
| SIGN<br>4<br>PRINT  | <i>Kriss Bledsoe</i><br>Kriss Bledsoe         | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>13664 Lone Tree RD<br>CITY OR TOWN<br>BUHALO GAP, S.C. DAY      | DATE OF SIGNING<br>8-30-21<br>COUNTY OF REGISTRATION<br>FALL RIVER       |
| SIGN<br>5<br>PRINT  | <i>Lyle Witt</i><br>LYLE WITT                 | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>2327 WASHINGTON<br>CITY OR TOWN<br>HOT SPRINGS, SD              | DATE OF SIGNING<br>8/30/21<br>COUNTY OF REGISTRATION<br>FALL RIVER, SD.  |
| SIGN<br>6<br>PRINT  | <i>Glen Popescu</i><br>Glen Popescu           | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>1345 Sheridan St.<br>CITY OR TOWN<br>HOT SPRINGS SD             | DATE OF SIGNING<br>8/30/21<br>COUNTY OF REGISTRATION<br>Fall River, S.P. |
| SIGN<br>7<br>PRINT  | <i>Steve Preheim</i><br>Steve Preheim         | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>2317 Washington Ave.<br>CITY OR TOWN<br>H.S. SD. 57747          | DATE OF SIGNING<br>Fall River<br>COUNTY OF REGISTRATION<br>8-31-21       |
| SIGN<br>8<br>PRINT  | <i>Caleb Priem</i><br>Caleb Priem             | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>12572 Shep's Canyon Rd<br>CITY OR TOWN<br>HOT SPRINGS S.D 57747 | DATE OF SIGNING<br>8-31-21<br>COUNTY OF REGISTRATION<br>Fall River       |
| SIGN<br>9<br>PRINT  | <i>Kelly Haacke</i><br>Kelly Haacke           | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>1076 Evanston Ave<br>CITY OR TOWN<br>HOT SPRINGS SD 57747       | DATE OF SIGNING<br>8-31-21<br>COUNTY OF REGISTRATION<br>Fall River       |
| SIGN<br>10<br>PRINT | <i>James L. Stevens</i><br>James L. Stevens   | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>1622 Evanston AVE<br>CITY OR TOWN<br>HOT SPRINGS SD 57747       | DATE OF SIGNING<br>8-31-2021<br>COUNTY OF REGISTRATION<br>Fall River     |
| SIGN<br>11<br>PRINT | <i>Janet Speirs</i><br>Janet Speirs           | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>336 E 21st<br>CITY OR TOWN<br>HOT SPRINGS, SD 57747             | DATE OF SIGNING<br>9-5-21<br>COUNTY OF REGISTRATION<br>Fall River        |
| SIGN<br>12<br>PRINT | <i>Carla D. Richmond</i><br>Carla D. Richmond | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>27545 Todd Drive<br>CITY OR TOWN<br>HOT SPRINGS, SD 57747       | DATE OF SIGNING<br>9/5/21<br>COUNTY OF REGISTRATION<br>Fall River        |
| SIGN<br>13<br>PRINT | <i>Gerald Collogan</i><br>GERALD COLLOGAN     | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>1038 EVANSTON AVE<br>CITY OR TOWN<br>HOT SPRINGS, SD 57747      | DATE OF SIGNING<br>9-5-21<br>COUNTY OF REGISTRATION<br>FALL RIVER        |
| SIGN<br>14<br>PRINT | <i>Barb Boery</i><br>Barb Boery               | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>2038 Washington<br>CITY OR TOWN<br>HOT SPRINGS, SD              | DATE OF SIGNING<br>9-5-21<br>COUNTY OF REGISTRATION<br>Fall River        |
| SIGN<br>15<br>PRINT | <i>Eugene Nachtigall</i><br>Eugene Nachtigall | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>12749 County Rd<br>CITY OR TOWN<br>HOT SPRINGS SD 57747         | DATE OF SIGNING<br>9-5-21<br>COUNTY OF REGISTRATION<br>Fall River        |
| SIGN<br>16<br>PRINT | <i>Jean Nachtigall</i><br>JEAN NACHTIGALL     | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>12749 County Rd<br>CITY OR TOWN<br>HOT SPRINGS, SD 57747        | DATE OF SIGNING<br>9-5-21<br>COUNTY OF REGISTRATION<br>Fall River        |

|                                    |  |   |
|------------------------------------|--|---|
| 17<br>PRINT<br><u>Anne Zwetzig</u> | CITY OR TOWN<br><u>Hot Springs</u>   | COUNTY OF REGISTRATION<br><u>Fall River</u> |
| SIGN<br><u>Anne Zwetzig</u>        | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br><u>1343 Sherman St</u>            | DATE OF SIGNING<br><u>9/5/21</u>            |
| 18<br>PRINT<br><u>Bernie Cook</u>  | CITY OR TOWN<br><u>Hot Springs</u>   | COUNTY OF REGISTRATION<br><u>Fall River</u> |
| SIGN<br><u>Bernie Cook</u>         | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br><u>350 N GARDEN ST</u>            | DATE OF SIGNING<br><u>9/5/21</u>            |
| 19<br>PRINT<br><u>Bernie Cook</u>  | CITY OR TOWN<br><u>Hot Springs</u>   | COUNTY OF REGISTRATION<br><u>Fall River</u> |
| SIGN<br><u>Connie Ulmer</u>        | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br><u>109 S. 23<sup>rd</sup> St.</u> | DATE OF SIGNING<br><u>9-5-21</u>            |
| 20<br>PRINT<br><u>Connie Ulmer</u> | CITY OR TOWN<br><u>Hot Springs</u>   | COUNTY OF REGISTRATION<br><u>Fall River</u> |

**VERIFICATION BY PERSON CIRCULATING PETITION**

**INSTRUCTIONS TO CIRCULATOR:** This section must be completed following circulation and before filing.

Todd Wynia      12793 U.S. Hwy 18      Hot Springs      S.D.  
 Print name of the circulator      Residence Address      City      State

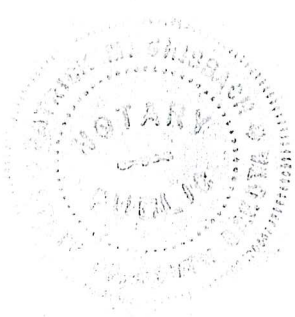
I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Todd Wynia  
 Signature of Circulator

Sworn to before me this 8 day of September, 2021  
 (Seal)

Patricia M. Gubeli  
 Signature of Officer Administering Oath  
Notary Public SD  
 Title of Officer Administering Oath

My Commission Expires 9-14-2021  
 Form Revised 2000 - 5:02:08:19



**PETITION TO VACATION SECTION LINE RIGHT-OF-WAY**

TO: FALL RIVER COUNTY COMMISSIONERS

WE, THE UNDERSIGNED qualified voters of Fall River County in the State of South Dakota, pursuant to SDCL 31-3-6, petition the Fall River County Commission to vacate the below listed section line highway, as a public interest that will be served by the proposed vacating of the section line highway:

1. The beginning course and termination of the section line highways to be vacated are as follows:

That portion of the section line highway between Sections 22 and 23 of Township 7 South, Range 5 East of the Black Hills Meridian, commencing on the area where the section line enters Tract D located in the SE1/4NE1/4 of Section 22 and Tract D of the SW1/4NW1/4 Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, and then traveling in a southerly direction 286' to a point where the section line exits Tract D in the SE1/4NE1/4 of Section 22, and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River County, South Dakota, according to the Plat thereof recorded in Book VIII of Plats, page 62 in the office of the Fall River County Register of Deeds.

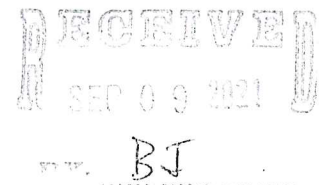
2. The land owners adjacent to the location of the section line highway are:

Estate of Derelle Wynia  
12793 US Hwy 18  
Hot Springs, South Dakota 57747

The State of South Dakota  
500 E. Capitol Ave.  
Pierre, SD 57501

Black Hills Hardscapes, Inc.  
1205 Sheridan Street  
Hot Springs, SD 57747

3. That the Petitioners seek to vacate the said street that has never been used as a street, nor is it needed for access and is undeveloped, and the section line travels through platted property, known as Tract D in the SE1/4NE1/4 of Section 22 and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River



WHEREFORE, your Petitioners pray that notice of the time and place when and where the Petition will be considered, be published one per week for two successive weeks in the Hot Springs Herald Star and at that hearing, that portion of the street as described in this Petition be vacated, subject to any Easements of record.

**PLAT OF**  
**TRACT D SE 1/4 NE 1/4 SEC 22**  
**AND TRACT D SW 1/4 NW 1/4 SEC 23**  
**BOTH IN T7S, R5E, BHM**

**SURVEYOR'S CERTIFICATE**  
 I, George G. Ross, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE OWNER, I HAVE SURVEYED AND PLATTED TRACT D SE 1/4 NE 1/4 SEC. 22, AND TRACT D SW 1/4 NW 1/4 SEC. 23, T7S, R5E, B.H.M. AS SHOWN HEREON, ALL DIMENSIONS SHOWN ARE TRUE AND CORRECT.

George G. Ross  
 REGISTERED LAND SURVEYOR

**ACKNOWLEDGEMENT OF SURVEYOR**  
 STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE  
 BE IT REMEMBERED THAT ON THIS 24<sup>th</sup> DAY OF JANUARY, 1967, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED GEORGE G. ROSS KNOWN TO ME TO BE THE PERSON, DESCRIBED IN, AND WHO EXECUTED THE FOREGOING CERTIFICATE.  
 MY COMMISSION EXPIRES APRIL 28, 1969.

George G. Ross  
 NOTARY PUBLIC

**OWNER'S CERTIFICATE**  
 I (WE), Paul J. Calhoun & Leslie J. Calhoun OWNERS OF TRACT "D" SE 1/4 NE 1/4 SEC. 22, TRACT "D" SW 1/4 NW 1/4 SEC. 23, T7S, R5E, B.H.M. DO HEREBY APPROVE THE SURVEY AND PLAT, WITNESS (OUR, MY) HAND THIS 24<sup>th</sup> DAY OF FEBRUARY, 1967.

OWNER Paul J. Calhoun  
 OWNER Leslie J. Calhoun  
 OWNER Paul J. Calhoun

**ACKNOWLEDGMENT OF OWNERS**  
 STATE OF INDIANA, COUNTY OF LAKE, BE IT REMEMBERED THAT ON THIS 24<sup>th</sup> DAY OF FEBRUARY, 1967, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED PAUL CALHOUN, LESLIE CALHOUN & LESLIE J. CALHOUN, KNOWN TO ME TO BE THE PERSON DESCRIBED IN, AND WHO EXECUTED THE FOREGOING OWNER'S CERTIFICATE.  
 MY COMMISSION EXPIRES 1-18-68.

Betty J. Whitaker  
 NOTARY PUBLIC

**CERTIFICATE OF COUNTY TREASURER**  
 STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER  
 I, Wallace J. Peterson, COUNTY TREASURER OF FALL RIVER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON THE LANDS PLATTED ABOVE

AS SHOWN BY RECEIPTS OF MY OFFICE, HAVE BEEN PAID TO DATE.  
 DATE: March 21, 1967

Wallace J. Peterson  
 COUNTY TREASURER

**OFFICE OF REGISTER OF DEEDS**  
 STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER  
 FILED FOR RECORD THIS 22 DAY OF MARCH, 1967, AT 2:15 O'CLOCK P.M. AND RECORDED IN BOOK 311 OF PLATS ON PAGE 62 THEREIN.

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

| NAME  |                      | RESIDENCE   | DATE/COUNTY                               |
|-------|----------------------|---|---|
| SIGN  | PRINT                | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>CITY OR TOWN | DATE OF SIGNING<br>COUNTY OF REGISTRATION |
| SIGN  | Sheila DeVries       | 27512 Todd Dr.<br>Hot Springs                                   | Aug. 27, 2021<br>Fall River               |
| PRINT | Sheila DeVries       |   |   |
| SIGN  | Don DeVries          | 27512 Todd Dr.<br>Hot Springs                                   | 8-27-21<br>Fall River                     |
| PRINT | Don DeVries          |   |   |
| SIGN  | Rachelle Elshere     | 2223 Washington Ave<br>Hot Springs SD                           | 8-27-21<br>Fall River                     |
| PRINT | Rachelle Elshere     |   |   |
| SIGN  | Jerry Wyatt          | 2725 E. Oral Rd<br>Rural  | 8/27/2021<br>Fall River                   |
| PRINT | Jerry Wyatt          |   |   |
| SIGN  | Jeanne Wyatt         | 27425 E. ORAL RD<br>RURAL                                       | 8-27-21<br>Fall River                     |
| PRINT | JEANNE WYATT         |   |   |
| SIGN  | Sheryl Grimes        | 2400 HAMPTON RD<br>HOTSPRINGS                                   | 8-27-21<br>FALL RIVER                     |
| PRINT | SHERYL GRIMES        |   |   |
| SIGN  | Wes Down             | 400 Hampton<br>HOT SPRINGS                                      | 8-27-21<br>Fall River                     |
| PRINT | Wes Grimes           |   |   |
| SIGN  | Justine Gricus       | 7435 22nd<br>Hot Springs, SD                                    | 8-27-21<br>Fall River                     |
| PRINT | Justine Gricus       |   |   |
| SIGN  | Kathy Steffen        | 400 Springs SD<br>338 S 16th St                                 | 8-27-21<br>Fall River                     |
| PRINT | Kathy Steffen        |   |   |
| SIGN  | Judith Hansen        | 306 So 6th St<br>306 So 6th St                                  | 8-27-21<br>Fall River                     |
| PRINT | Judith Hansen        |   |   |
| SIGN  | Frank Mason          | 1025 EVANSTON<br>H.S  | 8/28<br>Fall River                        |
| PRINT | Frank Mason          |   |   |
| SIGN  | Patrick Desmet       | 12559 Clayton Drive<br>HOT SPRINGS                              | 8/28/21<br>Fall River                     |
| PRINT | Patrick Desmet       |   |   |
| SIGN  | Patricia L. Collogan | 1038 Evanston Ave<br>Hot Springs SD                             | 9-5-2021<br>Fall River                    |
| PRINT | Patricia L. Collogan |   |   |
| SIGN  | Joann Walker         | 2510 Washington Ave<br>Hot Springs, SD                          | 9-5-2021<br>Fall River                    |
| PRINT | Joann Walker         |   |   |
| SIGN  | Linda M. Stuger      | 206 Meadowlark Dr.<br>HOT SPRINGS, SD                           | 9-5-2021<br>Fall River                    |
| PRINT | Linda M. Stuger      |   |   |
| SIGN  | Patricia A. Strauser | 402 Jennings Ave<br>Hot Springs SD                              | 9-5-21<br>Fall River                      |
| PRINT | PATRICIA A STRAUSER  |   |   |

|             |                                |   |  |
|-------------|--------------------------------|---|--|
| 17<br>PRINT | <i>[Handwritten Signature]</i> | CITY OR TOWN<br><i>[Handwritten]</i>                                | COUNTY OF REGISTRATION<br><i>[Handwritten]</i> |
| SIGN        | <i>[Handwritten Signature]</i> | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>109-50th 23rd St | DATE OF SIGNING<br>9-5-21                      |
| 18<br>PRINT | MARVIN W. UNDRER               | CITY OR TOWN<br>HOT SPRINGS   | COUNTY OF REGISTRATION<br>FALL RIVER           |
| SIGN        | <i>[Handwritten Signature]</i> | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>27555 Denise DR  | DATE OF SIGNING<br>6 SEP 21                    |
| 19<br>PRINT | Randall W Meyers               | CITY OR TOWN<br>Hot Springs   | COUNTY OF REGISTRATION<br>FALL RIVER           |
| SIGN        | <i>[Handwritten Signature]</i> | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER<br>27555 Denise Dr  | DATE OF SIGNING<br>9-6-21                      |
| 20<br>PRINT | Bathym S Meyers                | CITY OR TOWN<br>Hot Springs   | COUNTY OF REGISTRATION<br>FALL RIVER           |

**VERIFICATION BY PERSON CIRCULATING PETITION**

**INSTRUCTIONS TO CIRCULATOR:** This section must be completed following circulation and before filing.

Robin Wynia 12743 Liberty Drive Hot Springs SD  
 Print name of the circulator Residence Address City State

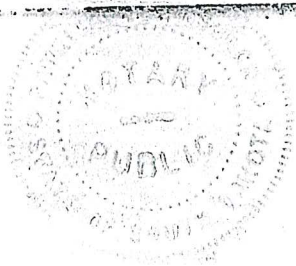
I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Robin Wynia  
Signature of Circulator

Sworn to before me this 8 day of September, 2021.  
(Seal)

[Handwritten Signature]  
Signature of Officer Administering Oath  
Notary Public Sb  
Title of Officer Administering Oath

My Commission Expires 9-14-2021  
Form Revised 2000 - 5:02:08:19



**NOTICE OF HEARING FOR CONSIDERATION OF  
VACATION OF PUBLIC RIGHT-OF-WAY**

NOTICE IS HEREBY GIVEN that the Fall River County Board of Commissioners, pursuant to the provisions of SDCL 31-3-6 and SDCL 31-3-7, will hold a public hearing at \_\_\_\_\_ o'clock \_\_.m. on September \_\_\_\_\_, 2021, in the Fall River County Courthouse, second floor, courtroom, 906 N. River St., Hot Springs, South Dakota, to consider a Petition to vacate a public right-of-way, having been proposed to be vacated (1) That portion of the section line highway between Sections 22 and 23 of Township 7 South, Range 5 East of the Black Hills Meridian, commencing on the area where the section line enters Tract D located in the SE1/4NE1/4 of Section 22 and Tract D of the SW1/4NW1/4 Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, and then traveling in a southerly direction 286' to a point where the section line exits Tract D in the SE1/4NE1/4 of Section 22, and Tract D in the SW1/4NW1/4 of Section 23, both in Township 7 South, Range 5 East of the Black Hills Meridian, Fall River County, South Dakota, according to the Plat thereof recorded in Book VIII of Plats, page 62 in the office of the Fall River County Register of Deeds. Interested persons may present oral testimony at the hearing. Written comments will be received at the Office of the County Auditor, 906 N. River St., Hot Springs, South Dakota, 57747, up until the date and time set for the public hearing.

Dated this \_\_\_\_\_ day of September, 2021.

\_\_\_\_\_  
Sue Ganje  
County Auditor

Published twice at the total of approximate cost of \$\_\_\_\_\_.

**NOTICE OF HEARING UPON APPLICATION FOR OFF-SALE LIQUOR LICENSE FEE AND  
APPLICATION OUTSIDE OF MUNICIPALITIES**

NOTICE IS HEREBY GIVEN THAT the Fall River Board of County Commissioners in and for the County of Fall River, South Dakota, on the 16<sup>th</sup> day of September, 2021, at the hour of 9:30 a.m. will meet during regular session to consider the following application for Off-Sale Liquor License, located outside of municipalities, to operate within the County of Fall River, South Dakota, for the 2021 licensing period, which has been presented to the governing body and filed with the County Auditor's Office.

FOR LICENSE PERIOD CALENDAR YEAR 2021

TYPE OF LICENSE

**APPLICATION:**

Angostura Den Inc.  
28041 Highway 385  
Hot Springs, SD 57747

Retail (Off-Sale)  
Liquor

NOTICE IS FURTHER GIVEN THAT any person, persons or their attorney may appear at said scheduled public hearing and present objections, if any objections there be.

Dated this 2<sup>nd</sup> day of September 2021, at Hot Springs, South Dakota.

/s/Sue Ganje  
County Auditor  
Fall River County



Date Received 8/25/21  
Date Issued \_\_\_\_\_

License No. \_\_\_\_\_

### Uniform Alcoholic Beverage License Application

**A. Owner Name and Address**

Angostura Don Inc  
28041 Highway 385  
Hot Springs SD 57747

Owner's Telephone #: 605 745 5456

**B. Business Name and Address**

Angostura Don Inc  
28041 Highway 385  
Hot Springs SD 57747

Business Telephone #: 605 745 5456

Place of business is located in a municipality?  Yes  No  
County: Fall River

Do you own or lease this property?  Own  Lease

Are real property taxes paid to date?  Yes  No

**C. Indicate the class of license being applied for (submit separate application for each class of license).**

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Convention Center (on-sale) Liquor
- Package (off-sale) Liquor
- Retail (on-off sale) Wine and Cider
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package Delivery
- Hunting Preserve
- Other \_\_\_\_\_

**D. Legal description of licensed premise:**

Dupree Tract Sec 22 Twp 85  
R6 E of BH Meridian

Is this license in active use?  Yes  No

Have you ever been convicted of a felony?  Yes  No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses?

E. State Sales Tax Number 1011-9897-ST

Yes  No If Yes, please list on the back page.

F. New license  Transfer? (\$150)  Re-issuance

**G. CERTIFICATE:** The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Date: 24 Aug 21 Print Name Robert L. Azarski Signature [Signature]

**H. APPROVAL OF LOCAL GOVERNING BODY** - Notice of hearing was published on Sept. 9, 2021. Public hearing on the application was held Sept. 16, 2021, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Renewal - no public hearing held   
Amount of fee collected with application \$ 1,900.00  
Amount of fee retained \$ 1,900.00  
Forwarded with application \$ 0.00

**For Local Government Use**

**Transferred (State Use)**

(Seal) \_\_\_\_\_  
Mayor or Chairman

From: \_\_\_\_\_

Sales tax approval \_\_\_\_\_ Date \_\_\_\_\_

**STATE LIQUOR AUTHORITY:**

**APPROVAL** \_\_\_\_\_ **REVIEW** \_\_\_\_\_

If disapproved, endorse reason thereon and return to applicant

**Company supplement information  
(For corporate/partnership/LP/LLC applicants)**

Name of corporation/partnership/LP LLC Angostura Don Inc

Address of office and principal place of business of corporation/partnership/LP/LLC 28041 Highway 385 Hot Springs SD 57747

Are all managing officers of this corporation/partnership/LP/LLC of good moral character having never been convicted of a felony?  Yes  No

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

| Name            | Office    | Address                                  | Occupation |
|-----------------|-----------|--|------------|
| Robert Azarski  | Pres      | Box 323 Hot Springs SD 57747             | Manager    |
| Shirley Azarski | -         | Box 323 Hot Springs SD 57747             | retired    |
| Shawn Rost      | -         | 541 N. Carr. to SD Palm Springs Ca 92262 | Banker     |
| Susan Rost      | Sec Treas | 541 N. Carr. to SD Palm Springs Ca 92262 | CPA        |

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other alcoholic beverage license:

| Name | Type of License, License Number, Financial Interest Held, and Address of Business Location |
|------|--|
|      |  |
|      |  |

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

28041 Highway 385 Hot Springs SD 57747

**With signature the applicant agrees to the following:**

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner

Date

Robert Azarski Pres

24 August 2021

# Fall River County Sheriff's Office

906 N. River Street, Hot Springs, SD 57747

Phone: (605)745-4444

Fax: (605)745-7591

E-mail: [sheriff@frcounty.org](mailto:sheriff@frcounty.org)



## LIQUOR AND MALT BEVERAGE LICENSE APPLICATION

Board of Commissioners  
Fall River County  
Hot Springs, SD  
Dear Commissioners:

The following person/firm has made application for a beverage license

LEGAL NAME Angostura Den Inc D.O.B. \_\_\_\_\_

PHYSICAL ADDRESS 28041 Highway 385

CITY Hot Springs, SD 57747

BUSINESS NAME Angostura Den Inc.

LOCATION OF BUSINESS \_\_\_\_\_

OWNER/MANAGER Robert Azarski

EFFECTIVE DATE of LICENSE \_\_\_\_\_

TYPE of LICENSE off-sale liquor

WE RECOMMEND THAT THIS LICENSE BE

APPROVED Robert Evans NOT APPROVED 9-2-21

REASON \_\_\_\_\_

Sincerely,

Bob Evans  
Sheriff

Date: 9/2/21

By: Robert Evans  
Deputy

HOT SPRINGS, SOUTH DAKOTA 57747

## FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department  
P.O. Box 939  
Hot Springs, S.D. 57747

Date: 09-09-2021

**COURT HOUSE ...FUEL/GAS PURCHASES :**

(All Departments)

FROM DATE: 08-01-2021

THROUGH DATE: 08-31-2021

GALLONS: 109.60

**TOTAL: \$ 293.62**

HOT SPRINGS, SOUTH DAKOTA 57747  
FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department  
P.O. Box 939  
Hot Springs, S.D. 57747

|  |
|--|
| Date: 09-09-2021                           |
|  |
| <b>SHERIFF'S DEPARTMENT GAS PURCHASES:</b> |
|  |
| FROM DATE: 08-01-2021                      |
|  |
| THROUGH DATE: 08-31-2021                   |
|  |
|  |
| <b>TOTAL GALLONS: 1,093.50</b>             |
|  |
| <b>TOTAL: \$ 2,929.61</b>                  |
|  |

HOT SPRINGS, SOUTH DAKOTA 57747

## FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department

P.O. Box 939

Hot Springs, S.D. 57747

Date: 09-09-2021

**WEED BOARD FUEL PURCHASES:**

**FROM DATE: 08-01-2021**

**THROUGH DATE: 08-31-2021**

**GALLONS: 223.30**

**TOTAL: \$ 598.25**

HOT SPRINGS, SOUTH DAKOTA 57747 June 29,2006

# FALL RIVER COUNTY, SOUTH DAKOTA

Name of Claimant: Fall River County Highway Department  
P.O. Box 939  
Hot Springs, S.D. 57747

|   |
|---|
| Date: 06-29-2006  |
| <b>Fall River County Weed Board</b>                                   |
| <b>Cost for Work Requested: HUB AND BRAKE REPAIR, SEALS AND ROTOR</b> |
| <b>FROM DATE: 08-01-2021</b>  |
| <b>THROUGH DATE: 08-31-2021</b>                                       |
| <b>TOTAL: \$ 1,249.01</b>   |

# City of Hot Springs

Bob Nelson

Mayor

Phone: 605-745-3135

[bobnelson@hs-sd.org](mailto:bobnelson@hs-sd.org)



To: Larry Dean  
From: Bob Nelson, Mayor  
Date: August 30, 2021  
Re: Letter of Support for the FHWA Functional Classification Revision on University Avenue

Mr Dean: This letter is to inform you the City of Hot Springs supports the Federal Highway Administration's functional classification revision of University Avenue from the junction of US 18 east to US 385.

A handwritten signature in black ink, appearing to read 'R. Nelson'.

Robert Nelson  
Mayor of Hot Springs, SD



Proposed Functional Classification Revision  
for  
**Hot Springs**  
South Dakota  
2021



Prepared By:  
**Project Development**  
**South Dakota Department of Transportation**

In Cooperation With The  
U.S. Department of Transportation  
Federal Highway Administration

**Legend**

— Roads



DISCLAIMER OF LIABILITY: THE SD DOT makes no claim, promise, or guarantee about the accuracy, completeness, or timeliness of the data. It is the user's responsibility to verify the data for errors and omissions of the data. The SD DOT is not responsible for any errors, omissions, or liability, including but not limited to the use of the data for purposes not intended by the SD DOT. The SD DOT is not responsible for any errors or omissions of the data for a particular purpose is given with respect to the data.

**FALL RIVER COUNTY  
RESOLUTION  
APPROVING THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION  
PROPOSED FUNCTIONAL CLASSIFICATION**

**WHEREAS**, there are identified specific types of roads and corresponding functions of those roads, some of which have not been updated for several years; and

**WHEREAS**, the Federal Highway Administration (FHWA), has prescribed rules governing the functional classification of roadways within Fall River County; and

**WHEREAS**, the South Dakota Department of Transportation (SDDOT) has verified all roadway mileage for Fall River County; and

**WHEREAS**, SDDOT has recommended that changes be made to specific roadways based upon functional classification standards as prescribed by FHWA.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners hereby approve changing the following functional classifications in Fall River County:

**Rural Minor Arterial to a Rural Major Collector**

University Ave: From the intersection of US 18 east approximately 1.013 miles to the intersection of US 385/N. Chicago St.

Adopted this \_\_\_\_\_

Day of \_\_\_\_\_, 2021.

FALL RIVER COUNTY COMMISSION:

ATTEST:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Auditor

PREPARED BY: Lori Allen  
Name: Lori Allen  
Address: 11086 Burlington Dam Rd.  
Edgemont, SD 57735  
Telephone #: 605-877-0965

**FALL RIVER COUNTY  
PIPELINE EASEMENT**

This Pipeline Easement is made and entered into this 13 day of September, 2021, by and between Fall River County, a political subdivision of the State of South Dakota, Grantor, hereinafter referred to as "County" acting by and through its Board of County Commissioners and Timothy Allen and Lori Allen, Landowner(s), hereinafter referred to as "Grantee(s)", whose Post Office address is (are): 11086 Burlington Dam Rd. Edgemont, SD 57735 and \_\_\_\_\_

**I.**

County, as Grantor, hereby grants and conveys to the above Landowner(s), as Grantee(s), a permanent, continuing, (15) fifteen foot wide easement for a pipeline, including replacement, maintenance, and repair of the pipeline and its associated values, meter pits and other components as need be, upon the terms and conditions set forth hereinafter, over, upon, under and across Fall River County Highway # FRD 16.

Easement to be in that area adjacent to the NE/NE Quarter of Section 2 in Township 8, Range 2, and the SW/SW Quarter of Section 36 in Township 7, Range 2, of the Black Hills Meridian, Fall River County, South Dakota.

And

The pipeline to run from the NE/NE Quarter of Section 2 in Township 8, Range 2, to the SW/SW Quarter of Section 36 in Township 7, Range 2, of the Black Hills Meridian, Fall River County, South Dakota.

General location to be marked on attached Fall River County Map. (line through road affected in the general location).

**II.**

That the terms and conditions upon which the above identified easement is granted and which is subject to and based upon, and upon which it is given, are as follows:

a. That the Grantee(s) shall for the purpose of inspection, notify Fall River County Water Users District at (605)745-7648 or Fall River County Highway Dept. at (605)745-3137 in

## ***PIPELINE EASEMENT CONT'D***

**advance**, before pipe is placed or covered.

**b.** That the Grantee(s) shall be solely responsible for the cost of installation, maintenance, repair and replacement of said pipeline without contribution on the part of the County.

**c.** That Grantee(s) shall use the pipeline solely for the benefit of the real property identified in the above Paragraph "I". And such other real property belonging to Grantee(s) that is contiguous thereto.

**d.** That Grantee(s) shall not be entitled to use this easement for any other purpose not provided for herein.

**e.** That Grantee(s) shall be solely responsible for securing and maintaining any and all permits, licenses or other agreements with the State of South Dakota or any other governmental agency with respect to the construction, maintenance, repair and replacement of said pipeline.

**f.** That Grantee(s) shall indemnify and hold the County harmless from any and all claims, causes of action or damages which may be alleged or have occurred or been caused result of the Grantee(s)'s use of this easement, the pipeline or the negligence of the Grantee(s), their agents or employees with respect thereto.

**g.** That Grantee(s) shall maintain, repair, and replace, construct, install and place the pipeline in such a manner so as not to interfere with the use of the real property by the County or its successors and assigns.

**h.** That Grantee(s) agrees that with any disturbance of the ground during repair, placement, replacement or otherwise that thereafter Grantee(s) shall restore the ground to its natural terrain and in the same condition as the existing roadway at the completion of any such activity.

**i.** That Grantee(s) agrees to bury the pipeline in the earth at least seven (7) feet deep and shall erect a sign at the location of the roadway marking the location of the pipeline with a steel post and steel sign identifying the existence of the pipeline and that installing the pipeline the parties understand and agree that the easement is for one and a quarter (1 ¼) inch pipeline which shall be sheltered in a two (2) inch casement. Grantee(s) also agree(s) that if the pipeline is to cross a County road that is paved that the above conditions apply except that the Grantee(s) agree(s) to bore under said road to install said pipeline.

**j.** That Grantee(s) shall have the right of ingress and egress upon County's real estate herein contemplated for purposes of constructing, repairing, maintaining and replacing said pipeline in order to keep it serviceable and in a useable condition. That said

**PIPELINE EASEMENT CONT'D**

construction, repair, maintenance and replacement shall be done at Grantee(s)'s cost.

**III.**

That the consideration for this easement is One Dollar (\$1.00) and other good and valuable Consideration.

**IV.**

The parties further agree that this easement and all its terms and conditions shall inure to and be for the benefit of the parties to this agreement, as well as for their respective heirs, successors in interest and assigns.

Fall River County, Grantor

By: \_\_\_\_\_  
Chairman  
Fall River County Commissioners

ATTEST:

\_\_\_\_\_  
Fall River County Auditor

STATE OF SOUTH DAKOTA)  
SS)  
COUNTY OF FALL RIVER )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, known to me or satisfactorily proven to be Chairman of the Fall River County Board of Commissioners, and acknowledged to me that he/she executed the same on behalf of Fall River County, a Political Subdivision of the State of South Dakota in his/her capacity as Chairman of the Fall River County Commission, for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

My Commission Expires:

\_\_\_\_\_  
Notary Public – South Dakota

(SEAL)

**PIPELINE EASEMENT CONT'D**

Owner as Grantee

By: Lori Allen and \_\_\_\_\_  
Lori Allen

STATE OF South Dakota )

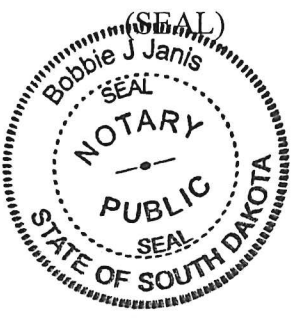
COUNTY OF Fall River ) SS)

On this 13<sup>th</sup> day of September, 2021, before me, Bobbie J Janis, the undersigned officer, personally known to me or satisfactorily proven to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose therein contained.

IN THE WITNESS WHEREOF I hereunto set my hand and official seal.

Bobbie J Janis  
Notary Public

My commission Expires:  
May 18, 2027



**PIPELINE EASEMENT CONT'D**

Owner as Grantee

By: \_\_\_\_\_ and \_\_\_\_\_  
Timothy Allen

STATE OF \_\_\_\_\_ )

SS)

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, \_\_\_\_\_, the undersigned officer, personally known to me or satisfactorily proven to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose therein contained.

IN THE WITNESS WHEREOF I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My commission Expires:

(SEAL)





# Medical Cannabis Program Rules Pass Interim Rules Review Committee



**For Immediate Release:** September 13, 2021

**Contact:** DOHComments@state.sd.us

## **Medical Cannabis Program Rules Pass Interim Rules Review Committee**

**PIERRE, S.D.** – Today, the Legislature’s Interim Rules Review Committee approved the Department of Health’s proposed administrative rules to establish a medical cannabis program in South Dakota. The legislature approved 143 of 149 proposed rules.

Following the legislature’s endorsement of the rules, Governor Kristi Noem and Secretary of Health Kim Malsam-Rysdon released the following statements:

*“We are on track to implement a responsible medical cannabis program in South Dakota according to the direction given by the voters,” said **Governor Noem**. “I commend the Department of Health for its hard work to streamline the process. South Dakota will continue to implement the best, most patient-focused medical cannabis program in the country.”*

*“The passage of today’s proposed rules package by the committee is the result of months of work. It’s proof that the public engagement process works,” said **Kim Malsam-Rysdon, Secretary of Health**. “I am disappointed the rules review committee chose to take out the list of specific medical conditions for qualifying medical cannabis patients, a list the Department promulgated based on public input.”*

On September 3, 2021, the Department of Health released the latest draft of its proposed rules for the states Medical Cannabis program. [CLICK HERE](#) to view them.

For more information on South Dakota’s medical cannabis program, please visit [medcannabis.sd.gov](http://medcannabis.sd.gov).

###



## United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Montana/Dakotas State Office  
5001 Southgate Drive  
Billings, Montana 59101  
<http://www.blm.gov/montana-dakotas>

August 31, 2021

In Reply Refer To:  
Montana-Dakotas Comp Sale

Dear Surface Managing Agency/Interested Party:

The BLM is conducting an oil and gas lease sale. The preliminary list of parcels and leasing recommendations is posted for your review via the internet on our home page. Please refer to the Montana/Dakotas BLM website at <http://on.doi.gov/2gJqg1B>. Current and updated information about our EAs, Lease Sale Notices, and corresponding information pertaining to this sale can be found at the link referenced above. Once there, search for the Montana-Dakotas Oil and Gas lease sale to review the preliminary parcel list with recommended stipulations and notices.

If you have any comments or know of any issues that should be addressed in our analysis of the parcels, please provide comments using one of the following methods:

Electronic: BLM e-Planning website – <https://eplanning.blm.gov>  
Advanced Search for NEPA # DOI-BLM-MT-0000-2021-0006-EA  
Click “Documents”  
Click “Comment on Document”

Mail: Bureau of Land Management  
Montana/Dakotas State Office  
Branch of Fluid Minerals  
Attn: Christine Cimiluca  
5001 Southgate Drive  
Billings, MT 59101

Contact: Christine Cimiluca (406) 896-5110

To be most useful, we should receive your comments before October 1, 2021. A map of the parcel locations has also been posted to our internet web site. If your office plans to utilize GIS applications in your review of these parcels, shapefile data can be found here:

BLM e-Planning website: <https://eplanning.blm.gov>.  
Advanced Search for NEPA # DOI-BLM-MT-0000-2021-0006-EA  
Under Maps, Click "Data"

If you have any questions, or would like more information about lease sale notices or the EA process, please contact Christine Cimiluca at (406) 896-5110 or via email at [ccimiluc@blm.gov](mailto:ccimiluc@blm.gov) or Tessa Wallace at (406) 791-7768 or via email at [tlwallace@blm.gov](mailto:tlwallace@blm.gov).

Sincerely,

**ANDREW GIBBS**

Digitally signed by ANDREW  
GIBBS  
Date: 2021.08.31 14:32:01 -06'00'

Andrew Gibbs  
Chief, Branch of Fluid Minerals  
Bureau of Land Management  
Montana-Dakotas State Office