



**Board of Minerals
and Environment**

523 East Capitol Avenue
Pierre, South Dakota 57501-3182
(605)773-3151 Fax: (605)773-4068

AGENDA

**Board of Minerals and Environment
Telephone Conference Call Meeting**

**September 18, 2014
10:00 a.m. CDT**

10:00 a.m. Call to order and roll call

Approval of minutes from the August 21, 2014, meeting

Mining Issues – Eric Holm

Stromseth Construction C&D Solid Waste Permit – Release of
Financial Assurance – Jim Wendte

Adjourn

A limited number of phone lines are available for this call. Interested parties who wish to participate in the telephone conference call should contact DENR at (605)773-3886 no later than 3:00 p.m. CST on Wednesday, September 17, 2014.

Interested parties may also participate at the following location:

Department of Environment and Natural Resources
Large Conference Room
523 East Capitol Avenue
Pierre, South Dakota

Notice is given to individuals with disabilities that this meeting is being held in a physically accessible location. Please notify the Department of Environment and Natural Resources at (605) 773-4216 at least 48 hours before the meeting if you have a disability for which special arrangements must be made.

South Dakota Board of Minerals & Environment

September 18, 2014

License or Permit Holder	License or Permit Number	Site Number or Legal	Surety Amount	Surety Number	Surety Company or Bank	DENR Recommendation
Mine Permits:						
<u>Acceptance of Financial Assurance Increase:</u>						
Wharf Resources (USA), Inc. Lead, SD	356, 464, & 476		\$580,700	ILOC S18572/334184	The Bank of Nova Scotia, Ontario, Canada	Accept amendment to ILOC S18572/334184 increasing the financial assurance amount by \$17,100 to the new amount of \$597,800.
<u>Acceptance of Reclamation Bond Increase:</u>						
Wharf Resources (USA), Inc. Lead, SD	356, 464, & 476		\$34,393,000	ILOC S18572/191556	The Bank of Nova Scotia, Ontario, Canada	Accept amendment to ILOC S18572/191556 increasing the reclamation bond by \$1,393,000 to the new amount of \$35,786,000.
Exploration Permits:						
<u>Exchange of Surety and Reduction of Surety for Exploration Notice of Intent, EXNI-422:</u>						
Goldstake Explorations (SD), Inc. Spearfish, SD	EXNI-422		\$20,000	23163259	Pioneer Bank & Trust, Spearfish	Reduce surety to \$2,500 and exchange CD No. 23163259 for CD No. 23163342, Pioneer Bank & Trust, Spearfish, in the amount of \$2,500.

South Dakota Board of Minerals & Environment

September 18, 2014

License or Permit Holder	License or Permit Number	Site Number or Legal	Surety Amount	Surety Number	Surety Company or Bank	DENR Recommendation
Mine Licenses:						
<u>Transfer of Liability:</u>						
Hasche Construction, Inc. Lake Preston, SD	85-292		\$1,125	16353	Citizens State Bank, Arlington	Transfer liability.
		292004	SE1/4 Section 3; T110N-R56W, Kingsbury County			
Transfer to:						
HT Albrecht & Sons, Inc. DeSmet, SD	14-971		\$3,000	80025116	American Bank & Trust, DeSmet	
<u>Releases of Liability:</u>						
Beilke Construction, Inc. Wetonka, SD	83-221		\$20,000	RC-0008	Sun Surety Company	Release liability.
		221020	NE1/4 Section 10; T119N-R66W, Faulk County			
Bowes Construction, Inc. Brookings, SD	83-164		\$20,000	HGMW-10-206- 0065	Hudson Insurance Company	Release liability.
		164022	SW1/4 NW1/4 Section 17; T108N-R50W, Moody County			

South Dakota Board of Minerals & Environment

September 18, 2014

License or Permit Holder	License or Permit Number	Site Number or Legal	Surety Amount	Surety Number	Surety Company or Bank	DENR Recommendation
<u>Releases of Liability:</u>						
Schladweiler Construction Mitchell, SD	83-167		\$2,500	103982	Fulton State Bank, Mitchell	Release liability.
			\$1,500	104097	Fulton State Bank, Mitchell	
			\$1,000	103814	Fulton State Bank, Mitchell	
			\$500	103809	Fulton State Bank, Mitchell	
			\$500	102880	Fulton State Bank, Mitchell	
		167033	NW1/4 Section 19; T105N-R68W, Brule County			
Brule County Highway Department Kimball, SD	83-48		EXEMPT	NA	NA	Release liability.
			48003	NW1/4 Section 2; T102N-R72W & SW1/4 Section 35; T103N-R72W, Brule County		
Corson County Highway Department McIntosh, SD	83-239		EXEMPT	NA	NA	Release liability.
			239006	SW1/4 Section 19; T22N-R27E, Corson County		
Edmunds County Highway Department Ipswich, SD	83-161		EXEMPT	NA	NA	Release liability.
			161001	W1/2 Section 31; T122N-R66W, Edmunds County		

South Dakota Board of Minerals & Environment

September 18, 2014

License or Permit Holder	License or Permit Number	Site Number or Legal	Surety Amount	Surety Number	Surety Company or Bank	DENR Recommendation
<u>Releases of Liability:</u>						
Hutchinson County Highway Department Olivet, SD	83-133		EXEMPT	NA	NA	Release liability.
		133018	SW1/4 SW1/4 Section 3; T99N-R59W, Hutchinson County			
Kingsbury County Highway Department DeSmet, SD	83-117		EXEMPT	NA	NA	Release liability.
		117004	SE1/4 Section 3; T110N-R56W, Kingsbury County			
Walworth County Highway Department Selby, SD	83-7		EXEMPT	NA	NA	Release liability.
		7029	SW1/4 Section 6; T121N-R73W, Edmunds County			

Minutes of the
Board of Minerals and Environment Meeting
Matthew Environmental Education and Training Center
523 East Capitol Avenue
Pierre, South Dakota

August 21, 2014
10:00 a. m. CDT

CALL TO ORDER: The meeting was called to order by Secretary Linda Hilde. She declared that a quorum was present.

BOARD MEMBERS PRESENT: Linda Hilde, Glenn Blumhardt, Dennis Landguth, Doyle Karpen, Rex Hagg, Bob Morris, Gregg Greenfield, and Daryl Englund.

BOARD MEMBERS ABSENT: Pete Bullene.

OTHERS PRESENT: See attached attendance sheet.

APPOINTMENT OF CHAIR PRO TEM: Motion by Hilde, seconded by Morris, to appoint Dennis Landguth as chair pro tem. Motion carried.

Ms. Hilde turned the gavel over to Chair Pro Tem Landguth.

ANNUAL ELECTION OF OFFICERS: Mr. Landguth called for election of officers.

Motion by Blumhardt, seconded by Morris, to nominate Rex Hagg as chairman, and to cease nominations and cast a unanimous ballot. Motion carried.

Motion by Morris, seconded by Hagg, to nominate Glenn Blumhardt as vice chairman, and to cease nominations and cast a unanimous ballot. Motion carried.

Motion by Blumhardt, seconded by Englund, to nominate Linda Hilde as secretary, and to cease nominations and cast a unanimous ballot. Motion carried.

Mr. Landguth turned the gavel over to Chairman Hagg.

Chairman Hagg thanked Dick Sweetman for his many years of service on the board and for the work he has done as board chairman.

Mr. Sweetman thanked Governor Dugaard and past governors for allowing him to serve on the board. He also thanked the Secretary Pirner and the DENR staff and Attorney General's Office for their dedication and expertise.

INTRODUCTION OF NEW BOARD MEMBERS: Secretary Pirner introduced Gregg Greenfield, attorney from Sioux Falls, and Daryl Englund, retired engineer from Brookings, who were appointed to fill the vacancies left by Mr. Sweetman and Lee McCahren.

Secretary Pirner introduced Tim Tollefsrud, director of the Division of Environmental Services and Jim Feeney, director of the Division of Technical and Financial Assistance.

APPROVAL OF MINUTES FROM MAY 15, 2014: Motion by Landguth, seconded by Hilde, to approve the minutes from the May 15, 2014, Board of Minerals and Environment meeting. Motion carried.

MINING ISSUES: Prior to the meeting, the board received a table listing the department recommendations for release of liability and surety, transfer of liability, and releases of liability (see attachment).

Transfer of Small Scale Mine Permit 415: Eric Holm, Minerals and Mining Program, presented the request to transfer Mine Permit No. 415 from Pamela A. Frink, Hill City, South Dakota to Robert Griggas, Lake Mills, Wisconsin.

Mr. Holm reported that Robert Griggas has requested the transfer of Small Scale Mine Permit No. 415 from Pamela Frink. The general location of the operation is 12 miles northwest of Hill City, SD. Under SDCL 45-6B-47, any mine permit can be transferred from one operator to another, with the successor operator assuming all reclamation liability.

The transfer application was received on March 11, 2014. The \$100 transfer fee was submitted on March 13, 2014, and the \$500 Replacement Reclamation Bond was submitted on May 15, 2014. The application was deemed complete on June 9, 2014.

The Department recommendation was prepared on June 30, 2014, and published in the Rapid City Journal on August 7 and 14, 2014. Affidavits of Publication are filed at DENR.

No petitions to intervene were received.

Mr. Holm stated that in accordance with SDCL 45-6B-47, the board cannot deny a mine permit transfer unless the operation is not or cannot be brought into compliance with all applicable federal, state or local laws or the successor operator is in violation of state mining laws or mine permit conditions for any mining operation in the state. The current mine permit and Robert Griggas are in compliance with all federal, state, and local laws and regulations.

The department recommended the board approve the transfer of Small Scale Mine Permit No. 415 from Pamela A. Frink to Robert Griggas, release CD No. 0026602190, US Bank of Rapid City, South Dakota, in the amount of \$500, and accept replacement Irrevocable Letter of Credit No. 23, Summit Credit Union, Madison, WI, in the amount of \$500.

Mr. Morris questioned the use of a \$500 Irrevocable Letter of Credit rather than cash or a CD.

Mr. Holm stated that the department accepts certificates of deposit, surety bonds, or letters of credit.

Mr. Morris asked if there is a particular threshold for submittal of an Irrevocable Letter of credit rather than a cash surety or bond.

Mr. Holm answered that the department leaves it up to the operator to determine whether to submit a surety bond, a CD, or a letter of credit.

Chairman Hagg asked if there is a policy regarding whether a letter of credit needs to be held in an institution within the state of South Dakota?

Mr. Holm answered that there is no policy stating that it needs to be from a South Dakota bank. He noted that the department's main concern is being able to recover the funds.

Mr. Morris asked how many instances in the past 10 years has the state had to charge against an Irrevocable Letter of Credit.

Mr. Holm stated that in the past the department has had to use CDs or surety bonds, but he does not believe that has been the case for letters of credit.

Mr. Morris asked when a CD is provided as surety, the state is given possession of it?

Mr. Holm answered the department does not hold the CD in its possession.

Chairman Hagg requested board action.

Motion by Karpen, seconded by Blumhardt, to transfer Small Scale Mine Permit No. 415 from Pamela A. Frink to Robert Griggas, release CD No. 0026602190, US Bank of Rapid City, South Dakota in the amount of \$500, and accept replacement Irrevocable Letter of Credit No. 23, Summit Credit Union, Madison, WI, in the amount of \$500.

Substitute motion by Morris, seconded by Hilde, to transfer Small Scale Mine Permit No. 415 from Pamela A. Frink to Robert Griggas, release CD No. 0026602190, US Bank of Rapid City, South Dakota in the amount of \$500, and accept replacement Irrevocable Letter of Credit No. 23, Summit Credit Union, Madison, WI, in the amount of \$500, contingent upon Griggas submitting the \$500 financial assurance being in the form of cash or a Certificate of Deposit.

Board discussion took place.

A roll call vote was taken, and the motion carried with Morris, Hilde, Englund, Greenfield, and Hagg voting aye and Landguth, Karpen, and Blumhardt voting no.

Release of Liability and Surety for Exploration Notice of Intent, EXNI-416: Mr. Holm reported that Stewardship Mine, Inc. was issued EXNI-416 in 2012 to drill two holes for gold approximately three miles south of Spearfish, South Dakota. In 2012, Stewardship Mines drilled, plugged, and reclaimed the two holes.

On June 12, 2014, the department inspected the area and determined the areas affected by the two holes were successfully reclaimed.

The department recommended the board approve release of Stewardship Mine's reclamation liability and CD No. 8501000513, First Interstate Bank, Spearfish, South Dakota, in the amount of \$6,500.

Motion by Landguth, seconded by Blumhardt, to release Stewardship Mine's reclamation liability and CD No. 8501000513, First Interstate Bank, Spearfish, South Dakota, in the amount of \$6,500. Motion carried.

Mr. Holm noted that he had provided the board with a copy of a report of the issuance of an uncontested permit for American Colloid Company. In accordance with ARSD 74:29:01:19, the department is required to provide the report to the Board of Minerals and Environment.

The department is allowed to issue uncontested permits if there are no intervention petitions. No intervention petitions were received following the notice of recommendation, therefore, the department issued Mine Permit 483.

Tom Cline, Minerals and Mining Program, discussed the procedure for release of liability and surety, transfer of liability and release of surety, transfer of liability, and release of liability. He requested board approval of the releases and transfers listed on pages 2 through 7 of the mining issues table.

Motion by Morris, seconded by Landguth, to accept the department recommendation as listed on pages 2 through 7 of the attached table. Motion carried.

RETIREMENT CEREMONY FOR RICHARD C. SWEETMAN AND LEE MCCAHREN: A retirement ceremony was held for Mr. Sweetman and Mr. McCahren. Mr. McCahren participated via telephone conference call.

Secretary Pirner read comments submitted by Fred Carl and Tim Rogers praising Mr. Sweetman and Mr. McCahren for their years of service on the board.

Secretary Pirner highlighted several of the tough issues the BME has faced and the environmental accomplishments that occurred while Mr. Sweetman and Mr. McCahren were serving on board. He thanked the two for their many years of service, then presented Mr. Sweetman and Mr. McCahren with a Proclamation from the Governor.

Mr. Sweetman and Mr. McCahren thanked everyone and made comments regarding the years they served on the board.

The board members thanked Mr. Sweetman and Mr. McCahren for their years of dedicated service and for the guidance they provided while serving on the board.

INFORMATIONAL UPDATES BY DENR STAFF

Derric Iles, Geological Survey, and Mike Erickson, Minerals and Mining Program, provided live demonstrations of interactive oil and gas and construction aggregate GIS maps.

Charles McGuigan, Chief Deputy Attorney General, updated the board on federal permitting processes for Powertech's proposed Dewey-Burdock insitu uranium mine. The board was provided with a letter from Dakota Rural Action which included comments regarding Powertech. (copy on file).

Kyrik Rombough, Air Quality Program, provided information on EPA's proposals to regulate greenhouse gas emissions from new and existing electrical power plants under sections 111(b) and 111(d) of the federal Clean Air Act.

Jim Wendte, Waste Management Program, updated the board on EPA's hazardous waste proposals for ash from coal-fired power plants.

Mr. Rombough provided an update on EPA denials of DENR State Implementation Plan changes.

Mike Cepak, Minerals and Mining Program, updated the board on the EPA Brohm Superfund site.

Following their presentations, staff answered questions from the board members.

DISCUSSION REGARDING PREHEARING PROCEDURES FOR CONTESTED CASES: This proposal has been on the board meeting agenda and discussed several times. The "Standing Order in Oil and Gas Contested Hearings" document was prepared by Bob Morris.

Mr. Morris prepared the proposal following a contested case hearing the board held a year ago on an oil and gas application. Prior to the hearing, the extent of the board's knowledge of the case was that a petition regarding risk compensation and a spacing unit had been filed, and a petition to intervene and objection had been filed. Mr. Morris noted that it would be beneficial to the board members and the hearing chairman to have some ground work laid by the parties prior to beginning the contested case hearing.

In preparing the proposal, Mr. Morris consulted with Charles McGuigan and received input from several of the board members. The proposal discusses the procedures that will be followed when the board is scheduled to conduct a contested case hearing on oil and gas cases.

Roxanne Giedd, Assistant Attorney General, said it appears this problem only occurs in oil and gas cases. She stated that the board has the authority to issue standing orders or any hearing order.

Ms. Giedd noted that due to timing issues, the department is not in a position issue recommendations on oil and gas cases, which makes it difficult for staff to provide the board with the background information that might be helpful. Ms. Giedd relies on the applicant to provide that

information. She noted that some of the applicants may not be doing as much background work as they should be doing prior to appearing before the board.

Bob Townsend said oil and gas cases consist of primarily three different subjects: spacing, forced pooling, which includes risk compensation, and unitization.

Unitization takes place when a number of producing properties are pulled together to be operated as a unit, usually through the process of enhanced recovery where either air or water is injected into a formation for the purpose of stimulating the movement of the oil or gas toward production wells. Contested unitization hearings are the most complex cases.

Mr. Townsend said the oil and gas hearing Mr. Morris referred to was the first time anyone has contested risk compensation under the new risk compensation rules. This was a complex case. It was appealed to the Circuit Court and is now going to the Supreme Court. Mr. Townsend said it is not fair to judge every oil and gas case based on this case.

Mr. Townsend said the board, under its current procedural rules, already has the authority to do exactly what Mr. Morris has proposed, so it is not necessary to establish a standing order because there are some cases where that process is not appropriate. Mr. Townsend gave an example of a case where the standing order would not have been appropriate.

Mr. Townsend discussed the timing issues and how the standing order would affect oil & gas cases. He stated that during the last several years, staff has tried to streamline the processes that apply to oil and gas cases by rewriting the rules. During the 2012 legislative session staff drafted House Bill 1012, which the Legislature approved. This bill, which became effective on July 1, 2012, streamlines the oil and gas case hearing process so only contested cases are heard by the board. Of the 60 applications for orders submitted since that time, only two have been contested. Therefore, the board only heard the two cases that were contested, rather than all 60 of them, which would have happened without the new law.

One of the things the new process allows for is the Secretary of DENR issuing uncontested order. This can be done if after the notice is issued no one intervenes. The applicant provides the department with the exhibits and a draft order. That process now takes 35 to 40 days whereas before it took several months.

Regarding timing issues, Mr. Townsend said hearing notices for oil and gas cases allow 20 days for intervention. Following the intervention period, there are only two to three weeks for the parties to prepare for the hearing. The proposed standing order would not allow for enough time to file all the pleadings that are proposed under the order, which would mean the case would have to be continued until the next month. That puts it at 90 days, and under the standing order, it would take another month to complete the final phase of adopting Findings of Fact and Conclusions of Law.

The standing order would take the process from 35 days for uncontested cases to almost four months for contested cases.

Mr. Morris ask if the hearing chair for a contested case is within his/her power to make a determination on whether a more formal process should be undertaken due to the complexity of the case?

Mr. Giedd said 74:09 allows for a hearing chair to issue a prehearing order continuing a case.

Ms. Giedd stated that the Water Management Board issues an order for a year that appoints one board member to act as prehearing chair for all cases. That person is not necessarily the chair during the hearing, but they handle all prehearing matters throughout the year. Having one board member already established as prehearing chair speeds up the ability of the parties to request a prehearing conference.

There is a statute that applies to the Water Management Board providing for an automatic continuance for one board meeting if an intervenor or an applicant requests a continuance.

Mr. Morris asked about the potential conflict that arises where there is an affirmative vote by the board, but the hearing chair disagrees due to the facts and the law.

Mr. McGuigan said an independent hearing chair is someone who is not a member of the board. This is a third party that either acts as a judge with no vote during the process or they hold the hearing completely separate from the board. The independent hearing chair makes a recommendation to the board, then the board has the ability to either accept, reject, or modify the recommendation.

The process the Board of Minerals and Environment has traditionally used is different in that the board has an actual board member who has a voting right sit as hearing chair and make basic judicial decisions. Mr. McGuigan said he is not aware of a time where a person who sat as hearing chair and voted either for or against a permit then exercised basically a judicial ability to overrule the decision of the board.

Mr. McGuigan said the board does not have to vote immediately after the evidence is heard, but that is something the board has traditionally done. The board has always held its discussions in public, but there is no law that requires the board to do so. Mr. McGuigan said there are other boards that go into executive session to discuss the evidence that was offered then they come back into public session and make a motion regarding their decision.

Mr. Greenfield asked why the board does not use the South Dakota Hearing Examiner's Office to fill the role of hearing officer for contested cases.

Mr. McGuigan stated that legally there are no reasons why the board cannot use the South Dakota Hearing Examiner's Office. He noted that there may be financial reasons the department does not use the Hearing Examiner's Office, because the department would have to pay the hearing officer.

Ms. Giedd stated that there is also a timing issue with using the Hearing Examiner's Office. That office conducts hearings for all state agencies and it would take longer for decisions to be reached.

Mr. Landguth expressed concern that the department does not make a recommendation on oil and gas cases. Ms. Giedd said the department does not make recommendations regarding oil and gas cases because of the established timeline.

Mr. McGuigan said if the board decides to adopt a formal a process for oil and gas contested cases, it should allow for public input before making a final decision.

Mr. Morris said his intent is not to change a process that has apparently worked very well in the past, but to add improvements which would allow the board members to obtain more information and make more informed decisions.

Mr. Greenfield said he is having trouble seeing how SDCL 1-26 is somehow overridden by some specific regulation that the board has.

Ms. Giedd stated that SDCL 1-26 has no provisions with regard to prehearing orders, but the board's substantive statutes, depending on which chapter is referred to, have provisions saying that the board may adopt procedures regarding contested cases held under SDCL 1-26. Ms. Giedd said ARSD 74:09 includes procedures that are a compliment and supplement to SDCL 1-26. These procedures do not overrule SDCL 1-26; they fill in some of the gaps, in particular, the prehearing provisions that are missing from SDCL 1-26.

Chairman Hagg stated that maybe in the future as soon as the board learns a contested case is being scheduled, a prehearing chair will be appointed. He also suggested that a standard checklist for contested cases be developed.

NEXT MEETING: The next board meeting will be September 18, 2014, via telephone conference call.

ADJOURNMENT: Motion by Greenfield, seconded by Morris, that the meeting be adjourned. Motion carried.

The meeting was digitally recorded and a copy of the recording may be obtained by contacting the Department of Environment and Natural Resources, 523 East Capitol Avenue, Pierre, SD 57501; telephone number 605-773-3886. The recording is also available on the DENR website at <http://denr.sd.gov/boards/schedule.aspx>.

Approved this 18th day of September, 2014.

Secretary

Witness

South Dakota Board of Minerals & Environment

August 21, 2014

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Mine Permits:						
<u>Transfer of Small Scale Mine Permit 415:</u>						
Pamela A. Frink Hill City, SD	415		\$500	0026602190	US Bank, Rapid City	Transfer Permit 415. Release CD No. 0026602190, US Bank, in the amount of \$500. Accept replacement ILOC No. 23, Summit Credit Union, Madison, WI, in the amount of \$500.
		Legal: NE1/4 SW1/4 NE1/4 Section 4; T1N-R4E, Pennington County				
Transfer to:						
Robert Griggas Lake Mills, WI			\$500	ILOC No. 23	Summit Credit Union, Madison, WI	
Exploration Permits:						
<u>Release of Liability and Surety for Exploration Notice of Intent, EXNI-416:</u>						
Stewardship Mines, Inc. Spearfish, SD	EXNI-416		\$6,500	8501000513	First Interstate Bank, Spearfish	Release liability and \$6,500.
		Legal: SE1/4 NE1/4 Section 34 & SW1/4 NW1/4 Section 35; T6N-R2E, Lawrence County				

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August 21, 2014

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Mine Licenses:						
<u>Releases of Liability and Surety:</u>						
Leslie Burlage Elkton, SD	05-815	815001	\$500	8857	Citizens State Bank, Tyler, MN	Release liability and \$500.
			Lots 1, 2, 3, & 4 & SW1/4 exc. S-1742.5' & W1/2 SE1/4 exc. S-1742.5' Section 6; T108N-R47W, Moody County			
David L. Grieve Wessington Springs, SD	09-872	872001	\$500	3002940	First National Bank, Woonsocket	Release liability and \$2,000.
			\$1,500	3003030	First National Bank, Yankton	
			SE1/4 Section 23; T106N-R65W, Jerauld County			
Donald D. Moden Box Elder, SD	99-693	693001	\$500	94860	First National Bank, Pierre	Release liability and \$2,000.
			\$500	2000021128	First Interstate Bank, Wall	
			\$1,000	2000020725	First Interstate Bank, Wall	
			SW1/4 NW1/4 Section 14; T2N-R9E, Pennington County			

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<u>Transfer of Liability and Release of Surety:</u>						
Jerke Construction Company Sioux Falls, SD	86-322		\$20,000	55161301	United Fire & Casualty Company	Transfer liability and release \$20,000.
		322003	W1/2 SE1/4 & SE1/4 SE1/4 Section 15;		T101N-R50W, Minnehaha County	
Transfer to:						
Schenk Industries, LLC Sioux Falls, SD	14-965		\$20,000	3000593	Quoin Financial Bank, Sioux Falls	
<u>Transfers of Liability:</u>						
Bob Bak Construction Pierre, SD	83-61		\$4,000	13871	American State Bank, Pierre	Transfer liability.
			\$3,500	7410	American State Bank, Pierre	
			\$3,000	4981	American State Bank, Pierre	
			\$1,000	64334	First National Bank, Pierre	
			\$500	7305	American State Bank, Pierre	
			\$500	13850	American State Bank, Pierre	
			\$500	13751	American State Bank, Pierre	
			\$500	65266	First National Bank, Pierre	
			\$500	0621959600	Wells Fargo Bank, White River	
		61024	NE1/4 Section 30; T40N-R32W, Mellette County			
Transfer to:						
Mellette County Highway Department White River, SD	83-193		EXEMPT	NA	NA	

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<u>Transfers of Liability:</u>						
DOT – Pierre Region Pierre, SD	83-10		EXEMPT	NA	NA	Transfer liability.
		10228	W1/2 Section 15; T110N-R77W, Hughes County			
Transfer to:						
Hughes County Highway Department Pierre, SD	83-31		EXEMPT	NA	NA	
<u>Releases of Liability:</u>						
Bob Bak Construction Pierre, SD	83-61		\$4,000	13871	American State Bank, Pierre	Release liability.
			\$3,500	7410	American State Bank, Pierre	
			\$3,000	4981	American State Bank, Pierre	
			\$1,000	64334	First National Bank, Pierre	
			\$500	7305	American State Bank, Pierre	
			\$500	13850	American State Bank, Pierre	
			\$500	13751	American State Bank, Pierre	
			\$500	65266	First National Bank, Pierre	
			\$500	0621959600	Wells Fargo Bank, White River	
		61013	NE1/4 Section 23; T112N-R81W, Hughes County			
		61022	NE1/4 Section 29; T1N-R20E, Haakon County			

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<u>Releases of Liability:</u>						
Berkner Excavating & Gravel, Inc. Milbank, SD	83-202		\$3,000	400FL1532	St. Paul Fire & Marine Insurance Company	Release liability.
		202002	NE1/4 Section 17; T118N-R48W, Grant County			
Boom Concrete, Inc. Newell, SD	92-442		\$4,500 \$1,000 \$500 \$500	8010134 09104 800009938 206424	First National Bank, Newell First National Bank, Newell First National Bank, Newell First National Bank, Newell	Release liability.
		442001	SW1/4 NE1/4 Section 20; T8N-R7E, Butte County			
Harris H. Harms Corona, SD	83-94		\$4,500 \$500	837710- 66619949 20734	Auto Owners Insurance Company Dakota State Bank, Milbank	Release liability.
		94004	SW1/4 Section 14; T122N-R49W, Roberts County			
Clarence Mc Cune DeSmet, SD	93-477		\$500	64474	First National Bank, Pierre	Release liability.
		477002	SW1/4 Section 12; T112N-R57W, Kingsbury County			

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<u>Releases of Liability:</u>						
Xochitl Enterprises, LLP Elkton, SD	03-757		\$2,000	124304	Bremer Bank, Marshall, MN	Release liability.
			\$2,000	124236	Bremer Bank, Marshall, MN	
			\$500	8858	Citizens State Bank, Tyler, MN	
		757001	SE1/4 & SW1/4 Section 8; T108N-R47W, Moody County			
		757002	SE1/4 Section 7; T109N-R47W, Brookings County			
		757005	NE1/4 Section 17; T109N-R47W, Brookings County			
Day County Highway Department Webster, SD	83-34		EXEMPT	NA	NA	Release liability.
		34028	S1/2 NW1/4 Section 28; T124N-R56W, Day County			
Edmunds County Highway Department Ipswich, SD	83-161		EXEMPT	NA	NA	Release liability.
		161014	SE1/4 Section 12; T125N-R73W, McPherson County			

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<u>Releases of Liability:</u>						
Kingsbury County Highway Department DeSmet, SD	83-117		EXEMPT	NA	NA	Release liability.
		117002	NW3/4 Section 28; T111N-R56W, Kingsbury County			
		117007	SW1/4 Section 12; T112N-R57W, Kingsbury County			
Walworth County Highway Department Selby, SD	83-7		EXEMPT	NA	NA	Release liability.
		7028	S1/2 NE1/4 Section 24; T124N-R76W, Walworth County			