

Doug Sombke

President

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**South Dakota
Farmers Union**

UNITED TO GROW FAMILY AGRICULTURE

www.sdfu.org

1410 Dakota Avenue South PO Box 1388 Huron, SD 57350 605.352.6761

Mr. Chairman, members of the committee thank you for this opportunity to express our positions for the Crocker Wind Farm Project.

South Dakota Farmers Union works to promote the interests of farmers and ranchers and their families. We work hard to advance sound and beneficial agricultural policies. South Dakota Farmers Union formally supports the development of wind energy in the state and we support landowner's rights to develop their property.

Agriculture is the backbone of our rural communities so when the landowners, farmers and ranchers do well so does the community. Many businesses and opportunities have gone away from our small towns to larger metropolitan areas over the years. Wind farms provide a unique opportunity to use our natural resources to bring opportunity and stability to farmers, ranchers, landowners, rural governments and the communities where they live and do business.

America is the greatest country in the world and the agricultural community has been a strong and supporting pillar of this country throughout its history. We honor that history by fighting every day for family farmers, ranchers and the rural way of life.

Over the past decade South Dakota family farmers have continued building communities. SDFU was a major contributor in development of the White Lake wind farm near Plankinton, SD that is part of the Wind power contributing more than \$2 billion in capital investment to our state for the construction and maintenance of the 14 wind projects now in operation. These projects, along with the South Dakota businesses that supply goods and services to the wind industry, support nearly 2,000 good-paying jobs in our state. Better yet, there are numerous wind power projects being planned across our state and, if built, these wind farms will attract billions of dollars of new private investment, millions of dollars of new revenue for farmers and rural communities, and thousands of new jobs. Many of which are trained right here in S.D. at Mitchell votech.

Today, I am proud to say that South Dakota is one of only two states where wind power provides over 30 percent of in-state power generation. That's power that the whole region can count on. In fact, the regional operator of our energy system has noted they can reliably meet over 50 percent of the current demand for our 13-state region with wind power alone.

The growth in wind power in our state and region did not happen overnight or without careful planning and advances in technology. Wind works well with South Dakota's other major power resources such as hydroelectric, coal-fired, and natural gas power plants, adding to our fuel diversity and reducing our



reliance on imports. That diversity helps protect our businesses and homeowners from price and supply volatility, as well as changing national and global policies.

Beyond helping keep electricity prices stable, wind power can also benefit the families and communities who host the projects on their land. Wind farms now pay approximately \$5 million each year in lease payments, creating a new, drought-resistant revenue stream that can help family farmers and ranchers expand their operations or withstand market fluctuations in crop prices.

We have seen success with wind power development to date, and the future remains bright with prospects for more economic opportunity for South Dakotans. South Dakota's wide open spaces and high quality wind resource can potentially provide affordable and reliable electricity to those living beyond our states borders. By continuing to expand and modernize our electricity grid, we can deliver more of South Dakota's wind resource to high demand areas, just as we deliver other commodities like soybeans and corn to other parts of the nation.

Renewable power is proving its worth throughout the Great Plains, and South Dakota is committed to keeping our state open for more wind development. The renewable energy sector is one of the fastest growing in the nation, and renewable energy will continue to play a crucial role in creating new jobs and growing our state's economy. As wind power has grown to be nearly a third of our energy production, our grid is as reliable as ever. With this experience in mind, I and SDFU will continue to support the expansion of renewable energy in South Dakota.

-Chairman, members of the committee. I have copies of Agricultural Easements signed by seven home site owners that have opposed the project in some way and built houses in the area after signing the easement. One should note in SD, those of us who live in America's fly over region appreciate our space and cherish it very much. However, we also appreciate our neighbor's space and his freedoms as our own. For this reason such Agricultural Easements have been established and should be implemented at a local level. As I mentioned earlier Family Agriculture is the backbone of our great state. It cannot and should not be limited by size or type.

Opposition to Crocker wind farm signed Agricultural Easements

Zack Wipf

Chris Sass

Carol Stevens

Anthony Bjerke

David Adam

Jeff Kalo

Pamela Bjerke

Another note of opposition to Crocker wind farm - Greg Hubner – Author of Anti-Wind Book –

Mr. Hubner has written numerous publications in opposition to wind development stating subsidies as the only reason big corporations are in the wind business.

One could ask Mr. Hubner the same thing about farming.

According to EWG data Mr. Greg Hubner is shown receiving Personal tax Subsidies of \$227k over the last 21 years for an average of \$10,809.52 per year.

Now, for the record I am a farmer too. I know as a farmer these subsidies go back into our economy in one form or another. The same goes for wind subsidies.

According to records from the South Dakota Dept. of Revenue/Property Tax listing the amount of taxes paid by the Day County Wind Project (99 MW project) and the Oak Tree project (19.5 MW project) in Clark county are as follows;

Oak Tree Energy paid \$108,191.51 in nameplate capacity tax and production tax for 2016 payable in 2017

\$34,219.15 Clark School District

\$23,953.40 Clark County

\$ 6,532.75 Garfield Township

\$ 3,733.00 Mount Pleasant Township

\$39,753.21 remained with the State of South Dakota.

Day County wind paid \$587,513.01 in nameplate capacity tax and production tax for 2016 payable in 2017.

Day County received \$124, 285.91

Groton Area School received \$177,551.30

Oak Gulch Township received \$33,089.11

Scotland Township received \$20,176.28

State of SD received \$232,410.41

Currently, family farmers and ranchers including their rural communities are challenged with short falls in family business and community budgets. Imagine, what our townships, counties, and school districts budgets would be like if the numbers I just shared with you were increased with revenue from the Crocker wind farm..

Mr. Chairman and members of the committee

Thank you for giving us this opportunity to exercise our democratic right to voice our opinion on this extremely important issue to our family farmers & ranchers businesses, their neighbors and communities.

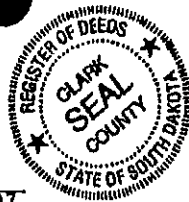
As president of South Dakota Farmers Union I thank you for the work you do!

Respectfully,

Doug Sombke

SDFU

President



State of South Dakota } ss.
County of Clark

Filed for record this 20th
day of June, 2007
at 1:40 o'clock P.M. and
recorded in book, FFF of
Misc page 319
Karot. Schubert
Register of Deeds

AGRICULTURAL EASEMENT

The following easement is to be utilized as required for farm and non-farm residential development within the Agricultural and Planned Residential Districts.

1. Purpose. This easement is required in the Agricultural District.
2. Easement.

("Grantors") are the owners of real property described as follows:

In accordance with the conditions set forth in the decision of Clark County, dated July 1 2003, approving a permit for a dwelling on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to the above described property, a perpetual nonexclusive easement as follows:

- a. The Grantors, their heirs, successors, and assigns acknowledge by the granting of this easement that the above described property is situated in an agricultural area and may be subjected to conditions resulting from commercial agricultural operations on adjacent lands. Such operations include the cultivation, harvesting, and storage of crops and livestock raising and the application of chemicals, operation of machinery, application of irrigation water, and other accepted and customary agricultural activities conducted in accordance with Federal and State laws. These activities ordinarily and necessarily produce noise, dust, smoke, and other conditions that may conflict with Grantors' use of Grantors' property for residential purposes. Grantors hereby waive all common law rights to object to normal and necessary agricultural management activities legally conducted on adjacent lands which may conflict with Grantors' use of Grantors' property for residential purposes, and Grantors hereby grant an easement to adjacent property owners for such activities.
- b. Nothing in this easement shall grant a right to adjacent property owners for ingress or egress upon or across the described property. Nothing in this easement shall prohibit or otherwise restrict the Grantors from enforcing or seeking enforcement of statutes or regulations of governmental agencies for activities conducted on adjacent properties.

This easement is appurtenant to all property adjacent to the above described property and shall bind to the heirs, successors and assigns of Grantors and shall endure for the benefit of the adjoining landowners, their heirs, successors, and assigns. The adjacent landowners, their heirs, successors, and assigns are hereby expressly granted the right of third party enforcement of this easement.

IN WITNESS WHEREOF, the Grantors have executed this easement on 6-20, 2007.

Signature, Grantor

STATE OF SOUTH DAKOTA

SS:

COUNTY OF CLARK

This instrument was acknowledged before me on June 20, 2007 by _____ (Grantors).

Christine Jarboe Notary Public

My Commission Expires: 2-6-13



State of South Dakota } ss.
County of Clark



Filed for record this 10th
day of September, 2014
at 11:30 o'clock A. M. and
recorded in book, LLL of
Misc page 174

Andrea H. Heston
beds

AGRICULTURAL EASEMENT

The following easement is to be utilized as required for farm and non-farm residential development within the Agricultural and Planned Residential Districts.

1. Purpose. This easement is required in the Agricultural District.
2. Easement.

("Grantors") are the owners of real property described as follows:

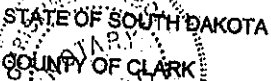
In accordance with the conditions set forth in the decision of Clark County, dated July 1 2003, approving a permit for a dwelling on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to the above described property, a perpetual nonexclusive easement as follows:

- a. The Grantors, their heirs, successors, and assigns acknowledge by the granting of this easement that the above described property is situated in an agricultural area and may be subjected to conditions resulting from commercial agricultural operations on adjacent lands. Such operations include the cultivation, harvesting, and storage of crops and livestock raising and the application of chemicals, operation of machinery, application of irrigation water, and other accepted and customary agricultural activities conducted in accordance with Federal and State laws. These activities ordinarily and necessarily produce noise, dust, smoke, and other conditions that may conflict with Grantors' use of Grantors' property for residential purposes. Grantors hereby waive all common law rights to object to normal and necessary agricultural management activities legally conducted on adjacent lands which may conflict with Grantors' use of Grantors' property for residential purposes, and Grantors hereby grant an easement to adjacent property owners for such activities.
- b. Nothing in this easement shall grant a right to adjacent property owners for ingress or egress upon or across the described property. Nothing in this easement shall prohibit or otherwise restrict the Grantors from enforcing or seeking enforcement of statutes or regulations of governmental agencies for activities conducted on adjacent properties.

This easement is appurtenant to all property adjacent to the above described property and shall bind to the heirs, successors and assigns of Grantors and shall endure for the benefit of the adjoining landowners, their heirs, successors, and assigns. The adjacent landowners, their heirs, successors, and assigns are hereby expressly granted the right of third party enforcement of this easement.

IN WITNESS WHEREOF, Grantors have executed this easement on Sept 10, 2014.

Signature, Grantor



SS:

This, _____ acknowledged before me on Sept 10, 2014 by _____ (Grantors).

Christine Jarbo Notary Public

My Commission Expires: 12-18-18

State of South Dakota } ss.
County of Clark



Filed for record this 25th
day of Sept., 2009
at 11:35 o'clock A. M. and
recorded in book, HRR of
Misc. page 366
Janet Hurlbut
Register of Deeds

Carl Warkenthein, Deputy

AGRICULTURAL EASEMENT

The following easement is to be utilized as required for farm and non-farm residential development within the Agricultural and Planned Residential Districts.

1. Purpose. This easement is required in the Agricultural District.
2. Easement.

("Grantors") are the owners of real property described as follows:

[Redacted property description]

In accordance with the conditions set forth in the decision of Clark County, dated July 1 2003, approving a permit for a dwelling on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to the above described property, a perpetual nonexclusive easement as follows:

- a. The Grantors, their heirs, successors, and assigns acknowledge by the granting of this easement that the above described property is situated in an agricultural area and may be subjected to conditions resulting from commercial agricultural operations on adjacent lands. Such operations include the cultivation, harvesting, and storage of crops and livestock raising and the application of chemicals, operation of machinery, application of irrigation water, and other accepted and customary agricultural activities conducted in accordance with Federal and State laws. These activities ordinarily and necessarily produce noise, dust, smoke, and other conditions that may conflict with Grantors' use of Grantors' property for residential purposes. Grantors hereby waive all common law rights to object to normal and necessary agricultural management activities legally conducted on adjacent lands which may conflict with Grantors' use of Grantors' property for residential purposes, and Grantors hereby grant an easement to adjacent property owners for such activities.
- b. Nothing in this easement shall grant a right to adjacent property owners for ingress or egress upon or across the described property. Nothing in this easement shall prohibit or otherwise restrict the Grantors from enforcing or seeking enforcement of statutes or regulations of governmental agencies for activities conducted on adjacent properties.

This easement is appurtenant to all property adjacent to the above described property and shall bind to the heirs, successors and assigns of Grantors and shall endure for the benefit of the adjoining landowners, their heirs, successors, and assigns. The adjacent landowners, their heirs, successors, and assigns are hereby expressly granted the right of third party enforcement of this easement.

IN WITNESS WHEREOF, the Grantors have executed this easement on Sept. 25, 2009.

[Redacted signature]
Signature, Grantor

STATE OF SOUTH DAKOTA
COUNTY OF CLARK

SS:

This instrument was acknowledged before me on Sept. 25, 2009 by [Redacted] (Grantors).

Janet Hurlbut
Notary Public

My Commission Expires: _____



State of South Dakota } ss.
County of Clark

Filed for record this 26th
day of August, 20 11
at 2:30 o'clock P. M. and
recorded in book III of
Misc. page 487



Janet Hurlbut
Register of Deeds

Carol Wachter-Thorn, Deputy



AGRICULTURAL EASEMENT

The following easement is to be utilized as required for farm and non-farm residential development within the Agricultural and Planned Residential Districts.

1. Purpose. This easement is required in the Agricultural District.
2. Easement.

("Grantors") are the owners of real property described as follows:



In accordance with the conditions set forth in the decision of Clark County, dated July 1 2003, approving a permit for a dwelling on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to the above described property, a perpetual nonexclusive easement as follows:

- a. The Grantors, their heirs, successors, and assigns acknowledge by the granting of this easement that the above described property is situated in an agricultural area and may be subjected to conditions resulting from commercial agricultural operations on adjacent lands. Such operations include the cultivation, harvesting, and storage of crops and livestock raising and the application of chemicals, operation of machinery, application of irrigation water, and other accepted and customary agricultural activities conducted in accordance with Federal and State laws. These activities ordinarily and necessarily produce noise, dust, smoke, and other conditions that may conflict with Grantors' use of Grantors' property for residential purposes. Grantors hereby waive all common law rights to object to normal and necessary agricultural management activities legally conducted on adjacent lands which may conflict with Grantors' use of Grantors' property for residential purposes, and Grantors hereby grant an easement to adjacent property owners for such activities.
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This easement is appurtenant to all property adjacent to the above described property and shall bind to the heirs, successors and assigns of Grantors and shall endure for the benefit of the adjoining landowners, their heirs, successors, and assigns. The adjacent landowners, their heirs, successors, and assigns are hereby expressly granted the right of third party enforcement of this easement.

IN WITNESS WHEREOF the Grantors have executed this easement on Aug 26, 2011.

Signature, Grantor

STATE OF SOUTH DAKOTA

SS:

COUNTY OF CLARK

This instrument was acknowledged before me on Aug 26, 2011 by [Redacted] (Grantors).

[Redacted] Notary Public

My Commission Expires: 2-6-13

State of South Dakota } ss.
County of Clark

Filed for record this 31st
day of July, 20 09
at 2:35 o'clock P.M. and
recorded in book, HHH of
Misc. page 291
Janet Hurlbut



Register of Deeds
Carol Wehenstein, Deputy

AGRICULTURAL EASEMENT

The following easement is to be utilized as required for farm and non-farm residential development within the Agricultural and Planned Residential Districts.

1. Purpose. This easement is required in the Agricultural District.
2. Easement.

("Grantors") are the owners of real property described as follows:

In accordance with the conditions set forth in the decision of Clark County, dated July 1 2003, approving a permit for a dwelling on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to the above described property, a perpetual nonexclusive easement as follows:

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This easement is appurtenant to all property adjacent to the above described property and shall bind to the heirs, successors and assigns of Grantors and shall endure for the benefit of the adjoining landowners, their heirs, successors, and assigns. The adjacent landowners, their heirs, successors, and assigns are hereby expressly granted the right of third party enforcement of this easement.

IN WITNESS WHEREOF, the Grantors have executed this easement on July 16, 2009.

Signature, Grantor

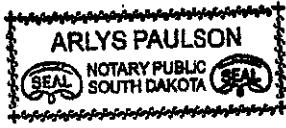
STATE OF SOUTH DAKOTA
COUNTY OF CLARK

SS:

This instrument was acknowledged before me on July 16, 2009 by _____ (Grantors).

Arlys Paulson Notary Public

My Commission Expires: March 11, 2010





State of South Dakota } ss.
County of Clark

Filed for record this 21st
day of October, 2005
at 12:45 o'clock P.M. and
recorded in book, EEE of
Misc. page 277
Karen Herlbut

AGRICULTURAL EASEMENT

The following easement is to be utilized as required for farm and non-farm residential development within the Agricultural and Planned Residential Districts.

1. Purpose. This easement is required in the Agricultural District.
2. Easement.

("Grantors") are the owners of real property described as follows:
[Redacted]

In accordance with the conditions set forth in the decision of Clark County, dated July 1 2003, approving a permit for a dwelling on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to the above described property, a perpetual nonexclusive easement as follows:

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IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 10/21 day of October, 2005.
[Redacted Signature]

Signature, Grantor

STATE OF SOUTH DAKOTA

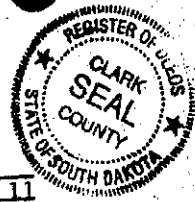
SS:

COUNTY OF CLARK

This instrument was presented before me on Oct 21, 2005 by [Redacted] (Grantors).



[Signature] Notary Public
Commission Expires: 2-6-07



State of South Dakota } ss.
County of Clark

Filed for record this 14th
day of July, 2011
at 11:30 o'clock A. M. and
recorded in book, III of
Misc. page 467
Janet Wurllust
Register of Deeds

AGRICULTURAL EASEMENT

The following easement is to be utilized as required for farm and non-farm residential development within the Agricultural and Planned Residential Districts.

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IN WITNESS WHEREOF, the Grantors have executed this easement on July 14, 2011.

Signature, Grantor

STATE OF SOUTH DAKOTA
COUNTY OF CLARK SS:

This instrument was acknowledged before me on July 14, 2011 by _____ (Grantors).

Janet Wurllust
Notary Public Auditor
My Commission Expires: _____