STATE OF SOUTH DAKOTA)

: SS.

THIRD JUDICIAL CIRCUIT

IN CIRCUIT COURT

COUNTY OF

CLARK)

ININD OUDICIAL CINCUIT

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CROCKER WIND FARM, LLC,

12 CIV 17-17

Petitioner,

-VS-

THE CLARK COUNTY COMMISSION
AND THE CLARK COUNTY
COMMISSION ACTING AS THE
CLARK COUNTY BOARD OF
ADJUSTMENT,

*

Respondent.

ORDER DENYING PETITIONER'S MOTION FOR PARTIAL SUMMARY JUDGMENT

Petitioner filed a Motion for Partial Summary Judgment. On August 14, 2017, the Motion came on for hearing before the Court, the Honorable Carmen Means, presiding. Petitioner appeared through its attorneys, Brian J. Donahoe and Brett M. Koenecke. Respondent appeared through its attorney, Jack H. Hieb. The Court having heard the arguments of counsel, having examined the pleadings and other evidence which has been made a part of the record, and being otherwise fully advised in the premises; now, therefore, it is hereby

ORDERED that Petitioner's Motion for Partial Summary Judgment is DENIED.

Attest: Aguayo, Tracy Clerk/Deputy

BY THE COURT:

Signed: 8/15/2017 10:23:00 AM

Circuit Court Judge

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Filed on: 08/15/2017 Clark

County, South Dakota 12CIV17-000017