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Lake Andes South Dakota, July 13, 1922

The Board of County Commissioners meet as a Drainage Board in the matter of the Bovee Tile Drain. with all members present, upon motion by Astin, seconded by Mc Bride, the following resolution was adopted.

RESOLUTION.

WHEREAS a written petition, accompanied by a bond with sufficient sureties approved by the County Auditor, signed by T. S. Braithwait and other owners of land that will be affected by the proposed drainage described in said petition, requesting and petitioning that a drainage ditch be established and constructed across a part of the southeast quarter (SE $\frac{1}{4}$) of Section four (4), the northeast quarter (NE $\frac{1}{4}$) of Section nine (9), the northwest quarter of Section ten (10), the southwest quarter (SW $\frac{1}{4}$) and the southeast quarter (SE $\frac{1}{4}$) of Section three (3), and the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section eleven (11), all in Township ninety-eight (98) north of Range sixty-seven (67) west of the Fifth Principal Meridian, in Charles Mix County, South Dakota, has been received and accepted by the Board of County Commissioners, ordered filed by said Board of County Commissioners with the County Auditor of Charles Mix County, South Dakota, and a copy of said petition transmitted by said County Auditor to the State Engineer as required by law, and the said Board of County Commissioners having examined and inspected said proposed route of drainage, and being of the opinion and deeming it necessary that a survey be made of the said proposed drainage, selected and appointed Arthur A. Loft, of Yankton, South Dakota, as engineer to make said survey, who did thereafter in pursuance of such selection and appointment make a complete survey of said proposed drainage for the purpose of determining the starting point, the route, the termini of the proposed ditches, and drains, and the course and length of the drains through each tract of land, together with the number of acres appropriated from said tract for construction of such improvements, and the elevation of all lakes, ponds and deep depressions in said drainage district and the boundary of the proposed district so as to include therein all lands that will be benefited by the proposed improvements, together with the approximate location of natural sub-divides within the district, and the description of each tract of land therein and the names of the owners thereof as shown by the tax records in the office of the County Treasurer of Charles Mix County, South Dakota, together with the probable cost, and such other facts and recommendations as he deems material, and who has presented to said Board of County Commissioners his report of such survey in writing, together with a plat and profile of said proposed drainage, now therefore

BE IT RESOLVED, that the report of such survey as made by the said Arthur A. Loft, engineer, together with the plat and profile of the same

as presented to said Board of County Commissioners, be and the same is

the same be and it is hereby ordered filed with

It was moved & seconded that the Board adjourn until Sept 5th 1922 at 2 o'clock P.M. Carried

Lake Andes, South Dakota, May 2, 1922,

The Board of County Commissioners meet as a Drainage Board, for the consideration of the Bovee Tile Drain, with all members present, motion by Mc Bride, and seconded by Brazzill that the bill of A.A. Loft, for surveying for \$109.57 be allowed, roll call all members voting Aye ' carried.

Motion to adjourn, made and carried.

Lake Andes, South Dakota, June 6th, 1922,

The Board of County Commissioners meet as a Drainage Board in the matter of the Bovee Tile Drain, with all members present, motion by Brazzill, and seconded by Astin, that the following bills be allowed, A.A. Loft for surveying, \$141.00. Dan Lynch Sheriff's Fees. for posting notices, \$35.00 roll call. all members voting aye.

ENGINEER'S REVISED REPORT.

BOVEE TILE DRAIN.

July 10, 1922,

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF CHARLES MIX COUNTY, SOUTH DAKOTA.;

Gentlemen:

I beg to report that, at your direction, I have made a survey of the Drainage project to be known as Bovee Tile Drain, Location of said proposed Tile Drain, being across part of Section 2, 3, 4, 9, 10, and 11, Township 98, Range 67, including all of the lots or parts of lots in the Town of Bovee, in Section 9, the exact location of said drain being as shown on the accompanying plat.

I find that, in order to drain the lands petitioned for in the most satisfactory manner it is advisable to extend the said proposed Drain below the point indicated for the outlet by said petitioners, to take in and drain the large Lake situated on the East Half of Section 3, and the West Half of Section 2, as I consider it inadvisable to attempt to drain into this lake without first providing a suitable outlet for the same.

I therefore recommend that the said drainage be extended by running an open ditch with a bottom width of four feet, and a side slope of one to one, from a point in the large lake, in the Northeast Quarter of the Southeast Quarter of Section 3, being the point designated as an outlet by said petitioner's, to the Southeast corner of said Section 3, and thence continuing said drainage in an open ditch with the same bottom width but with a side slope of Two to One in a Southeasterly direction across part of the Northwest Quarter of Section 11, at which point it reaches a well defined water course.

The balance of said drainage to be constructed of tile, all as shown on the accompanying plat and profiles,

I further recommend, in order to completely and successfully drain the lands included in this drainage project, to an equal degree, that lateral drains "A" to "G" inclusive be constructed of such size, location and grade as is shown on said plat and profiles.

The Plat and Profiles, above referred to and accompanying this report, are herewith made a part of the same.

The estimated costs of the above project including the right-of-way, engineering, and all incidentals is \$13,500.00.

Arthur A. Loft,

Engineer.

Filed in my office this 13th day of July, 1922,
Judson Smith, County Auditor.

Lake Andes, South Dakota, July 13, 1922,

The Board of County Commissioners meet as a Drainage Board in the Matter of the Bovee Tile Drain, with all members present, and upon motion by Astin, seconded by Mc Bride, the following resolution was adopted.

RESOLUTION

WHEREAS, A written petition, accompanied by a bond with sufficient sureties approved by the County Auditor, signed by T.S. Braithwait and other owners of land that will be affected by the proposed drainage described in said petition, requesting and petitioning that a drainage ditch be established and constructed across a part of the Southeast Quarter (SE $\frac{1}{4}$) of Section Four (4) the Northeast Quarter (NE $\frac{1}{4}$) of Section nine (9) The Northwest Quarter of section Ten (10) The Southwest Quarter (SW $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of section three (3) and the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of section eleven (11) all in Township Ninety eight (98) North of Range Sixty seven (67) West of the Fifth Principal Meridian, in Charles Mix County, South Dakota, has been received and accepted by the Board of County Commissioners, ordered filed by said Board of County Commissioners with the County Auditor of Charles Mix County, South Dakota, and a copy of said petition transmitted by said County Auditor to the State Engineer as required by law, and the said Board of County Commissioners having examined and inspected said proposed route of drainage, and being of the opinion and deeming it necessary that a survey be made of the said proposed drainage, selected and appointed Arthur A. Loft, of Yankton, South Dakota, as engineer to make said survey, who did thereafter in pursuance of such selection and appointment make a complete survey of said proposed drainage for the purpose of determining the starting point, the route, the termini of the proposed ditches and drains, and the course and length of the drains through each tract of land, together with the number of acres appropriated from said tract for construction of such improvements, and the elevations of all lakes, ponds and deep depressions in said drainage district, and the boundary of the proposed district so as to include therein all lands that will be benefited by the proposed improvements, together with the approximate location of natural sub-divides within the district, and the description of each tract of land therein and the names of the owners thereof as shown by the records in the office of the County Treasurer of Charles Mix County, South Dakota, together with the probable cost, and such other facts and recommendations as he deems material, and who has presented to the said Board of County Com-

Commissioners his report of such survey in writing, together with a plat and profile of said proposed drainage, NOW THEREFORE

BE IT RESOLVED THAT THE report of such survey as made by the said Arthur A. Loft engineer, together with the Plat and profile of the same as presented said Board of County Commissioners, be and the same is hereby accepted, and that the same be and it is hereby ordered filed with the County Auditor, who shall give notice of the filing of the same and notice of a hearing thereon, as required by law.

BE IT FURTHER RESOLVED, that the above mentioned drainage project shall henceforth be known and referred to as "Bovee Tile Drain".

Dated this 13th day of July, 1922 at Lake Andes, South Dakota.

Attest: Judson Smith Chairman
County Auditor, Board of County Commissioners, Charles Mix County, South Dakota.

Moved by Mc Bride and seconded by Brazzill, that the Drainage Board adjourn until September 5th 1922 at 2 o'clock, P.M.
Roll Call, members voting aye: Astin, McBride, Brazzill, carried.

S T A T E - O F - S O U T H - D A K O T A,
OFFICE OF STATE ENGINEER
PIERRE, S. D.

To the Honorable Board of County Commissioners,
Charles Mix County,
Lake Andes, S. D.

Gentlemen :

This is to certify and to give your Honorable Board formal notice that we have received a copy of the revised plan, profiled, and reports of Arthur A. Loft, Yankton South Dakota, which according to your instructions has made the survey and prepared said map, profiles and report in re the drainage district petitioned for by T.S. Braithwaite et al in the neighborhood of the Town of Bovee, in Charles Mix County,

This is further to say that we have examined this map, profiles and report made by said engineer Arthur A. Loft, and that this map, profiles, and engineer's report are hereby in all things approved.

Respectfully submitted
John Berg, State Engineer.

Dated at Pierre, this 25th day of July, 1922.

Filed in my office July 28, 1922,
Judson Smith, County Auditor.

NOTICE TO PROPERTY OWNERS

HEARING ON PETITION FOR BOVEE TILE DRAIN.

Notice is hereby given that on Tuesday the fifth day of September, 1922, at the hour of two o'clock in the afternoon, at the Court House, in the City of Lake Andes, in Charles Mix County, South Dakota, will be in session for the purpose of hearing in the petition of the establishment and construction of a drainage ditch in Rhoda Township, in Charles Mix County, South Dakota, known and designated as the "Bovee Tile Drain", the plat and profile of which, together with the engineer's report in writing, were duly presented to the said Board of County Commissioners, and were on the 13th day of July 1922, filed in the office of the County Auditor of Charles Mix County, South Dakota, with the petition for the establishment of and construction of said proposed drainage.

The tract of Country likely to be effected by the establishment and construction of said proposed drainage as a portion of the lands in Sections Two (2) Three (3) Four (4) Nine (9) and ten (10) and eleven (11) all in Township Ninety Eight (98) North of Range Sixty-seven (67) West of the Fifth Principal Meridian, in Charles Mix County, South Dakota, including all of the lots of parts of lots in the platted village in said section nine (9) of said Township and range, which said village is known by the name of Town of Bovee, which said tract of country, the route of said proposed drainage, the description of each separate tract of land that will be affected thereby, and the acreage required and described on the plat and profile of said proposed drainage.

Each separate tract of land through which the proposed drainage will pass and the names of the owners thereof as appears from the tax record of the office of the County Treasurer of Charles Mix County, South Dakota, are as follows:

Description of tract through which
The proposed drainage will pass.

Name of Owner.

SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 2, T. 98 N. R. 67 W.	G. G. & E. Soderstrom,
NW $\frac{1}{4}$ of SW $\frac{1}{4}$, SEC 2, T. 98 N. R. 67 W.	G. G. & E. Soderstrom,
NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 3, T. 98 N. R. 67 W.	Pearl S (or L. Smith,
SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SSec 3, T. 98 N. R. 67 W.	Pearl S (or L. Smith,
SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 3, T. 98 N. R. 67 W.	Pearl S (or L. Smith,
NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 3, T. 98 N. R. 67 W.	Cornelius Skillingstad,
NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec 3, T. 98 N. R. 67 W.	Cornelius Skillingstad,
SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec 3, T. 98 N. R. 67 W.	Cornelius Skillingstad,
SE $\frac{1}{4}$ of SE $\frac{1}{4}$, SSec 3, T. 98 N. R. 67 W.	Cornelius Skillingstad,
SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec 3, T. 98 N. R. 67 W.	James A. Rommen,
SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec 3, T. 98 N. R. 67 W.	James A. Rommen,
SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec 4, T. 98 N. R. 67 W.	W. E. Heaton,
NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 10 T. 98 N. R. 67 W.	Simmie Severson,
NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 10 T. 98 N. R. 67 W.	Simmie Severson,
SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 10 T. 98 N. R. 67 W.	Simmie Severson,
NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 11 T. 98 N. R. 67 W.	Katherine Livingston,
NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 11 T. 98 N. R. 67 W.	Katherine Livingston,
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 of Block 4, in the platted village of Heaton, now known by the name of Town of Bovee, in Section 9, T. 98 N. R. 67, W.	R. E. Thompson,
Out Lot "E" in the platted village of Heaton, now known by the name of Town of Bovee, in Section 9, T. 98, N. R. 67, W.	Edna Thompson,
Out Lot "E" in the Platted village of Heaton, now known by the name of Town of Bovee, in Section 9, T. 98, N. R. 67, W.	R. E. Thompson,

(The patented lands referred to herein as "Town of Bovee" were platted as the town of or Village of Heaton, but are now carried on the records of the County Treasurer as "Town of Bovee")

All persons are hereby referred for further particulars concerning said proposed drainage to all the files, records and proceedings herein, which are on file in the office of the County Auditor of Charles Mix County, South Dakota, which are hereby made a part of this notice by such reference.

All persons affected by said proposed drainage are hereby notified and summoned to appear at said hearing and show cause why the proposed drainage should not be established and constructed, and all persons deeming themselves damaged or claiming compensation for the lands proposed to be taken for said drainage are notified and summoned to present their claims therefor at such hearing.

Dated at Lake Andes, South Dakota, this 7th day of August, 1922,

Judson Smith
County Auditor, of Charles Mix County, South Dakota,

(seal)

AFFIDAVIT OF POSTING.

State of South Dakota
ss
County of Charles Mix,

Jas. Dermody being first duly sworn on his oath deposes and says that on the 8th day of August, 1922, he personally posted a true and correct copy of the attached notice, headed: "Notice To Property Owners" "Hearing on Petition For Bovee Tile Drain" at three public places near the proposed route of drainage, to-wit, one copy at the Northeast Corner of section ten (10) One copy at the Southwest corner of Section Three (3) all in Township 98, North of Range 67, West of the 5th P.M. in conspicuous places along the public highways, and one copy at Hegg's Store in the Town of Heaton, now Bovee, in Sec 9, T. 98 N. R. 67, W. 5th P.M. in a conspicuous place.

That each of said three copies were posted in a public place near the route of said proposed drainage, in a substantial manner, and so as to be easily seen by the public.

Subscribed to and sworn to before me this 12th day of August, 1922,

Jas. Dermody,
A. J. Cassidy,
Notary Public, South Dakota,

(seal)

State of South Dakota
ss
County of Charles Mix,

IN THE MATTER OF THE ESTABLISHMENT OF
BOVEE TILE DRAIN, IN CHARLES MIX COUNTY
SOUTH DAKOTA,

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS, OF CHARLES MIX COUNTY, SOUTH DAKOTA :-

Comes now Katherine Livingston, owner of the following described premises to-wit, The Northwest Quarter of section eleven (11) in Township Ninety eight (98) North of Range sixty seven (67) West of the 5th P.N. in Charles Mix County, S.D. the same being the land and premises to be effected and traversed by the said proposed drainage ditch, and hereby respectfully protests and remonstrates against the establishment of said ditch, as prayed for by the Petition on file in the office of the County Auditor, of Charles Mix County, S.D. and as grounds for said protest and remonstrance respectfully states and alleges:

I- That the Petition for the establishment of said drainage ditch upon which said proceedings are based and grounded, is insufficient and does not state facts sufficient to confer jurisdiction upon the Board of County Commissioners, of Charles Mix County, S.D. to order and direct the establishment of said ditch.

II- That the Notices of Hearing of said Petition is insufficient in that it fails to set out the initial point and the terminal point and general course of said proposed drainage ditch, as required by the statutes of the State of South Dakota.

III- That no proper, sufficient and adequate Engineer's Report has been made or filed in the office of the County Auditor of Charles Mix County, South Dakota.

IV- That said ditch is not feasible and not necessary for the drainage of agricultural lands, and that no benefits will be derived from the establishment of said drainage ditch, but on the contrary, valuable farm lands owned by this protestor, and other persons similarly situated will be substantially damaged and permanently destroyed as agricultural lands, by reason of the establishment of the said ditch; that said protestor will sustain great and irreparable damages by reason of the establishment of said ditch.

WHEREFORE, the undersigned prays: That said Petition for the establishment of said ditch be dismissed and the prayer thereof denied.

Katherine Livingston.

State of South Dakota
ss
County of Charles Mix,

Katherine Livingston, being first duly sworn deposes and says: That she is the identical person who has signed the foregoing protest and remonstrance: that she has read the same and knows the contents thereon, and that the matter and statements therein contained are true of her own knowledge, except as to matters alleged upon information and belief, and as to such matters she believes it to be true.

Subscribed and sworn to before me this Katherine Livingston.
2nd day of September, 1922, A. Brady Beck, Notary Public, S.D.

(Filed in my office
Sept 5, 1922, Judson Smith

County Auditor

State of South Dakota

ss

County of Charles Mix,

IN THE MATTER OF " BOVEE TILE DRAIN "

Comes now Katherine Livingston, owner of the following described real estate to-wit,: The Northwest Quarter of Section eleven, (11) in Township Ninety Eight (98) North of the Range Sixty Seven (67) West of the 5th P.M. in Charles Mix County, S.D. and makes and files the following claim for damages sustained by her to the above drainage ditch over and across her said premises, the said Drainage ditch being designated as "Bovee Tile Drain" : that the items of damages claimed are as follows ;

Compensation for lands taken as a right-of-way for said drainage ditch, -\$450.00
Costs ### of constructing 2 bridges over and across the said drainage ditch, connecting the lands of said claimant, divided and separated by said ditch, together with the cost of the upkeep of said bridge in the future, - - - - - \$4000.00

To cost of construction of fences along said ditch to protect the livestock of claimant and her grantees from said ditch, and the upkeep thereof during all future time - - - - - \$2000.00

To damages to the real estate above described by the reason of the casting thereon of surface water from approximately 2000 acres and thereby, flooding said lands and premises and the drowing crops thereon, and destroying the usefulness of said farm and its salability, - - - - - \$4000.00

Total - - - - - --\$10450.00

State of South Dakota,

ss

County of Charles Mix,

Katherine Livingston, being first duly sworn, deposes and says,; That she is the owner of the lands and premises described in the foregoing claim; that she is the claimant above named ; that said claim is in all respects, true and correct; that the several items of damages set forth in said claim have been, or will be sustained by affidavit by reason of the establishment of the said drainage ditch over and across the premises described in said claim, and as above set forth, that the several items of damages set forth and charged in said claim are the reasonable damages sustained by said affiant by reason of the establishment of said ditch as she verily believes : that said claim has not been paid, and that there are no offsets thereto to the knowledge of this affiant.

Katherine Livingston.

Subscribed and sworn to before me this 2nd day of September, 1922,

(seal)

A. Brady Beck,
Notary Public,

Filed in my office this 5th day of September 1922,
Judson Smith, County Auditor,

Lake Andes, South Dakota, September 5th, 1922,

The Board of County Commissioners meet as a Drainage Board in the matter of the Bovee Tile Drain", as per adjournment taken July 13th, 1922, with all members present,

This being the time set for the hearing objections to the establishment of and construction of said drainage ditch, and for allowing compensation for right-of-way taken and for damages sustained, and Katherine Livingston by her Attorney, A.B. Beck, having filed a protest against the establishment of said drainage, and a claim for damages and compensation for right-of-way in the total sum of \$10,450.00 and after due consideration of said protest and claim, it was deemed advisable to continue said hearing until October 3rd, 1922,

On motion by Mc Bride, seconded by Brazzill, further action on the "Bovee Tile Drain" was continued until 2 o'clock P.M. on October 3rd, 1922.

Roll Call, all members voting aye

Lake Andes, South Dakota, October 3rd, 1922,

The Board of County Commissioners meet as a Drainage Board in the matter of the Bovee Tile Drain, as per adjournment taken, September 5th, 1922, with all members present Upon motion by Astin, seconded by Mc Bride, the following resolution was adopted,

R E S O L U T I O N .

WHEREAS, on the 13th day of July, 1922, the Board of County Commissioners of Charles Mix County, South Dakota, acting upon the petition of T.S. Braithwait and others, owners of land that will be affected by the proposed drainage described in said petition, requesting petitioning that a drainage ditch be established and constructed across a part of the Southeast Quarter (SE 1/4) of section Four (4) The Northeast Quarter (NE 1/4) of section nine (9) The Northwest Quarter (NW) of section ten (10) The Southwest Quarter (SW 1/4) and the Southeast quarter (SE 1/4) of section three (3) and the Northwest Quarter (NW 1/4) of the Northwest (NW 1/4) of section eleven (11) all in Township ninety eight (98) North of range sixty seven (67) West of the Fifth Principal Meridian in Charles Mix County, South Dakota, accepted and ordered filed the report as revised by Arthur A. Loft, engineer, together with the revised plan, plat and profile of said proposed drainage, ordered the County Auditor to give notice of the filing of the same and notice of hearing thereon as required by law. and designating said drainage project as the Bovee Tile Drain", and

WHEREAS the County Auditor of Charles Mix County, South Dakota, did immediately thereafter transmit a copy of the revised plan, report, plat and profile of said proposed drainage to the State Engineer, who on the 25th day of July 1922, acknowledged receipt of the same, and in all things fully approved the same, and

WHEREAS the County Auditor of Charles Mix County, South Dakota, did on the 7th day of August, 1922 give Notice to Property Owners of Hearing on Petition for said Bovee Tile Drain by posting and publication as required by law, which said notice state the time and place of said hearing and all of the other facts required by law, due proof of which is now on file in the office of the County Auditor, which said notice required all persons who considered themselves damaged by the construction of said drainage or claiming compensation for the lands taken in the construction thereon, and summoned to appear before the said Board of County Commissioners at Lake Andes, South Dakota, on the 5th day of September, 1922,

at the hour of two o'clock for the purpose of hearing on said petition and
 WHEREAS on the said 5th day of September 1922, one Katherine Livingston, owner of the Northwest Quarter (NW $\frac{1}{4}$) of section eleven (11) in Township Ninety Eight (98) North of Range Sixty Seven (67) West of the 5th P.M. in Charles Mix County, South Dakota, filed with said Board of County Commissioners her written claim for damages by reason of said proposed damages as follows :

Costs of constructing 2 bridges over said drainage ditch, and across the said drainage ditch, connecting the lands of said claimant, divided and separated by said ditch together with the cost of the upkeep of said bridge in the future, - - - - - \$4000.00

Compensation for land taken as a right-of-way for said drainage ditch, \$ 450.00
 To cost of construction of fences along said ditch to protect the livestock of claimant and her grantees from said ditch, and the upkeep thereon all during all future times, - - - - - \$2000.00

To damages to the real estate above described by reason of the casting thereon of surface water from approximately 2000 acres, and thereby flooding said lands and premises and the growing crops thereon, and destroying the usefulness of said farm and its salability, - - - - - \$4000.00
 Total - - - - - \$10450.00

WHEREAS the said Board of County Commissioners having met at the time and place designated in the notice for the purpose of hearing all persons objecting to the establishment and construction of said proposed drainage, and for hearing those deeming themselves damaged by the construction of said drainage, or claiming compensation for the lands taken, and the said claimant, Katherine Livingston, having filed her written claim and protest in said matter as aforesaid, and appearing by her attorney A.B.Beck, and no other person or persons appearing either in person or by attorney to make any objection, and no other claim or claims having been filed, the said hearing was continued and adjourned until the 3rd day of October, 1922, at two o'clock P.M. at Lake Andes South Dakota, and

WHEREAS, on the said 3rd day of October 1922, at the hour of two o'clock P.M. said Board of County Commissioners met at Lake Andes, South Dakota, for the purpose of said hearing, and for the purpose of considering the claim of the said Katherine Livingston for damages in the total sum of \$10,450.00 as claimed by her, said claimant appearing by her attorney, A.B.Beck, of Geddes, South Dakota, and there being no other protests filed against said proposed drainage, and no other claims for damages being filed, the said Board of County Commissioners proceeded to consider the said claim of the said Katherine Livingston, not therefore

BE IT RESOLVED that the Board of County Commissioners of Charles Mix County, South Dakota, after having duly heard and considered all protests and objections to the establishment of and construction of the said proposed drainage known as the "Bovee Tile Drain", deems the same necessary and beneficial to agricultural lands and that said drainage be and the same is hereby established as provided by law, and that

BE IT FURTHER RESOLVED, that, after hearing and duly considering all claims for damages or for compensation for lands taken for a right-of-way the damages allowed on the several tracts of land and to the owners thereon shall be and they are hereby fixed and allowed as follows,

Description of Tract.	Name of owner	Amount of Damages Allowed
The Northwest Quarter (NW $\frac{1}{4}$) of Section eleven (11), Township 98 North of Range 67, west of the 5th P.M.,	Katherine Livingston,	For right-of-way \$350.00 For Bridges - \$ For Fences - For surface water \$650.00
Total amount allowed Katherine Livingston - - - - -		\$1000.00

BE IT FURTHER RESOLVED that the drainage project hereinbefore described and known as the "Bovee Tile Drain" be and the same is hereby established and ordered constructed according to law, and

BE IT RESOLVED. That Arthur A. Loft, engineer, be instructed and directed, and he is hereby instructed and directed to prepare and present to the Board of County Commissioners of Charles Mix County, South Dakota, an assessment of the proposed drainage among the lands effected by said drainage in order that said Board of County Commissioners may fix the proportion of benefits.

Dated at Lake Andes, South Dakota, this 3rd day of October, 1922,

Attest Judson Sweet
 County Auditor

Chairman of the Board of County Commissioners of Charles Mix County South Dakota.

Motion by Mc Bride, seconded by Brazzill, that the above resolution and all pertaining thereto be accepted, roll call, members voting aye ' Astin, Brazzill, Mc Bride, carried.

Upon motion by Mc Bride, seconded by Brazzill, that an adjournment be taken, upon roll call, members voting aye', Astin, Mc Bride, Brazzill, carried,

December 1st, 1922,

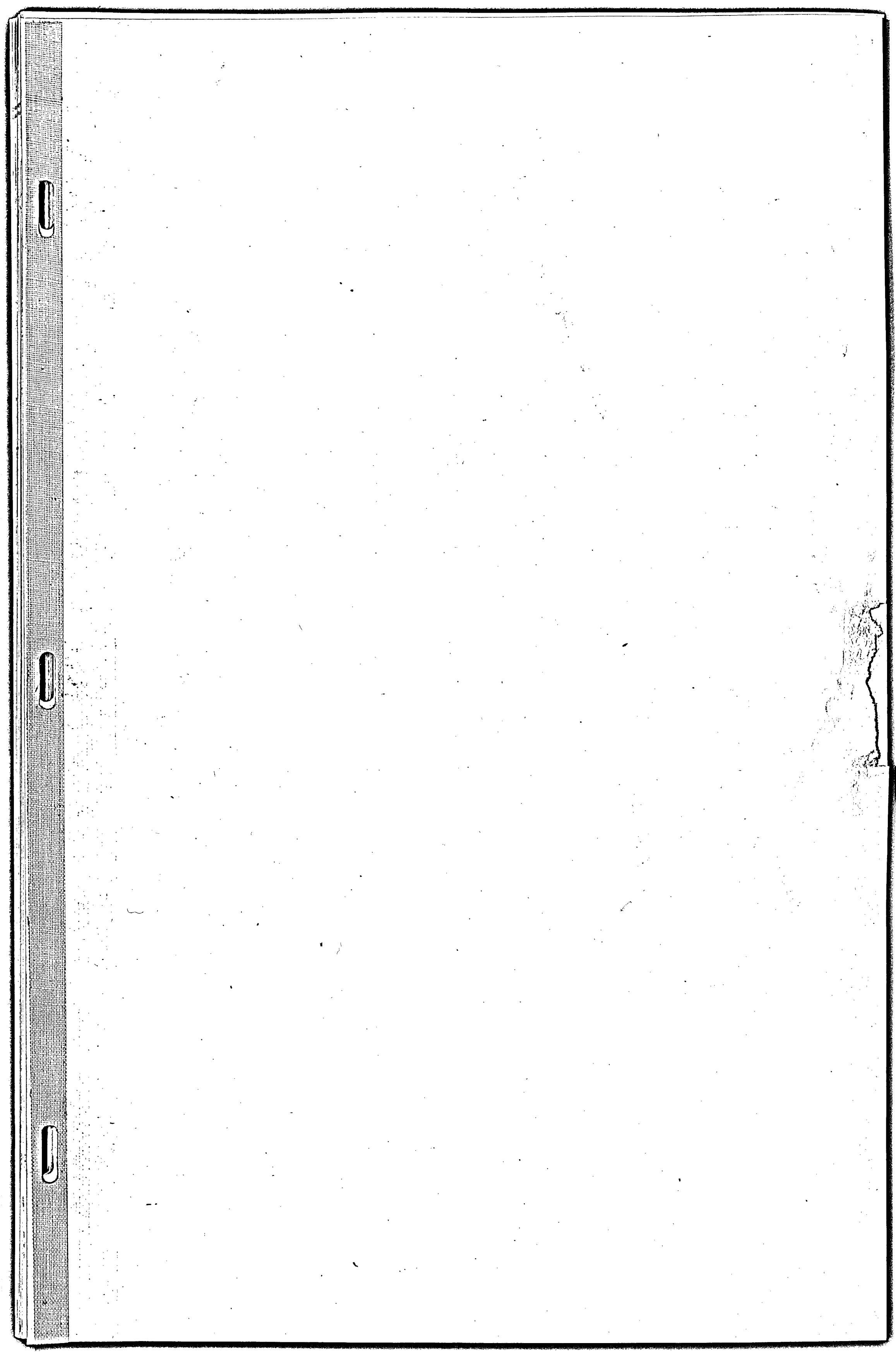
To The Honorable Board of County Commissioners,
 Lake Andes, South Dakota,

Gentlemen : -

The following is a list of the various lots and tracts of land which are by law assessable for the construction of the "Bovee Tile Drain", together with the number of units of benefit which, in my judgement, each lot and tract of land is benefited, taking the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 3, Township, 98 North, Range 67 West of the 5th P.M. as the Unit Forty at 1000 Units for benefits, and that therefore recommend that the assessment of benefits for the construction of said ditch be made as indicated herein, and as follows :

Township 98, Range 67.

Description	Owner	Units
<u>Section 2</u>		
NW 1/4 NW 1/4	C.G. & E. Soderstrom	25.00
SW 1/4 NW 1/4	" "	400.00
NW 1/4 SW 1/4	" "	287.00
<u>Section 3,</u>		
NE 1/4 NE 1/4	Pearl S. (or L.) Smith	440.00
NW 1/4 NE 1/4	" "	180.00
SW 1/4 NE 1/4	" "	425.00
SE 1/4 NE 1/4	" "	1000.00 (unit)
NE 1/4 SE 1/4	Cornelius Skillingstad	855.00
NW 1/4 SE 1/4	" "	212.00
SW 1/4 SE 1/4	" "	80.00
SE 1/4 SE 1/4	" "	30.00
NW 1/4 SW 1/4	James A. Rommen	6.25
SW 1/4 SW 1/4	" "	106.25
SE 1/4 SW 1/4	" "	700.00
<u>Section 4,</u>		
SW 1/4 NE 1/4	Venzel Warejcka	####
SE 1/4 NE 1/4	Venzel Warejcka	41.25
NE 1/4 SW 1/4	" "	11.25
NE 1/4 SE 1/4	" "	52.50
NW 1/4 SE 1/4	W.E. Heaton	618.75
SW 1/4 SE 1/4	" "	408.75
SE 1/4 SE 1/4	" "	544.00
		64125
<u>Section 10,</u>		
NE 1/4 NW 1/4	Simmie Severson	80.00
NW 1/4 NW 1/4	" "	315.00
SW 1/4 NW 1/4	" "	220.00
<u>Section 11</u>		
NW 1/4 NW 1/4	Katherine Livingston	50.00
<u>Town of Bovee, S.D.</u>		
Lot 1, Block 1,	James A. Rommen	3.35
" 2 " 1	" "	3.35
" 3 " 1	W.E. Heaton	3.35
" 4 " 1	" "	3.35
" 5 " 1	Andrew Bye	3.35
" 6 " 1	" "	3.35
" 7 " 1	R.E. Thompson	3.35
" 8 " 1	" "	4.70
" 9 " 1	" "	4.00
" 10 " 1	" "	3.35
" 11 " 1	" "	3.35
" 12 " 1	" "	2.00
" 13 " 1	" "	2.70
" 14 " 1	" "	3.35
" 15 " 1	" "	3.35
" 16 " 1	" "	3.35
" 17 " 1	" "	3.35
" 18 " 1	" "	3.35
Lot 1, Block 2,	W.E. Heaton	3.35
" 2 " 2	" "	3.35
" 3 " 2	Lewis E. Peterson	3.35
" 4 " 2	Henrietta Nicholls	3.35
" 5 " 2	R.E. Thompson	3.35
" 6 " 2	" "	3.35
" 7 " 2	" "	3.35



Lake Andes South Dakota, September 5, 1922,

The Board of County Commissioners meet as a Drainage Board in the matter of the Bovee Tile Drain, as per adjournment taken July 13th, 1922, with all members present.

This being the time set for hearing objections to the establishment and construction of said Drainage Ditch, and for allowing compensation for right-of-way taken and for damages sustained, and Katherine Livingston by her Attorney, A.B. Beck, having filed a protest against the establishment of said drainage, and a claim for damages and compensation for right-of-way in the total sum of \$10,450.00 and after due consideration of said protest and claim, it was deemed advisable to continue said hearing until October 3rd, 1922, On Motion by Mc Bride, seconded by Brazzill, further action on the Bovee Tile Drain was continued until 2 o'clock P.M. on October 3rd, 1922,

Roll Call, all members voting Aye.

Lake Andes, South Dakota, October 3rd, 1922,

The Board of County Commissioners meet as a Drainage Board in the matter of the Bovee Tile drain, as per adjournment taken September 5th, 1922, with all members present.

Upon Motion by Astin, seconded by Mc Bride, the following resolution was adopted,

STATE OF SOUTH DAKOTA,)
COUNTY OF CHARLES MIX,) SS.

IN THE MATTER OF THE ESTABLISHMENT OF
BOVEE TILE DRAIN, IN CHARLES MIX COUNTY
SO. DAKOTA.

TO THE HON. BOARD OF COUNTY COMMISSIONERS, OF CHARLES MIX
COUNTY, SOUTH DAKOTA:-

Comes now Katherine Livingston, owner of the following
described premises, to-wit: The Northwest quarter of Section
eleven (11), in Township ninety-eight (98), North of Range sixty-
seven (67), West of the 5th P. M., in Charles Mix County, S. D.,
the same being the lands and premises to be effected and traversed
by the said proposed drainage ditch, and hereby respectfully
protests and remonstrates against the establishment of said
drainage ditch, as prayed for by the petition on file in the office
of the County Auditor, of Charles Mix County, S. D., and as
grounds for said protest and remonstrance, respectfully states and
alleges:

I-

That the Petition for the establishment of said drainage
ditch upon which said proceedings are based and grounded, is
insufficient and does not state facts sufficient to confer juris-
diction upon the Board of County Commissioners, of Charles Mix
County, S. D., to order and direct the establishment of said ditch.

II-

That the Notice of the Hearing of said Petition is
insufficient in that it fails to set out the initial point and the
terminal point and general course of said proposed drainage ditch,
as required by the statutes of the State of South Dakota.

III-

That no proper, sufficient and adequate Engineer's
Report has been made or filed in the office of the County Auditor
of Charles Mix County, S. D., as required by the statutes of the
State of South Dakota.

PIV-

That said ditch is not feasible and not necessary for the drainage of agricultural lands, and that no benefits will be derived from the establishment of said drainage ditch, but on the contrary, valuable farm lands owned by this protestor, and other persons similiarly situated will be substantially damaged and permanently destroyed as agricultural lands by reason of the establishment of the said ditch; that said protestor will sustain great and irreparable damages by reason of the establishment of said ditch.

W h e r e f o r e, the undersigned prays: That said Petition for the establishment of said ditch be dismissed and the prayer thereof denied.

Katherine Livingston

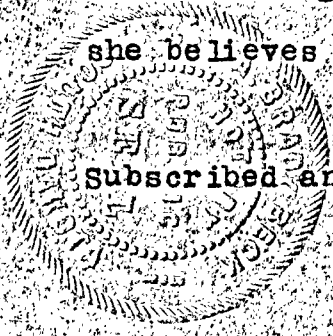
STATE OF SOUTH DAKOTA,)
COUNTY OF CHARLES MIX,) SS.

Katherine Livingston, being first duly sworn deposes and says: That she is the identical person who has signed the foregoing protest and remonstrance; that she has read the same and knows the contents thereof, and that the matters and statements therein contained are true of her own knowledge, except as to matters alleged upon information and belief, and as to such matters she believes it to be true.

Katherine Livingston

Subscribed and sworn to before me this 2nd day of September, 1922.

[Signature]
Notary public, S. D.



Affidavit of Publication

State of South Dakota, }
County of Charles Mix } ss.

H. C. Tucker

I, of said County and State, being first duly sworn, on his oath says that the CHARLES MIX COUNTY NEWS is a legal weekly newspaper of general circulation, printed and published in Geddes, in said County and State, by H. C. TUCKER, and has been such newspaper during the time hereinafter mentioned; and that said newspaper has a bona fide circulation of at least two hundred copies weekly, and has been published within said county for fifty-two consecutive weeks prior to the first issue herein mentioned, and is printed in an office maintained at the place of publication, and that I.....

H. C. Tucker

....., the undersigned am **Editor** of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice TO Property Owners.

a printed copy of which is hereto attached, was printed and published in said newspaper for successive issues, the first publication being made on **August 10, 1922**, 192.....; and the last publication on **August 17, 1922**, 192.....; that \$ ~~7000~~ being the full amount of the fee for publication of the annexed notice insures solely to the benefit of the publisher of the CHARLES MIX COUNTY NEWS that no arrangements or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this **18** day of **August**, 192**2**

H. C. Tucker
B. B. Tucker
Notary Public.

Affidavit of Attorney or Agent

STATE OF SOUTH DAKOTA, County of....., ss:

..... being duly sworn on his oath says that he is the..... of..... that..... directed the publication of the annexed notice of..... in the CHARLES MIX COUNTY NEWS, that no agreement or understanding for any division of the fees thereof has been made with any person whomsoever, and that no part thereof has been refunded or rebated by the party publishing said notice.

Subscribed and sworn to before me this..... day of..... 192.....

STATE OF SOUTH DAKOTA,)
COUNTY OF CHARLES MIX,) SS.

IN THE MATTER OF "BOVEE TILE DRAIN".

Comes now Katherine Livingston, owner of the following described real estate, to-wit: The Northwest quarter of Section eleven(11), in Township ninety-eight (98), North of Range sixty-seven (67), West of the 5th P. M., in Charles Mix County, S. D., and makes and files the following claim for damages sustained ^{by her} to the above described real estate by reason of the establishment of a drainage ditch over and across her said premises, the said drainage ditch being designated as "Bovee Tile Drain"; that the items of damages claimed are as follows:

Compensation for land taken as a right-of-way for said drainage ditch - - - - -	\$ 450.00
Cost of constructing 2 bridges over and across the said drainage ditch, connecting the lands of said claimant, divided and separated by said ditch, together with the cost of the upkeep of said bridge in the future - - - - -	4000.00
Cost of construction of fences along said ditch to protect the livestock of claimant and her grantees from said ditch, and the upkeep of them thereof during all future time - - - - -	2000.00
To damages to the real estate above described by reason of the casting thereon of surface water from approximately 2000 acres, and the water flow thereby flooding said lands and premises and the growing crops thereon, and destroying the usefulness of said farm and its salability - - - - -	<u>4000.00</u>
Total - - - - -	\$10450.00

STATE OF SOUTH DAKOTA,)
COUNTY OF CHAREES MIX,) SS.

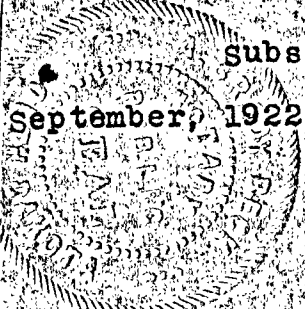
Katherine Livingston, being first duly sworn, deposes and says. That she is the owner of the lands and premises described in the foregoing claim; that she is the claimant above named; that said claim is in all respects, true and correct; that the several items of damages set forth in said claim have been, or will be sustained by affiant by reason of the establishment of the said drainage ditch over and across the premises described in said claim, and as above set forth. That the several items of damages set forth and charged in said claim are the reasonable damages sustained by said affiant by reason of the establishment of said ditch as she verily believes that said claim has not been

SIXTE paid, and that there are no off-sets thereto to the knowledge of this affiant.

Wathene Livingston

Subscribed and sworn to before me this 2nd day of September, 1922.

[Signature]
NOTARY PUBLIC.



RECORDED
INDEXED
SEP 22 1922
COUNTY OF SAN FRANCISCO

Class



BOND
H. W. MERRITT

knowledge of this office.

and that there are no other persons

FILED IN OFFICE

SEP 5 - 1922

JACKSON COUNTY
CLERK

COUNTY AUDITOR
CHARLES MIX COUNTY
LAKE ANDERSON, S. D.

letters

Fri - Renew Pol - Home - old No 267 - 17500⁰¹
on Bldg - instead of 15000⁰² Bldg + 2500 Contn

Lien - Renew Policy - Home - old No 349 - read
✓ 17333.35 - on Bldg only -

Vanderbrom - Renew Tornado policy No 424
✓ Committed to read 17333.35 on
building only -

Lien - Renew tornado policy Home 113
✓ to read 17333.35 on building
only.

90% should be on all fire + tornado policies
on building No claim on fur ins

All persons are hereby referred for further particulars concerning said proposed drainage to all the files, records and proceedings herein, which are on file in the office of the County Auditor of Charles Mix County, South Dakota, which are hereby made a part of this notice by such reference.

All persons affected by said proposed drainage are hereby notified and summoned to appear at said hearing and show cause why the proposed drainage should not be established and constructed, and all persons deeming themselves damaged or claiming compensation for the lands proposed to be taken for said drainage are notified and summoned to present their claims therefor at such hearing.

Dated at Lake Andes, South Dakota, this 7th day of August, 1922.

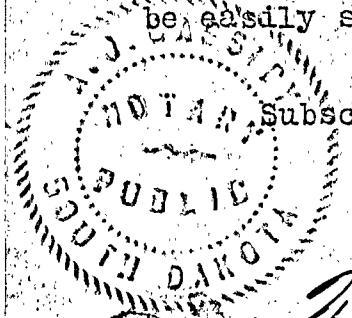
Judson Smith,
County Auditor of Charles Mix
County, South Dakota.

True

AFFIDAVIT OF POSTING.

State of South Dakota,)
County of Charles Mix,) ss.

Jas. Dermody being first duly sworn on his oath deposes and says that on the 8th day of August, 1922, he personally posted a true and correct copy of the attached notice, headed: "NOTICE TO PROPERTY OWNERS" "HEARING ON PETITION FOR BOVEE TILE DRAIN" at three public places near the proposed route of drainage, to-wit: one copy at the northeast corner of Section ten (10), one copy at the southwest corner of Section three (3), all in Township 98 north of Range 67 west of the 5th P. M., in conspicuous places along the public highways, and one copy at Hegg's Store in the town of Heaton, now Bovee, in Sec. 9, T. 98 N. R. 67 W. 5th P. M., in a conspicuous place. That each of said three copies were posted in a public place near the route of said proposed drainage, in a substantial manner, and so as to be easily seen by the public.



Subscribed and sworn to before me this 12th day of August, 1922.

Jas Dermody
Notary Public, South Dakota

True
Posting notices 150
50 miles travel 10 00
\$1.150

Affidavit of Publication

Lake Arries South Dakota, October 3rd, 1922,

Show date of filing on
both of above

STATE OF SOUTH DAKOTA
OFFICE OF STATE ENGINEER.

Pierre, S. D.

To the Honorable Board of County Commissioners,
Charles Mix County,
Lake Andes, S. D.

Gentlemen:

This is to certify and to give your Honorable Board formal notice that we have received a copy of the revised plan, profiles, and reports of Arthur A. Loft, Yankton South Dakota, which in accordance with your instructions has made the survey and prepared said map, profiles and report in re the drainage district petitioned for by T. S. Braithwaite et al in the neighborhood of the Town of Bovee in Charles Mix County.

This is further to say that we have examined this map, profiles, and report made by said engineer Arthur A. Loft, and that this map, profiles, and engineer's report are hereby in all things approved.

Respectfully submitted,
John Berg
State Engineer,

Dated at Pierre this 25th day of July 1922.

Filed in My office July 28, 1922,
Judson Smith, County Auditor.

NOTICE TO PROPERTY OWNERS.

HEARING ON PETITION FOR BOVEE TOWN DRAIN.

Notice is hereby given that on Tuesday, the fifth day of September, 1922, at the hour of two o'clock in the afternoon, at the court house in the city of Lake Andes, in Charles Mix County, South Dakota, the Board of County Commissioners of Charles Mix County, South Dakota, will be in session for the purpose of a hearing on the petition for the establishment and construction of a drainage ditch in Rhode Township, in Charles Mix County, South Dakota, known and designated as the "Bovee File Drain", the plat and profile of which, together with the engineer's report in writing, were duly presented to the said Board of County Commissioners, and were on the 15th day of July, 1922, filed in the office of the County Auditor of Charles Mix County, South Dakota, with the petition for the establishment and construction of said proposed drainage.

The tract of country likely to be affected by the establishment and construction of said proposed drainage is a portion of the lands in Sections two (2), three (3), four (4), nine (9), ten (10), and eleven (11), all in Township ninety-eight (98) north of Range sixty-seven (67) west of the Fifth Principal Meridian, in Charles Mix County, South Dakota, including all of the lots or parts of lots in the platted village in said Section nine (9) of said township and range, which said village is known by the name of "Town of Bovee," which said tract of country, the route of said proposed drainage, the description of each separate tract of land that will be affected thereby, and the acreage required for the construction of said proposed drainage, are fully shown and described on the plat and profile of said proposed drainage.

Each separate tract of land through which the proposed drainage will pass and the names of the owners thereof as appears from the tax records of the office of the County Treasurer of Charles Mix County, South Dakota, are as follows:

Description of tract through which
the proposed drainage will pass.

Name of Owner.

SW $\frac{1}{2}$ of NW $\frac{1}{2}$, Sec. 2, T. 98 N. R. 67 W.	C. G. & E. Soderstrom,
NW $\frac{1}{2}$ of SW $\frac{1}{2}$, Sec. 2, T. 98 N. R. 67 W.	C. G. & E. Soderstrom,
NE $\frac{1}{2}$ of NE $\frac{1}{2}$, Sec. 3, T. 98 N. R. 67 W.	Pearl S. (or L.) Smith,
SW $\frac{1}{2}$ of NE $\frac{1}{2}$, Sec. 3, T. 98 N. R. 67 W.	Pearl S. (or L.) Smith,
SE $\frac{1}{2}$ of NE $\frac{1}{2}$, Sec. 3, T. 98 N. R. 67 W.	Pearl S. (or L.) Smith,
NE $\frac{1}{2}$ of SE $\frac{1}{2}$, Sec. 3, T. 98 N. R. 67 W.	Cornelius Skillingstad,
NW $\frac{1}{2}$ of SE $\frac{1}{2}$, Sec. 3, T. 98 N. R. 67 W.	Cornelius Skillingstad,
SW $\frac{1}{2}$ of SE $\frac{1}{2}$, Sec. 3, T. 98 N. R. 67 W.	Cornelius Skillingstad,
SE $\frac{1}{2}$ of SE $\frac{1}{2}$, Sec. 3, T. 98 N. R. 67 W.	Cornelius Skillingstad,
SW $\frac{1}{2}$ of SW $\frac{1}{2}$, Sec. 3, T. 98 N. R. 67 W.	James A. Rommon,
SE $\frac{1}{2}$ of SW $\frac{1}{2}$, Sec. 3, T. 98 N. R. 67 W.	James A. Rommon,
SE $\frac{1}{2}$ of SE $\frac{1}{2}$, Sec. 4, T. 98 N. R. 67 W.	W. E. Reaton,
NE $\frac{1}{2}$ of NW $\frac{1}{2}$, Sec. 10, T. 98 N. R. 67 W.	Simmie Severson,
NW $\frac{1}{2}$ of NW $\frac{1}{2}$, Sec. 10, T. 98 N. R. 67 W.	Simmie Severson,
SW $\frac{1}{2}$ of NW $\frac{1}{2}$, Sec. 10, T. 98 N. R. 67 W.	Simmie Severson,
NW $\frac{1}{2}$ of SW $\frac{1}{2}$, Sec. 11, T. 98 N. R. 67 W.	Katherine Livingston,
NE $\frac{1}{2}$ of NW $\frac{1}{2}$, Sec. 11, T. 98 N. R. 67 W.	Katherine Livingston,
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, of Block 4, in the platted village of Heaton, now known by the name of "Town of Bovee," in Sec. 9, T. 98 N. R. 67 W.	R. E. Thompson,
Out Lot "B" in the platted village of Heaton, now known by the name of "Town of Bovee," in Sec. 9, T. 98 N. R. 67 W.	Edda Thompson,
Out Lot "P" in the platted village of Heaton, now known by the name of "Town of Bovee," in Sec. 9, T. 98 N. R. 67 W.	R. E. Thompson,

(The platted lands referred to herein as "Town of Bovee" were platted as the town or village of Heaton, but are now carried on the records of the County Treasurer as "Town of Bovee.")

RESOLUTION.

WHEREAS on the 13th day of July, 1922, the Board of County Commissioners of Charles Mix County, South Dakota, acting upon the petition of T. S. Braithwait and other owners of land that will be affected by the proposed drainage described in said petition, requesting and petitioning that a drainage ditch be established and constructed across a part of the southeast quarter (SE $\frac{1}{4}$) of Section four (4), the northeast quarter (NE $\frac{1}{4}$) of Section nine (9), the northwest quarter (NW $\frac{1}{4}$) of Section ten (10), the southwest quarter (SW $\frac{1}{4}$) and the southeast quarter (SE $\frac{1}{4}$) of Section three (3), and the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section eleven (11), all in Township ninety-eight (98) north of Range sixty-seven (67) west of the Fifth Principal Meridian in Charles Mix County, South Dakota, accepted and ordered filed the report as revised by Arthur A. Loft, engineer, together with the revised plan, plat and profile of said proposed drainage, ordered the County Auditor to give notice of the filing of the same and notice of hearing thereon as required by law, and designating said drainage project as the "BOVVEE FILE DRAIN," and

WHEREAS the County Auditor of Charles Mix County, South Dakota, did immediately thereafter transmit a copy of the revised plan, report, plat and profile of said proposed drainage to the State Engineer, who on the 26th day of July, 1922, acknowledged receipt of the same, and in all things fully approved the same, and

WHEREAS the County Auditor of Charles Mix County, South Dakota, did on the 7th day of August, 1922, give Notice to Property Owners of Hearing on Petition for said Bovvee File Drain by posting and publication as required by law, which said notice stated the time and place of said hearing and all of the other facts required by law, the proof of which is now on file in the office of said County Auditor, which said notice required all persons who considered themselves damaged by the construction of said drainage or claiming compensation for lands taken in the construction thereof, and summoned them to appear before the said Board of County Commissioners at Lake Andes, South Dakota, on the 5th day of September, 1922, at the hour of two o'clock for the purpose of a hearing on said petition, and

WHEREAS on the said 5th day of September, 1922, one Katherine Livingston, owner of the northwest quarter (NW $\frac{1}{4}$) of Section eleven (11) in Township ninety-eight (98) north of Range sixty-seven (67) west of the 5th P. M., in Charles Mix County, South Dakota, filed with said Board of County Commissioners her written claim for damages by reason of said proposed drainage as follows:

Cost of constructing 2 bridges over and across the said drainage ditch, connecting the lands of said claimant, divided and separated by said ditch together with the cost of the upkeep of said bridge in the future,.....\$4000.00

Compensation for land taken as a right-of-way for said drainage ditch,.....\$ 450.00

To cost of construction of fences along said ditch to protect the livestock of claimant and her grantees from said ditch, and the upkeep thereof during all future time,.....\$2000.00

To damages to the real estate above described by reason of the casting thereon of surface water from approximately 2000 acres, and thereby flooding said lands and premises and the growing crops thereon, and destroying the usefulness of said farm and its salability,.....\$4000.00.
Total,.....\$10450.00.

WHEREAS the said Board of County Commissioners having met at the time and place designated in said notice for the purpose of hearing all persons objecting to the establishment and construction of said Proposed drainage, and for hearing those deeming themselves damaged by the construction of said drainage, or claiming compensation for the lands taken, and the said claimant, Katherine Livingston, having filed her written claim and protest in said matter as aforesaid, and appearing by her attorney, A. B. Beck, and no other person or persons appearing either in person or by attorney to make any objection, and no other claim or claims having been filed, the said hearing was continued and adjourned until the 3rd day of October, 1922, at two o'clock P. M., at Lake Andes, South Dakota, and

WHEREAS, on the said 3rd day of October, 1922, at the hour of two o'clock P. M., said Board of County Commissioners met at Lake Andes, South Dakota, for the purpose of said hearing, and for the purpose of considering the claim of the said Katherine Livingston for damages in the total sum of \$10,450.00 as claimed by her, said claimant appearing by her attorney, A. B. Beck, of Geddes, South Dakota, and there being no other protests filed against said proposed drainage, and no other claims for damages being filed, the said Board of County Commissioners proceeded to consider the said claim of the said Katherine Livingston, now therefore

BE IT RESOLVED that the Board of County Commissioners of Charles Mix County, South Dakota, after having duly heard and considered all protests and objections to the establishment and construction of the said proposed drainage known as the "Bovee Tile Drain", deems the same necessary and beneficial to agricultural lands and that said drainage be and the same is hereby established as provided by law, and that

BE IT FURTHER RESOLVED, that, after hearing and duly considering all claims for damages or for compensation for lands taken for a right-of-way the damages allowed on the several tracts of land and to the owners thereof shall be and they are hereby fixed and allowed as follows:

<u>Description of Tract.</u>	<u>Name of Owner.</u>	<u>Amount of Damages Allowed.</u>
The northwest quarter (NW $\frac{1}{4}$) of Section 11, Township 98 north of Range 67 west of the 5th P.M.,	Katherine Livingston,	
		For right of way \$ 350. ⁰⁰
		For Bridges,.... \$
		For Fences,..... \$ 650. ⁰⁰
		For Surface Water,.....
		Total amount allowed Katherine Livingston,..... \$ 1000. ⁰⁰

BE IT FURTHER RESOLVED that the drainage project hereinbefore described and known as the "Bovee Tile Drain" be and the same is hereby established and ordered constructed according to law, and

BE IT FURTHER RESOLVED, that Arthur A. Loft, engineer, be instructed and directed, and he is hereby instructed and directed to prepare and present to the Board of County Commissioners of Charles Mix County, South Dakota, an assessment of the proposed drainage among the lands affected by said drainage in order that said Board of County Commissioners may fix the proportion of benefits.

Dated at Lake Andes, South Dakota, this 3rd day of October, 1922.

ATTEST:

Chairman of the Board of county commissioners of Charles Mix county, South Dakota.

County Auditor.

Roll call + Adjournment

LIST OF AGRICULTURAL LAND FOR THE YEAR 192

..... COUNTY, SOUTH DAKOTA

Owner Share Address

Tenant Share Address

Date of Lease

IF CROP IS IN DIFFERENT SECTIONS, USE SEPARATE SHEET FOR EACH SECTION.

Number of acres	Crop	Description	Sec.	Twp.	Range
	Wheat				
	Oats				
	Barley				
	Rye				
	Flax				
	Speltz				
	Corn				
	Cane or Sorghum				
	Alfalfa				
	Proso				
	Millet				

STATE OF SOUTH DAKOTA, }
 County of } ss.

I,, do solemnly swear that the foregoing is a true, full, correct and complete statement, to the best of my knowledge and belief, of the acreage of agricultural lands in crop as itemized above, of which I am the owner, cropper or lessee; that I have not sought to mislead the Assessor in any way or connived at any violation or evasion of the requirements of the law in relation to the assessment of property under the State Hail Insurance Act.

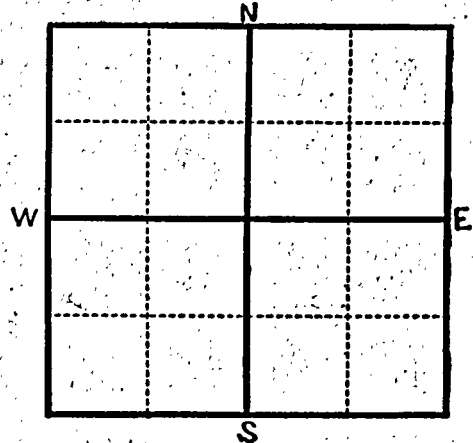
Subscribed and sworn to before me this day of, A. D. 192.....

Assessor.

NOTICE TO ASSESSOR

MARK ON DIAGRAM LOCATION OF CROP.
 LIST DESCRIPTION FOR SEPARATE SECTIONS
 ON SEPARATE BLANKS.

BE ACCURATE: See Section 32 of the Hail Insurance Law which states penalty for failure to do your duty.



ASSESSOR'S NOTICE

The above is a correct copy of the acres of crop belonging to you as listed and assessed under the State Hail Insurance Act, for the year 192... Provision is made for total exemption from insurance or correction in report made to Assessor by filing statement with County Auditor, on or before June 1st, or June 15th of each year, as provided in Sec. 7 of Hail Law.

Assessor

Petition ✓ ✓

Approval of Bond

Copy transmitted to State Engr ✓

Reply from State Engr ✓

Resolution (advising Survey) ✓

Engineer's Report

Resolution accepting Report & providing

for hearing

Notice of hearing

Affidavit of Publication

" " of Posting

Hearing on Petition

Protests & Objections

Fix Compensation for R. of W. & Damages

Resolution

Date of affidavit of Publication

7th day of Aug - 1922, notes

to property owners hearing
on petition of Board of Drain

Commissioners of the Board of Drain

of the County of ... State of ...

Witness my hand and seal this ... day of ... 1922

Attest: ...

... ..

... ..

... ..

... ..

... ..



NOTICE TO PROPERTY OWNERS

Hearing On Petition For Bovee Tile Drain.

Notice is hereby given that on Tuesday, the fifth day of September, 1922, at the hour of two o'clock in the afternoon, at the court house in the city of Lake Andes, in Charles Mix County, South Dakota, the Board of County Commissioners of Charles Mix County, South Dakota, will be in session for the purpose of a hearing on the petition for the establishment and construction of a drainage ditch in Rhoda Township, in Charles Mix County, South Dakota, known and designated as the "Bovee Tile Drain", the plat and profile of which together with the engineer's report in writing, were duly presented to the said Board of County Commissioners and were on the 13th day of July 1922, filed in the office of the County Auditor of Charles Mix County, South Dakota, with the petition for the establishment and construction of said proposed drainage.

The tract of country likely to be

affected by the establishment and construction of said proposed drainage is a portion of the lands in Section two (2), three (3), four (4), nine (9), ten (10), and eleven (11), all in Township ninety-eight (98) north of Range sixty-seven (67) west of the Fifth Principal Meridian in Charles Mix County, South Dakota including all of the lots or parts of lots in the platted village in said Section nine (9) of said township and range, which said village is known by the name of "Town of Bovee," which said tract of country, the route of said proposed drainage, the description of each separate tract of land that will be affected thereby, and the acreage required for the construction of said proposed drainage, are fully shown and described on the plat and profile of said proposed drainage.

Each separate tract of land through which the proposed drainage will pass and the names of the owners thereof as appears from the tax records of the office of the County Treasurer of Charles Mix County, South Dakota, are as follows.

Description of tract through which the proposed drainage will pass

Description	Name of Owner
SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 2, T. 98 N. R. 67 W.	C. G. & E. Soderstrom
NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec 2, T. 98 N. R. 67 W.	C. G. & E. Soderstrom
NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 3 T. 98 N. R. 67 W.	Pearl S. (or L.) Smith
SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 3 T. 98 N. R. 67 W.	Pearl S. (or L.) Smith
SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec 3 T. 98 N. R. 67 W.	Pearl S. (or L.) Smith
NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 3 T. 98 N. R. 67 W.	Cornelius Skillingsstad
NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 3 T. 98 N. R. 67 W.	Cornelius Skillingsstad
SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 3 T. 98 N. R. 67 W.	Cornelius Skillingsstad
SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 3 T. 98 N. R. 67 W.	Cornelius Skillingsstad
SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec 3 T. 98 N. R. 67 W.	James A. Rommen
SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec 3 T. 98 N. R. 67 W.	James A. Rommen
SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec 4 T. 98 N. R. 67 W.	W. E. Heaton
NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 10 T. 98 N. R. 67 W.	Simmie Severson
NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 10 T. 98 N. R. 67 W.	Simmie Severson
SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 10 T. 98 N. R. 67 W.	Simmie Severson
NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 11 T. 98 N. R. 67 W.	Katherine Livingston
NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec 11 T. 98 N. R. 67 W.	Katherine Livingston

Lots 1 2 3 4 5 6 7 8 9 10 11 and 12 of Block 4, in the platted village of Heaton, now known by the name of "Town of Bovee," in Sec 9 T. 98 N. R. 67 W. R. E. Thompson
 Out Lot "E" in the platted village of Heaton, now known by the name of "Town of Bovee," in Sec. 9, T. 98 N. R. 67 W. Edna Thompson
 Out Lot "F" in the platted village of Heaton, now known by the name of "Town of Bovee" in Sec. 9, T. 98 N. R. 67 W. R. E. Thompson
 (The platted lands referred to herein as "Town of Bovee" were platted as the town or village of Heaton, but are now carried on the records of the County Treasurer as "Town of Bovee.")

All persons are hereby referred for further particulars concerning said proposed drainage to all the files, records and proceedings herein which are on file in the office of the County Auditor of Charles Mix County, South Dakota, which are hereby made a part of this notice by such reference.

drainage should not be established and constructed, and all persons deeming themselves damaged or claiming compensation for the lands proposed to be taken for said drainage are notified and summoned to present their claims therefor at such hearing.

All persons affected by said proposed drainage are hereby notified and summoned to appear at said hearing and show cause why the proposed

Dated at Lake Andes, South Dakota, this 7th day of August, 1922.
 (SEAL) Judson Smith
 County Auditor of Charles Mix County, South Dakota.

1
Dec. 1st 1972

~~April 27th, 1922.~~

To the Hon. Board of County Commissioners,
Lake Andes, S.D.

Gentlemen;-

The following is a list of the various lots and tracts of land which are by law assessable for the construction of the " Bovee Tile Drain ", together with the number of units of benefit which, in my judgement, each lot and tract of land is benefited, taking the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 3, Township 98 North, Range 67 West of the 5th P.M. as the Unit Forty at 1000 Units of Benefit, and I therefor recommend that the assessment of benefits for the construction of said ditch be made as indicated herein, and as follows:

Township 98, Range 67.

<u>Description</u>	<u>Owner</u>	<u>Units</u>
<u>Section 2</u>		
NW 1/4, NW 1/4	G. G + E. Soderstrom	25.00
SW 1/4, "	" "	400.00
NW 1/4, SW 1/4	" "	287.50
<u>Section 3.</u>		
NE 1/4, NE 1/4	Pearl S (or L) Smith	440.00
NW 1/4, "	" "	180.00
SW 1/4, "	" "	425.00
SE 1/4, "	" "	1000.00 (Unit)
NE 1/4, SE 1/4	Cornelius Skillingstad	855.00
NW 1/4, "	" "	212.50
SW 1/4, "	" "	80.00
SE 1/4, "	" "	30.00
NW 1/4, SW 1/4	James A. Rommen	6.25
SW 1/4, "	" "	106.25
SE 1/4, "	" "	700.00
<u>Section 4.</u>		
SW 1/4, NE 1/4	Venzel Warejcka	41.25
SE 1/4, "	" "	11.25
NE 1/4, SW 1/4	" "	52.50
NE 1/4, SE 1/4	W.E. Heaton	618.75
NW 1/4, "	" "	408.75
SW 1/4, "	" "	544.00
SE 1/4, "	" "	641.25
<u>Section 10.</u>		
NE 1/4, NW 1/4	Simmie Severson	80.00
NW 1/4, "	" "	315.00
SW 1/4, "	" "	220.00
<u>Section 11.</u>		
NW 1/4, NW 1/4	Katherine Livingston	50.00

Description

Owner

Units

Town of Bovee, S.D.

Lot	Block	Owner	Units
" 1	1	James A. Rommen	3.35
" 2	"	"	3.35
" 3	"	W. E. Heaton	3.35
" 4	"	"	3.35
" 5	"	Andrew Bye	3.35
" 6	"	"	3.35
" 7	"	R. E. Thompson	3.35
" 8	"	"	4.70
" 9	"	"	4.00
" 10	"	"	3.35
" 11	"	"	3.35
" 12	"	"	2.00
" 13	"	"	2.70
" 14	"	"	3.35
" 15	"	"	3.35
" 16	"	"	3.35
" 17	"	"	3.35
" 18	"	"	3.35
Lot 1	Block 2	W. E. Heaton	3.35
" 2	"	"	3.35
" 3	"	Lewis E. Peterson	3.35
" 4	"	Henrietta Nicholls	3.35
" 5	"	R. E. Thompson	3.35
" 6	"	"	3.35
" 7	"	"	3.35
" 8	"	"	3.35
" 9	"	"	3.35
" 10	"	"	4.00
" 11	"	"	10.05
" 12	"	"	10.05
Lot 1	Block 3	R. E. Thompson	13.40
" 2	"	"	13.40
" 3	"	"	13.40
" 4	"	"	12.00
" 5	"	W. E. Heaton	5.40
" 6	"	"	4.00
" 7	"	R. E. Thompson	13.40
" 8	"	"	12.00
" 9	"	"	12.00
" 10	"	"	12.00
" 11	"	William Wallace	13.40
" 12	"	"	13.40
Lot 1	Block 4	R. E. Thompson	12.00
" 2	"	R. E. Thompson	11.40
" 3	"	"	10.70
" 4	"	"	10.05
" 5	"	"	10.05
" 6	"	"	10.70
" 7	"	"	13.40
" 8	"	"	13.40
" 9	"	"	13.40
" 10	"	"	13.40
" 11	"	"	13.40
" 12	"	"	13.40

Description

Owner

Units

Town of Bovee (Cont'd)

Lot	Block	Owner	Units
1	5	R. E. Thompson	13.40
2	5	" "	13.40
3	5	" "	13.40
4	5	" "	13.40
5	5	" "	13.40
6	5	" "	13.40
7	5	" "	13.40
8	5	" "	13.40
9	5	" "	13.40
10	5	" "	13.40
11	5	" "	13.40
12	5	" "	13.40
1	6	R. E. Thompson	13.40
2	6	" "	13.40
3	6	" "	13.40
4	6	" "	13.40
5	6	" "	13.40
6	6	" "	13.40
7	6	" "	6.70
8	6	" "	6.70
9	6	" "	6.70
10	6	" "	6.70
11	6	" "	6.70
12	6	" "	6.70
13	6	" "	6.70
14	6	" "	6.70
15	6	" "	6.70
16	6	" "	6.70
17	6	" "	6.70
18	6	" "	6.70
1	7	R. E. Thompson	13.40
2	7	" "	13.40
3	7	" "	12.00
4	7	" "	11.40
5	7	" "	10.05
6	7	" "	9.40
7	7	George W. Shuck & Arthur L. Shuck	2.00
8	7	W. E. Heaton	2.00
9	7	R. E. Thompson	2.00
10	7	" "	2.00
11	7	" "	2.00
12	7	" "	2.00
13	7	" "	2.00
14	7	" "	2.00
15	7	" "	2.00
16	7	" "	2.70
17	7	" "	5.40
18	7	" "	6.00
1	8	James Hanskutt	4.00
2	8	" "	4.00
3	8	R. E. Thompson	4.00
4	8	James Hanskutt	4.00
5	8	" "	4.00
6	8	" "	4.00
7	8	" "	4.00
8	8	J. E. Grilly	5.40
9	8	R. E. Thompson	4.70
		" "	3.35

4

Description Owner Units

Town of Bovee (Cont'd)

Lot	Block	Owner	Units
Lot 10	Block 8	C.C. Skillingstad	2.70
" 11	" 8	Jorgen Nelson W.E. Heaton	2.00
" 12	" 8	Hans Mathlum Jorgen Nelson	2.00
" 13	" 8	R.E. Thompson Hans Mathlum	2.00
" 14	" 8	R.E. Thompson	2.00
" 15	" 8	F.L. Larson	2.00
" 16	" 8	R.E. Thompson	2.00
" 17	" 8	Bank of Bovee	2.00
" 18	" 8	" "	2.00
Lot 1	Block 9	(E/2 - D.L. Hedlin) E.G. Gesterling	10.05
" 2	" 9	Edna Thompson	13.40
" 3	" 9	" "	10.05
" 4	" 9	" "	6.70
" 5	" 9	" "	4.70
" 6	" 9	R.E. Thompson	3.35
" 7	" 9	" "	9.40
" 8	" 9	" "	4.70
" 9	" 9	" "	6.70
" 10	" 9	" "	6.70
" 11	" 9	" "	6.70
" 12	" 9	" "	6.70
" 13	" 9	" "	6.70
Lot 1	Block 10	E.W. Shuck	4.70
" 2	" 10	F.W. Fields	4.70
" 3	" 10	K.K. Langeland	4.70
" 4	" 10	J.S. Tronvold Est.	5.40
" 5	" 10	Gustaf Nelson	5.40
" 6	" 10	Severin Rasmussen	6.00
" 7	" 10	R.E. Thompson	6.00
" 8	" 10	" "	6.70
" 9	" 10	" "	6.70
" 10	" 10	" "	6.70
" 11	" 10	" "	6.00
" 12	" 10	" "	5.40
" 13	" 10	" "	9.40
" 14	" 10	" "	8.70
" 15	" 10	" "	8.00
" 16	" 10	" "	6.70
" 17	" 10	" "	6.70
Lot 1	Block 11	W.E. Heaton	6.70
" 2	" 11	Emma Christanson	6.70
" 3	" 11	R.E. Thompson	6.70
" 4	" 11	" "	6.70
" 5	" 11	" "	6.70
" 6	" 11	" "	6.70
" 7	" 11	" "	6.70
" 8	" 11	" "	6.70
" 9	" 11	" "	6.70
" 10	" 11	" "	6.70
" 11	" 11	Martin Arntsen	6.70
" 12	" 11	Edmund A. Bruce	5.40
" 13	" 11	R.E. Thompson	10.05
" 14	" 11	" "	13.40
" 15	" 11	" "	13.40
" 16	" 11	" "	13.40
" 17	" 11	" "	13.40
" 18	" 11	" "	13.40

5

Description

Owner

Units

Town of Bovee (Cont'd)

Lot	Block	Owner	Units
1	12	R.E. Thompson	6.70
"	2	"	6.70
"	3	"	6.70
"	4	"	5.40
"	5	"	4.00
"	6	"	2.70
"	7	"	2.00
"	8	"	2.00
"	9	"	2.00
"	10	"	2.00
"	11	"	2.70
"	12	"	6.00
"	13	"	6.70
"	14	"	4.00
"	15	"	4.00
"	16	"	4.00
"	17	"	4.00
"	18	"	11.40

Lot	Block	Owner	Units
1	13	R.E. Thompson	13.40
"	2	"	9.40
"	3	"	4.70
"	4	"	4.00
"	5	"	4.00
"	6	"	4.00
"	7	"	4.00
"	8	"	4.00
"	9	"	4.00
"	10	"	4.70
"	11	"	13.40
"	12	"	13.40

Lot	Block	Owner	Units
1	14	R.E. Thompson	4.70
"	2	"	6.00
"	3	"	11.40
"	4	"	9.40
"	5	"	8.00
"	6	"	4.00

Out Lot "A",	Town of Bovee	R.E. Thompson	6.70
Out Lot "B",	"	"	2.70
Out Lot "C",	"	"	10.70
Out Lot "D",	"	Edna Thompson	67.00
Out Lot "E",	"	"	294.80
Out Lot "F",	"	R.E. Thompson	268.00

Chicago, Milwaukee & St. Paul R.R. through Town of Bovee	134.00
Charles Mix County, County Highways	1200.00
Rhoda Township, Township Roads	1870.00

Respectfully submitted,

Arthur C. Lett
Engineer

*Rept. of
Rebol
Notice of Pub. of
2 issues and 9.9.1*

three having filed a

Lake Andes, South Dakota.
May 2, 1922.
Dec 5

RESOLUTION.

reput

WHEREAS, The proposed drainage known as the "Bovee Tile Drain" has been regularly established and the damages fixed according to law, ~~and this board having on the 2nd day of May, 1922, at its regular meeting, fixed the proportion of the benefits of the proposed drainage among the lands affected, in accordance with the report and recommendation of Arthur A. Loft, Engineer, dated the 22th day of April, 1922, which said report contains a list of the various lots and tracts of land which are by law assessable for the construction of said drain, together with the number of units of benefit which each lot and tract of land is benefited, taking the southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 3, Township 98 north of Range 67 west of the 5th P. M., as the Unit Forty at 1000 Units of Benefit, and which said report is now on file in the office of the County Auditor of Charles Mix County, South Dakota, therefore~~

BE IT RESOLVED, That ~~Tuesday, the SIXTH day of JUNE, 1922,~~ *Second January 1923* at the hour of three o'clock in the afternoon of said day, at the County Commissioners' Room in the Court House at the City of Lake Andes, in Charles Mix County, South Dakota, be and the same is hereby appointed and fixed as the time and place for equalizing the proportion of the benefits of the proposed drainage, and

BE IT FURTHER RESOLVED, That notice of such equalization of proportion of benefits shall be given by publication once each week for two successive week in the (Charles Mix County News, a legal weekly newspaper published in the City of Geddes, in said Charles Mix County, South Dakota, prior to the time of said hearing; and by posting copies of such notice in at least three public places near the route of said drainage; that such notice shall state the route and width of the drainage established, a description of each tract of land affected by the proposed drainage and the names of the owners of the several tracts of land as appears from the records of the office of the register of deeds, at the date of the filing of the petition, and the proportion of benefits fixed for each tract of property, shown by the recommendation and report of the said Arthur A. Loft, Engineer, ~~and adopted and fixed by this board as the proportion of benefits for each tract of property,~~ and that notice shall be given all of such owners to show cause before this board at said time and place why the proportion of benefits shall not be fixed as stated.

ATTEST:

County Auditor.

Ed Curtis
Chairman of Board of County
Commissioners of Charles Mix County,
South Dakota.

NOTICE OF EQUALIZATION OF PROPORTION OF BENEFITS AMONG
THE LANDS AFFECTED BY THE DRAINAGE KNOWN AS THE "BOVEE TILE DRAIN."

Notice is given that on Tuesday, the ^{Second} ~~sixth~~ day of ^{January} ~~June~~, 1923, at the hour of three o'clock in the afternoon of said day, at the Court House, in the City of Lake Andes, in Charles Mix County, South Dakota, the Board of County Commissioners of Charles Mix County, South Dakota, will be in session for the purpose of equalizing the proportion of benefits among the lands affected by the drainage, known as the "Bovee Tile Drain," which said drainage ditch is in Rhoda Township, in Charles Mix County, South Dakota, the route of which is as follows: Beginning at a point in the northwest quarter (NW/4) of the northwest quarter (NW/4) of Section eleven (11), approximately 300 feet southeast of the northwest corner thereof; thence running in a northwesterly direction to a point near the said northwest corner of Section eleven (11); thence continuing in a northwesterly direction across part of the east half (E/2) of the southeast quarter (SE/4) of Section three (3); thence in a southwesterly direction across part of the west half (W/2) of the southeast quarter (SE/4), and the southeast quarter (SE/4) of the southwest quarter (SW/4) of Section three (3), part of the northwest quarter (NW/4) of Section ten (10), the northeast quarter of Section nine (9), being the town of Bovee, to a point in the southeast quarter (SE/4) of Section four (4), all in Township ninety-eight (98) north of Range sixty-seven (67) west of the Fifth Principal Meridian. Laterals A to G inclusive located across the following tracts of land: The southwest quarter (SW/4) of the northwest quarter (NW/4) and the northwest quarter (NW/4) of the southwest quarter (SW/4) of Section two (2), the northeast quarter (NE/4) of the southeast quarter (SE/4), the southeast quarter (SE/4) of the northeast quarter (NE/4), the northeast quarter (NE/4) of the northeast quarter (NE/4), the southwest quarter (SW/4) of the northeast quarter (NE/4), the southeast quarter (SE/4) of the southwest quarter (SW/4), and the southwest quarter (SW/4) of the southwest quarter (SW/4) of Section three (3), the northwest quarter (NW/4) of the northwest quarter (NW/4) of Section ten (10),

the southwest quarter (SW/4) of the northwest quarter (NW/4) of Section ten (10), and the northeast quarter (NE/4) of the northeast quarter (NE/4), southeast quarter (SE/4) of the northeast quarter (NE/4), and the northwest quarter (NW/4) of the northeast quarter (NE/4) of Section nine (9), being the Town of Bovee, all in Township ninety-eight (98) north of Range sixty-seven (67) west of the Fifth Principal Meridian, according to the plat thereof filed in the office of the County Auditor of Charles Mix County, South Dakota, on the 3rd day of May, 1921.

That said established drainage consists of an open ditch of the width of two feet on the bottom and with slopes of 1 to 1 from a point approximately 300 feet southeast from the northwest corner of Section eleven (11) to a point in the large lake in the east part of Section three (3); thence continuing along the line of the main drain with a covered drain constructed of tile of 8, 14, 16, and 18 inches as shown by the plat and profile filed herein on the 3rd day of May, 1921.

The description of each tract of land affected by said drainage, the names of the owners of the several tracts of land as appears from the records of the office of the register of deeds of Charles Mix County, South Dakota, at the date of the filing of the petition herein, and the proportion of benefits fixed for each tract of said property, taking the southeast quarter (SE/4) of the northeast quarter (NE/4) of Section three (3), Township ninety-eight (98) north of Range sixty-seven (67) west of the Fifth Principal Meridian, as the Unit Forty at 1000 Units of Benefit, are as follows:

<u>Description of tract affected by drainage.</u>	<u>Owner.</u>	<u>Units.</u>
<u>Section 2, T. 98 N., R. 67 W.,</u>		
NW $\frac{1}{4}$ of NW $\frac{1}{4}$,	C. G. & E. Soderstrom,	25.00
SW $\frac{1}{4}$,	C. G. & E. Soderstrom,	400.00
NW $\frac{1}{4}$ of SW $\frac{1}{4}$,	C. G. & E. Soderstrom,	287.50

Section 3, T. 98 N., R. 67 W.,

NE $\frac{1}{4}$ of NE $\frac{1}{4}$,.....	Pearl S. (or L.) Smith,.....	440.00
NW $\frac{1}{4}$,.....	Pearl S. (or L.) Smith,.....	180.00
SW $\frac{1}{4}$,.....	Pearl S. (or L.) Smith,.....	425.00
SE $\frac{1}{4}$,.....	Pearl S. (or L.) Smith,.....	1000.00 Unit.
NE $\frac{1}{4}$ of SE $\frac{1}{4}$,.....	Cornelius Skillingsstad,.....	855.00
NW $\frac{1}{4}$,.....	Cornelius Skillingsstad,.....	212.50
SW $\frac{1}{4}$,.....	Cornelius Skillingsstad,.....	80.00
SE $\frac{1}{4}$,.....	Cornelius Skillingsstad,.....	30.00
NW $\frac{1}{4}$ of SW $\frac{1}{4}$,.....	James A. Rommen,.....	6.25
SW $\frac{1}{4}$,.....	James A. Rommen,.....	106.25
SE $\frac{1}{4}$,.....	James A. Rommen,.....	700.00

Section 4, T. 98 N., R. 67 W.,

SW $\frac{1}{4}$ of NE $\frac{1}{4}$,.....	Venzel Warejcka,.....	41.25
SE $\frac{1}{4}$,.....	Venzel Warejcka,.....	11.25
NE $\frac{1}{4}$ of SW $\frac{1}{4}$,.....	Venzel Warejcka,.....	52.50
NE $\frac{1}{4}$ of SE $\frac{1}{4}$,.....	W. E. Heaton,.....	618.75
NW $\frac{1}{4}$,.....	W. E. Heaton,.....	408.75
SW $\frac{1}{4}$,.....	W. E. Heaton,.....	544.00
SE $\frac{1}{4}$,.....	W. E. Heaton,.....	641.25

Section 10, T. 98 N. R. 67 W.,

NE $\frac{1}{4}$ of NW $\frac{1}{4}$,.....	Simmie Severson,.....	80.00
NW $\frac{1}{4}$,.....	Simmie Severson,.....	315.00
SW $\frac{1}{4}$,.....	Simmie Severson,.....	220.00

Section 11, T. 98 N. R. 67 W.,

NW $\frac{1}{4}$ of NW $\frac{1}{4}$,.....	Katherine Livingston,.....	50.00
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Town of Boves, South Dakota.

Lot 1, Block 1,.....	James A. Rommen,.....	3.35
Lot 2, Block 1,.....	James A. Rommen,.....	3.35
Lot 3, Block 1,.....	W. E. Heaton,.....	3.35
Lot 4, Block 1,.....	W. E. Heaton,.....	3.35
Lot 5, Block 1,.....	Andrew Rye,.....	3.35
Lot 6, Block 1,.....	Andrew Rye,.....	3.35
Lot 7, Block 1,.....	R. E. Thompson,.....	3.35
Lot 8, Block 1,.....	R. E. Thompson,.....	4.70
Lot 9, Block 1,.....	R. E. Thompson,.....	4.00
Lot 10, Block 1,.....	R. E. Thompson,.....	3.35
Lot 11, Block 1,.....	R. E. Thompson,.....	3.35
Lot 12, Block 1,.....	R. E. Thompson,.....	2.00
Lot 13, Block 1,.....	R. E. Thompson,.....	2.70
Lot 14, Block 1,.....	R. E. Thompson,.....	3.35
Lot 15, Block 1,.....	R. E. Thompson,.....	3.35
Lot 16, Block 1,.....	R. E. Thompson,.....	3.35
Lot 17, Block 1,.....	R. E. Thompson,.....	3.35
Lot 18, Block 1,.....	R. E. Thompson,.....	3.35
Lot 1, Block 2,.....	W. E. Heaton,.....	3.35
Lot 2, Block 2,.....	W. E. Heaton,.....	3.35
Lot 3, Block 2,.....	Lewis E. Peterson,.....	3.35
Lot 4, Block 2,.....	Henrietta Nicholls,.....	3.35
Lot 5, Block 2,.....	R. E. Thompson,.....	3.35
Lot 6, Block 2,.....	R. E. Thompson,.....	3.35
Lot 7, Block 2,.....	R. E. Thompson,.....	3.35
Lot 8, Block 2,.....	R. E. Thompson,.....	3.35
Lot 9, Block 2,.....	R. E. Thompson,.....	3.35

Lot 10,	Block 2,	R. E. Thompson,	4.00
Lot 11,	Block 2,	R. E. Thompson,	10.05
Lot 12,	Block 2,	R. E. Thompson,	10.05
Lot 1,	Block 3,	R. E. Thompson,	13.40
Lot 2,	Block 3,	R. E. Thompson,	13.40
Lot 3,	Block 3,	R. E. Thompson,	13.40
Lot 4,	Block 3,	R. E. Thompson,	12.00
Lot 5,	Block 3,	W. E. Heaton,	5.40
Lot 6,	Block 3,	W. E. Heaton,	4.00
Lot 7,	Block 3,	R. E. Thompson,	13.40
Lot 8,	Block 3,	R. E. Thompson,	12.00
Lot 9,	Block 3,	R. E. Thompson,	12.00
Lot 10,	Block 3,	R. E. Thompson,	12.00
Lot 11,	Block 3,	William Wallace,	13.40
Lot 12,	Block 3,	William Wallace,	13.40
Lot 1,	Block 4,	R. E. Thompson,	12.00
Lot 2,	Block 4,	R. E. Thompson,	11.40
Lot 3,	Block 4,	R. E. Thompson,	10.70
Lot 4,	Block 4,	R. E. Thompson,	10.05
Lot 5,	Block 4,	R. E. Thompson,	10.05
Lot 6,	Block 4,	R. E. Thompson,	10.70
Lot 7,	Block 4,	R. E. Thompson,	13.40
Lot 8,	Block 4,	R. E. Thompson,	13.40
Lot 9,	Block 4,	R. E. Thompson,	13.40
Lot 10,	Block 4,	R. E. Thompson,	13.40
Lot 11,	Block 4,	R. E. Thompson,	13.40
Lot 12,	Block 4,	R. E. Thompson,	13.40
Lot 1,	Block 5,	R. E. Thompson,	13.40
Lot 2,	Block 5,	R. E. Thompson,	13.40
Lot 3,	Block 5,	R. E. Thompson,	13.40
Lot 4,	Block 5,	R. E. Thompson,	13.40
Lot 5,	Block 5,	R. E. Thompson,	13.40
Lot 6,	Block 5,	R. E. Thompson,	13.40
Lot 7,	Block 5,	R. E. Thompson,	13.40
Lot 8,	Block 5,	R. E. Thompson,	13.40
Lot 9,	Block 5,	R. E. Thompson,	13.40
Lot 10,	Block 5,	R. E. Thompson,	13.40
Lot 11,	Block 5,	R. E. Thompson,	13.40
Lot 12,	Block 5,	R. E. Thompson,	13.40
Lot 1,	Block 6,	R. E. Thompson,	13.40
Lot 2,	Block 6,	R. E. Thompson,	13.40
Lot 3,	Block 6,	R. E. Thompson,	13.40
Lot 4,	Block 6,	R. E. Thompson,	13.40
Lot 5,	Block 6,	R. E. Thompson,	13.40
Lot 6,	Block 6,	R. E. Thompson,	6.70
Lot 7,	Block 6,	R. E. Thompson,	6.70
Lot 8,	Block 6,	R. E. Thompson,	6.70
Lot 9,	Block 6,	R. E. Thompson,	6.70
Lot 10,	Block 6,	R. E. Thompson,	6.70
Lot 11,	Block 6,	R. E. Thompson,	6.70
Lot 12,	Block 6,	R. E. Thompson,	6.70
Lot 13,	Block 6,	R. E. Thompson,	6.70
Lot 14,	Block 6,	R. E. Thompson,	6.70
Lot 15,	Block 6,	R. E. Thompson,	6.70
Lot 16,	Block 6,	R. E. Thompson,	6.70
Lot 17,	Block 6,	R. E. Thompson,	6.70
Lot 18,	Block 6,	R. E. Thompson,	6.70

Lot 1,	Block 7,	R. E. Thompson,	13.40
Lot 2,	Block 7,	R. E. Thompson,	13.40
Lot 3,	Block 7,	R. E. Thompson,	12.00
Lot 4,	Block 7,	R. E. Thompson,	11.40
Lot 5,	Block 7,	R. E. Thompson,	10.05
Lot 6,	Block 7,	R. E. Thompson,	9.40
Lot 7,	Block 7,	George W. Shuck, and Arthur L. Shuck,	2.00
Lot 8,	Block 7,	W. E. Heaton,	2.00
Lot 9,	Block 7,	R. E. Thompson,	2.00
Lot 10,	Block 7,	R. E. Thompson,	2.00
Lot 11,	Block 7,	R. E. Thompson,	2.00
Lot 12,	Block 7,	R. E. Thompson,	2.00
Lot 13,	Block 7,	R. E. Thompson,	2.00
Lot 14,	Block 7,	R. E. Thompson,	2.00
Lot 15,	Block 7,	R. E. Thompson,	2.00
Lot 16,	Block 7,	R. E. Thompson,	2.70
Lot 17,	Block 7,	R. E. Thompson,	5.40
Lot 18,	Block 7,	R. E. Thompson,	6.00
Lot 1,	Block 8,	James Hanskutt,	4.00
Lot 2,	Block 8,	James Hanskutt,	4.00
Lot 3,	Block 8,	R. E. Thompson,	4.00
Lot 4,	Block 8,	James Hanskutt,	4.00
Lot 5,	Block 8,	James Hanskutt,	4.00
Lot 6,	Block 8,	James Hanskutt,	4.00
Lot 7,	Block 8,	J. E. Crilly,	5.40
Lot 8,	Block 8,	R. E. Thompson,	4.70
Lot 9,	Block 8,	R. E. Thompson,	3.35
Lot 10,	Block 8,	C. C. Skillingsstad,	2.70
Lot 11,	Block 8,	W. E. Heaton,	2.00
Lot 12,	Block 8,	Jorgen Nelson,	2.00
Lot 13,	Block 8,	Hans Mahlum,	2.00
Lot 14,	Block 8,	R. E. Thompson,	2.00
Lot 15,	Block 8,	F. L. Larson,	2.00
Lot 16,	Block 8,	R. E. Thompson,	2.00
Lot 17,	Block 8,	Bank of Bovee,	2.00
Lot 18,	Block 8,	Bank of Bovee,	2.00
Lot 1,	Block 9, E ₂ , W ₂ ,	D. L. Hedlin,	10.05
		E. G. Gesterling,	13.40
Lot 2,	Block 9,	Edna Thompson,	10.05
Lot 3,	Block 9,	Edna Thompson,	6.70
Lot 4,	Block 9,	Edna Thompson,	4.70
Lot 5,	Block 9,	Edna Thompson,	3.35
Lot 6,	Block 9,	R. E. Thompson,	9.40
Lot 7,	Block 9,	R. E. Thompson,	4.70
Lot 8,	Block 9,	R. E. Thompson,	6.70
Lot 9,	Block 9,	R. E. Thompson,	6.70
Lot 10,	Block 9,	R. E. Thompson,	6.70
Lot 11,	Block 9,	R. E. Thompson,	6.70
Lot 12,	Block 9,	R. E. Thompson,	6.70
Lot 13,	Block 9,	R. E. Thompson,	6.70
Lot 1,	Block 10,	E. W. Shuck,	4.70
Lot 2,	Block 10,	F. W. Fields,	4.70
Lot 3,	Block 10,	K. K. Langeland,	4.70
Lot 4,	Block 10,	J. J. Tronvold, Est.	5.40
Lot 5,	Block 10,	Gustaf Nelson,	5.40
Lot 6,	Block 10,	Severin Rasmussen,	6.00
Lot 7,	Block 10,	R. E. Thompson,	6.00
Lot 8,	Block 10,	R. E. Thompson,	6.70
Lot 9,	Block 10,	R. E. Thompson,	6.70
Lot 10,	Block 10,	R. E. Thompson,	6.70
Lot 11,	Block 10,	R. E. Thompson,	6.00
Lot 12,	Block 10,	R. E. Thompson,	5.40
Lot 13,	Block 10,	R. E. Thompson,	9.40

Lot 14, Block 10,	R. E. Thompson,	8.70
Lot 15, Block 10,	R. E. Thompson,	8.00
Lot 16, Block 10,	R. E. Thompson,	6.70
Lot 17, Block 10,	R. E. Thompson,	6.70
Lot 1, Block 11,	W. E. Heston,	6.70
Lot 2, Block 11,	Emma Christianson,	6.70
Lot 3, Block 11,	R. E. Thompson,	6.70
Lot 4, Block 11,	R. E. Thompson,	6.70
Lot 5, Block 11,	R. E. Thompson,	6.70
Lot 6, Block 11,	R. E. Thompson,	6.70
Lot 7, Block 11,	R. E. Thompson,	6.70
Lot 8, Block 11,	R. E. Thompson,	6.70
Lot 9, Block 11,	R. E. Thompson,	6.70
Lot 10, Block 11,	R. E. Thompson,	6.70
Lot 11, Block 11,	Martin Arntsen,	6.70
Lot 12, Block 11,	Edmund A. Bruce,	5.40
Lot 13, Block 11,	R. E. Thompson,	10.05
Lot 14, Block 11,	R. E. Thompson,	13.40
Lot 15, Block 11,	R. E. Thompson,	13.40
Lot 16, Block 11,	R. E. Thompson,	13.40
Lot 17, Block 11,	R. E. Thompson,	13.40
Lot 18, Block 11,	R. E. Thompson,	13.40
Lot 1, Block 12,	R. E. Thompson,	6.70
Lot 2, Block 12,	R. E. Thompson,	6.70
Lot 3, Block 12,	R. E. Thompson,	6.70
Lot 4, Block 12,	R. E. Thompson,	5.40
Lot 5, Block 12,	R. E. Thompson,	4.00
Lot 6, Block 12,	R. E. Thompson,	2.70
Lot 7, Block 12,	R. E. Thompson,	2.00
Lot 8, Block 12,	R. E. Thompson,	2.00
Lot 9, Block 12,	R. E. Thompson,	2.00
Lot 10, Block 12,	R. E. Thompson,	2.00
Lot 11, Block 12,	R. E. Thompson,	2.70
Lot 12, Block 12,	R. E. Thompson,	6.00
Lot 13, Block 12,	R. E. Thompson,	6.70
Lot 14, Block 12,	R. E. Thompson,	4.00
Lot 15, Block 12,	R. E. Thompson,	4.00
Lot 16, Block 12,	R. E. Thompson,	4.00
Lot 17, Block 12,	R. E. Thompson,	4.00
Lot 18, Block 12,	R. E. Thompson,	11.40
Lot 1, Block 13,	R. E. Thompson,	13.40
Lot 2, Block 13,	R. E. Thompson,	9.40
Lot 3, Block 13,	R. E. Thompson,	4.70
Lot 4, Block 13,	R. E. Thompson,	4.00
Lot 5, Block 13,	R. E. Thompson,	4.00
Lot 6, Block 13,	R. E. Thompson,	4.00
Lot 7, Block 13,	R. E. Thompson,	4.00
Lot 8, Block 13,	R. E. Thompson,	4.00
Lot 9, Block 13,	R. E. Thompson,	4.00
Lot 10, Block 13,	R. E. Thompson,	4.70
Lot 11, Block 13,	R. E. Thompson,	13.40
Lot 12, Block 13,	R. E. Thompson,	13.40
Lot 1, Block 14,	R. E. Thompson,	4.70
Lot 2, Block 14,	R. E. Thompson,	6.00
Lot 3, Block 14,	R. E. Thompson,	11.40
Lot 4, Block 14,	R. E. Thompson,	9.40
Lot 5, Block 14,	R. E. Thompson,	8.00
Lot 6, Block 14,	R. E. Thompson,	4.00

Out Lot "A" Town of Bovee, S. D., R. E. Thompson,6.70
 Out Lot "B" Town of Bovee, S.D.,...R. E. Thompson,2.70
 Out Lot "C" Town of Bovee, S.D.,...R. E. Thompson,10.70
 Out Lot "D" Town of Bovee, S.D.,...Edna Thompson,67.00
 Out Lot "E" Town of Bovee, S.D.,...Edna Thompson,294.80
 Out Lot "F" Town of Bovee, S.D.,...R. E. Thompson,268.00

Chicago, Milwaukee & St. Paul R.R.Co., through the town of
 Bovee, South Dakota,134.00

Charles Mix County, South Dakota, County Highways,1200.00

Rhoda Township, in Charles Mix County, South Dakota,
 Township Roads,1870.00.

All such owners of said real property are notified to show cause
 before the Board of County Commissioners of Charles Mix County, South
 Dakota, at the Court House in the City of Lake Andes, South Dakota, on
 the ~~sixth~~ ^{second} day of ~~June~~ ^{January} 1923, at the hour of three o'clock in the
 afternoon of said day, why the proportion of benefits shall not be
 fixed as stated.

Dated at Lake Andes, South Dakota, this ~~2nd~~ ^{5th} day of ~~May~~ ^{Dec.}, 1922.

Chairman of Board of County
 Commissioners of Charles Mix County,
 South Dakota.

ATTEST:

County Auditor.

