

LEGAL ISSUES

1. Was the amount of attorney fees awarded as costs an abuse of discretion and clearly against reason and the evidence and in violation of the Legislative purpose of the statute?
2. Are any of the Trial Courts Findings of Fact clearly erroneous?
3. Did the Trial Court correctly compute interest on the Judgment?

NOTICE OF REVIEW ISSUES

1. Does the application of SDCL § 31-19-33 and SDCL § 54-3-16 violate the Separation of Powers Clause of the South Dakota Constitution in this case?
2. What is the proper amount of just compensation for delay damages in this case?