

## Auction Cancelled For Sacred S.D. Land

BY KRISTI EATON  
Associated Press

SIoux FALLS — The planned auction of nearly 2,000 acres of land in South Dakota's picturesque Black Hills that is considered sacred by American Indian tribes has been cancelled, though it wasn't immediately clear why.

Brock Auction Company planned to auction five tracts of land owned by Leonard and Margaret Reynolds on Saturday. But a message on the auction house's website Thursday said it has been cancelled at the land owners' direction.

The auction house said they had no comment, as did Margaret Reynolds.

Tribes of the Great Sioux Nation consider the site key to their creation story, and members feared new owners would develop the land they call Pe' Sla. The property, which spans about 1,942 acres of pristine prairie grass, is the only sacred site on private land outside Sioux control.

Rosebud Sioux Tribe spokesman Alfred Walking Bull says he didn't know the auction was cancelled. His tribe, whose reservation is among the closest to the land, has agreed to allocate \$1.3 million toward trying purchasing the property, though tribal officials have said they feared the selling price could be between \$6 million and \$10 million.

Roughly 20 tribes make up the Great Sioux Nation, which was fragmented when Native Americans were pushed to reservations and the tribes now span several states including Montana, Wyoming, the Dakotas and Minnesota, and Canada.

The tribes believe the Sioux people were created from the Black Hills. According to part of their spiritual tradition, Pe' Sla is where the Morning Star fell to Earth, killing seven beings that killed seven women. The Morning Star placed the souls of the women into the night sky as "The Seven Sisters," also known as the Pleiades constellation.

## Whiteclay Activists Gather At Nebraska Capitol

LINCOLN, Neb. (AP) — Activists who oppose beer sales in Whiteclay have taken their effort to Lincoln to draw attention to the tiny town that borders the Pine Ridge Indian Reservation in South Dakota where alcohol is banned but chronic alcohol abuse is rampant.

The Oglala Sioux Tribe has sued the town's four beer stores and several distributors, saying they are knowingly contributing to alcoholism on the reservation.

Activists have tried to shutter Whiteclay for decades. They rallied at the Nebraska Capitol on Thursday.

Activist Charlotte Knoflicek told KLKN-TV that "people continue to die and suffer."

Whiteclay sold the equivalent of 4.3 million, 12-ounce cans of beer last year.

Tribal members plan a "Women's March for Peace" on Sunday, which will begin on the Pine Ridge Reservation and end in Whiteclay.

## Company Seeks S.D. OK For Gold Exploration

RAPID CITY (AP) — A Canadian company planning to explore for gold in South Dakota's Black Hills is seeking state authorization to drill up to 250 test holes.

Mineral Mountain Resources Ltd. has applied for an exploration permit from the state Department of Environment and Natural Resources. The *Rapid City Journal* reports that officials with the Vancouver, British Columbia, company hope the exploration on about six acres of land will lead to the development of an underground gold mine near Keystone.

Mike Cepak with the Department of Environment and Natural Resources says officials are seeking more information on ownership of surface rights and mineral rights.

Company officials say the exploration work would have little impact on the community or the environment. The company would be required to have a reclamation plan.

## S.D. Judge Sides With Deputies In Pay Cut Issue

SIoux FALLS (AP) — A South Dakota circuit court judge has upheld an administrative law judge's ruling that Minnehaha County violated a collective bargaining agreement with sheriff's deputies when it tried to impose a wage cut.

The county had appealed the ruling made late last year. The *Argus Leader* newspaper reports that Judge William Srstka heard arguments in the case on July 30 and announced his decision this week.

The county last year voted to cut the base salaries of 520 deputies, jailers, highway crew members and office workers. The move was made to help close an almost \$3 million budget shortfall for 2012. Having the pay cut struck down for deputies cost the county half of the \$900,000 it had hoped to save on salaries.

## Ban On Campfires In Black Hills To Continue

RAPID CITY (AP) — A ban on campfires in the Black Hills of western South Dakota will continue despite recent rain and cooler temperatures.

The *Rapid City Journal* reports that owners of some private campsites say the ban is hurting business. But fire officials say there is still a high risk of wildfires in the region.

Jim Strain with the state Division of Wildland Fire Suppression says it will take a couple of inches of rain throughout the Black Hills to lower the fire danger. Black Hills National Forest official Todd Pechota says there is no relief in sight in the seven-day weather forecast.

## Ex-Nebraska Trooper Fights To Shield Pension

LINCOLN, Neb. (AP) — A former state trooper imprisoned for sexually assaulting a girl is still fighting to protect his pension.

Former Maj. Billy Hobbs is challenging a new state law that would allow his pension to be tapped to pay a \$325,000 lawsuit judgment won by the girl's father.

The new law was passed in April after the Nebraska Supreme Court ruled last year that state law protected state benefits from collection actions.

The *Lincoln Journal Star* says Hobbs' lawyer has filed a motion to have the law declared unconstitutional, saying it amounts to an ex post facto taking of benefits that Hobbs earned.

The 57-year-old Hobbs gets a monthly pension of more than \$3,700, minus more than \$1,850 that goes to his ex-wife.

# Judge Slams Landowners In Pipeline Ruling

BY RAMIT PLUSHNICK-MASTI  
Associated Press

HOUSTON (AP) — The ruling came down in a brief, late-night email, 15 words that slammed the yearslong effort of a Texas landowner to prevent a Canadian company from occupying part of her family's 65-year-old farm to run an oil pipeline from Alberta to Gulf Coast refineries.

As shocking as the ruling was, Julia Trigg Crawford, the third-generation manager of the Red Arc farm in Direct, Texas, vowed Thursday to fight on, just hours after Lamar County Court-at-Law Judge Bill Harris ruled TransCanada could be considered a "common carrier" and use eminent domain to condemn a section of her land for the Keystone XL pipeline.

"It's kind of like there's a bully in the playground and until someone gets their nose bloodied they will keep going," said Crawford, already on her way to Washington.

TransCanada welcomed the judge's decision.

"This ruling reaffirms that TransCanada has — and continues — to follow all state and federal laws and regulations as we move forward with the construction of the Gulf Coast Project," spokesman Shawn Howard said in the statement.

The ruling is the latest legal victory for TransCanada, whose plan to transport heavy tar sands crude through a 1,179-mile pipeline across the United States to Texas Gulf Coast refineries has been mired in controversy nearly every step of the way.

Environmental groups insist the tar sands crude is dirty and argue that the U.S. government should reject the project. The proposed pipeline requires State Department approval because it crosses international boundaries.

The Keystone project took a political tone when Republicans in Congress forced a two-month deadline on President Barack Obama to sign off on the international pipeline. Obama rejected TransCanada's proposed route earlier this year, suggesting it direct the pipeline around a sensitive aquifer in Ne-

braska's Sandhills region. But he encouraged the company to pursue in the meantime a shorter project from Oklahoma to the Gulf Coast.

That shorter project, which would eventually tie into the Keystone XL, doesn't require presidential approval. Construction on that pipeline began earlier this month.

The Crawford family battle began in 2008, when TransCanada asked for permission to run the pipeline through the farm. As they had done in the past when other oil companies asked to do the same, the family refused, assuming that like the others, TransCanada would simply reroute the line a few hundred yards to a more willing neighbor's property.

Instead, TransCanada used eminent domain to condemn a piece of Crawford land.

The court's ruling late Wednesday, however, will not stop the Crawfords, who remain determined to prevent TransCanada from using their land. The family hopes its fight will stop other powerful oil and gas companies from taking similar steps in the future.



Corn crops in New Florence, Missouri, wither in the drought conditions, August 20, 2012. Farmers in the hard-scrabble patch of central Missouri know the discomfort of summer heat. They've suffered through dry weather before, and they've certainly lived through the boom and bust cycles of modern farming. But the drought of 2012 is creating miserable conditions perhaps rivaled only by the Dust Bowl days.

KEVIN G. HALL/MCT

## Drought

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University of Nebraska in Lincoln.

The lack of rain allowed exceptional and extreme drought conditions to continue expanding in the area from northern Missouri and into Kansas and Nebraska, he said.

On Wednesday, the USDA added 33 counties from eight drought-stricken states to its list of natural disaster areas, bringing that tally to 1,821 counties in 35 states over the past six weeks. That's more than half of all U.S. counties, and the vast majority received the designation because of drought.

Plains farmers have begun harvesting what corn managed to survive, although many growers cut their fields weeks ago, chalking the year up as a loss. Some ranchers have sold livestock because they had no grass for grazing or money to buy feed, the price of which has soared.

In the lower 48 states, there was a subtle increase in the overall area experiencing at least some drought, from 61.77 percent last week to 63.2 percent. There was little change in the overall area seeing exceptional or extreme drought, which went from 6.26 percent last week to 6.31 percent this week.

Rain is expected in the northern Plains in coming days, though it may be too late to save many withered crops.

The U.S. Agriculture Department twice has slashed its forecast for this year's corn and soybean output because of the drought. In the spring, it forecast the nation's biggest harvest, as farmers planted 96.4 million acres of corn — the most since 1937. But the agency now expects the nation to produce 10.8 billion bushels, the fewest since 2006.

If that estimate holds, the federal government says it will be enough to meet the world's needs and ensure there are no shortages. But experts say food prices will almost certainly climb — corn is widely used in products ranging from cosmetics to cereal, colas to candy bars.

While just 1 percent of the nation's corn crop is brought in from the fields by this time of year, the USDA said Monday in its weekly crop progress report that 4 percent of the harvest is complete. The reaping is farther along in Kansas, Missouri, South Dakota, Kentucky and Tennessee.

In an occupation that's at nature's mercy, "we've got to calculate we're gonna lose a crop once in a while and calculate that into our expenses," said Nelson, whose northeastern Nebraska farmstead is about 60 percent corn, the rest soybeans. "Sometimes it's heat, drought, excessive rains, bugs, winds. I guess that's what keeps us coming back for next year."

## Drought Conditions Change Little In Dakotas

SIoux FALLS (AP) — The U.S. Drought Monitor map shows conditions in the Dakotas have changed little over the past week.

Parts of western and southern South Dakota remain in extreme drought. Much of the rest of the state is in moderate to severe drought.

Western South Dakota rancher Jerry Hammerquist tells the *Rapid City Journal* cows grazing on rain-starved pastures are finding it difficult to maintain weight and feed calves.

Gov. Dennis Daugaard this week relaxed height and width restrictions for baled hay being

hauled on South Dakota roads.

North Dakota is better off, though much of the eastern part of the state and the southwestern corner is in severe drought. The Agriculture Department says more than half of the state's pasture and range land is still considered in fair or good condition.

## Water

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it at one point and as fast as divers removed the material, it was replaced by the river current.

"About three weeks ago, (the divers) came in and the sandbar was only about two feet high," Goodmanson said. "All the fine material on top of the sandbar washed away, and we were left with the coarse gravel and rock. We only needed to lift it about two feet."

Air bags were placed on the surface of the water and connected to a chain hoist that was used to lift the intake. It was blocked up about four feet higher than it was previously — putting it approximately two feet above

the sandbar.

The process cost approximately \$27,000.

"(The intake is) up and running at full capacity now," Goodmanson said.

A temporary intake was installed in July just as water usage in the city consistently jumped up to approximately 6 million gallons per day, a peak that is rarely reached. It will be dismantled by the end of the month.

In the midst of utilizing the temporary intake and dealing with peak water usage, a brief voluntary water restriction was placed on the city earlier this month when one of the city's two treatment plants suffered a broken cushion start coupling. That cut water treatment capacity down to about 5 1/2 million gallons per day from the usual 8 million gallons per day.

While the worst seems to be behind the water treatment sys-

tem for now, Goodmanson said staff is still keeping an eye on the intake situation.

"It may not be a permanent fix, because we don't know what the sandbar is going to do when the flows go lower," he said. "The high flows washed the finer materials away. When they go to winter flows at Gavins Point Dam, we don't know if the sand will start to build up again."

"The other concern we have is, now that we've lifted the intake four feet, it's closer to the surface," Goodmanson added. "If (the U.S. Army Corps of Engineers goes) below 12,000 cubic feet per second (with dam discharges), we may have problems with sucking air."

You can follow Nathan Johnson on Twitter at [twitter.com/AnInlandVoyage](https://twitter.com/AnInlandVoyage)

## OBITUARIES

### Marilyn Dyball

MECKLING — Marilyn Kay Dyball, 72, of rural Meckling, South Dakota, passed away at the Bethany Home in Sioux Falls, South Dakota, on August 21, 2012.

A visitation will be held at Kober Funeral Home in Vermillion, South Dakota, from 6:00 p.m. - 7:00 p.m. on Sunday, August 26, 2012, with a prayer service to begin at 7:00 p.m.

A funeral service will be held at Bergan Lutheran Church in Rural Meckling, South Dakota, at 10:30 a.m. on Monday, August 27, 2012, with Pastor Ralph Egbert officiating.

A committal service will be held at the Evergreen Cemetery in Rural Meckling, South Dakota, immediately following the service.

Marilyn was born in Vermillion, South Dakota, on May 31, 1940, to Melvin and Ruth (Magorian) Iverson. Marilyn grew up on a farm outside of Vermillion and graduated from Vermillion High

School in 1958. After graduating from high school she went on to earn a Bachelor's of Science Degree in Home Economics from South Dakota State University in 1963.

Marilyn met the love of her life, David Dyball, and they married on June 2, 1962, and they remained happily married until her passing. She was a very loving, caring and devoted wife. She was a mother who loved and cared about her sons and loved to talk with them at least twice a week wherever they were. Marilyn also loved being a grandmother and following her five grandchildren's sports, academic, and band activities.

Marilyn is survived by her husband, David Dyball of rural Meckling, South Dakota; her sons, Scott (Dianne) Dyball of Houston, Texas, and Jeffrey (Amber) Dyball of Papillion, Nebraska; her sister, Carol Kaberna of Wagner, South Dakota; and her grandchildren, Katie Dyball, Kelsey Dyball, Thomas Dyball, Timothy Dyball, and Sydney Dyball.

She was preceded in death by her parents, Melvin and Ruth Iverson.

Services have been entrusted to Kober Funeral Home of Vermillion, South Dakota.

Condolences may be posted online at [www.koberfuneralhome.com](http://www.koberfuneralhome.com).

Yankton Press & Dakotan  
August 24, 2012

### Denise Jensen

SPRINGFIELD — Denise Jensen, 52, of Springfield, died at her residence Wednesday after-

noon, Aug. 22, 2012.

Mass of Christian Burial is at 10:30 a.m. Saturday at St. George's Catholic Church, Scotland, with the Rev. Matthew Vazhappilly officiating. Burial will be in the Menno Cemetery at approximately 1:30 p.m. Saturday afternoon.

Visitations begin at 5 p.m. today (Friday) at Opsahl-Kostel Memorial Chapel, Tyndall. Visitations will resume one hour prior to the service at the church in Scotland.

Private nonsectarian cemetery offering earth burial plots, mausoleum crypts and niches.

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