

Land

From Page 1

ley, York, Butler and Webster townships.

It comes as landowners opened another battlefield last week in state court.

Thad Duerre, Clint Duerre, Robert Duerre and LaRon Herr from Troy Township sued state Game, Fish and Parks Secretary Jeff Vonk, along with the State of South Dakota and the Department of Game, Fish and Parks.

The four landowners have property within or adjoining a slough that's become so full of water and populated with game fish during the past 20 years that

it's now a popular spot for angling year-around.

The Duerres and Herr say in their lawsuit they want "relief that restores peace and quiet to their private property."

They are asking the court to prohibit hunting, fishing or other activity by members of the public on the water or ice over their properties unless the Legislature decides otherwise.

The landowners' attorneys are Ronald Parsons Jr. and Shannon Falon of Sioux Falls and Jack Hieb and Zachary Peterson of Aberdeen.

They are seeking an answer that the South Dakota Supreme Court declined to answer 10 years ago in another flooded-lands lawsuit from Day County known as

Parks v. Cooper.

The justices decided in the 2004 case brought by Ordean Parks against then-Game, Fish and Parks Secretary John Cooper that the waters belong to the public while the private lands beneath them remain private.

The justices said the Legislature has the responsibility to designate the permissible uses of the waters above flooded private lands.

The Legislature has repeatedly tried to answer that question but failed. The most recent attempt came during the 2014 session on legislation brought by Sen. Corey Brown, R-Gettysburg.

Cooper now is chairman of the Game, Fish and Parks Commission.

Some of the landowners involved in the township road-vacations in recent months testified last winter against the Brown legislation.

They said they didn't want people on the water or ice above their lands without their permission.

The new lawsuit hinges on the fact the Legislature didn't grant any right to the public to use water over flooded private land for recreational purposes.

The lands owned by the Duerre family and Herr in Troy Township began to flood in 1993 and by 2001 had become an attractive spot for public fishing.

People used County Road 33 to launch boats to get on the water.

The Day County Commis-

sion closed a segment of County Road 33 effective July 15 to curtail public access.

The lawsuit against Vonk claims that anglers said they weren't trespassing when they were on the water above the land owned by the Duerres and Herr and that GFP personnel took the same legal position.

As many as 200 boats have been launched some days during spring, summer and fall, and as many as 70 ice-fishing houses have been erected during the winter, without any compensation to the landowners, the lawsuit says.

Vonk said his office sends a letter to the township board each time that a petition to vacate is received.

Church To Hold Ice Cream Social

MECKLING — Bergen Lutheran Church, located at the corner of Timber Rd. and Bergen Ave. in rural Meckling, will host an Ice Cream Social on Wednesday, Aug. 13, running from 5-8 p.m.

Free-will donations will be accepted. All are welcome to come.

ADDENDUM

In the Riverboat Days preview section published in Monday's *Press & Dakotan*, the performance by The Dweebes at Riverside Park at 8 p.m. Saturday night was inadvertently omitted from the schedule of events.

OBITUARIES

Hal Lansdowne

Hal Ardell Lansdowne, age 84, of Gayville, South Dakota, died Saturday, August 9, 2014 at Avera Sacred Heart Hospital in Yankton, South Dakota.

Memorial services are 7:00 p.m. on Tuesday, August 12, 2014 at the Wintz & Ray Funeral Home in Yankton. The family will receive friends from 5:00 to 7:00



Lansdowne
Cemetery in rural Springfield, South Dakota at a later date.

Hal was born May 8, 1930 in Union County, South

Dakota to Hiram and Sadie (Smith) Lansdowne. In his younger years, Hal worked for a lumber company in Oregon. He enjoyed racing cars and also riding horses and bulls in the rodeo. On August 19, 1962, Hal married Beverly Blachnik in Yankton. Hal worked for Western and J.A. Tobin Construction where he built many roads across the country, including I-29 from Kansas City to

North Dakota. After his retirement in 1984, Hal went into his own business doing dozer work. He was also bus driver for Gayville-Volin School District and delivered trailers for Truck Trailer in Yankton.

Hal is survived by his wife, Beverly Lansdowne of Gayville; three sons: Brian (Penny) Lansdowne of Beresford, South Dakota, Hal Lansdowne of Gayville

and Gene (Patty) Lansdowne of Box Elder, South Dakota; five grandchildren: Michael, Cody, Mitchell and Caleb Lansdowne and Branden Bernard; four great grandchildren; and a brother, Jack Lansdowne of Blye, Oregon.

Hal was preceded in death by his parents and sister-in-law, Edie Lansdowne.

To send an online mes-

sage to the family, please visit www.wintzrayfuneralhome.com.

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Kirstan Roubideaux

Kirstan DeAnna Roubideaux, age 7, was called by God to be one of his precious angels on Friday, August 8, 2014.

Mass of Christian Burial is 10:30 a.m. on Thursday, August 14, 2014 at St. George Catholic Church in Scotland, South Dakota with Reverend Randy Phillips officiating. Burial will be at the Sacred Heart Cemetery in Yankton.

Visitation is from 5:00 to 8:00, on Wednesday, August 13 at St. George Catholic



Roubideaux

Church in Scotland with a vigil service at 6:30 p.m. Arrangements are under the direction of the Wintz &

Ray Funeral Home and Cremation Service in Yankton.

Pallbearers are Quentin Bahre, Brandon Fischer, Dillon Fischer, Clayton Roubideaux Sr., Jon Roubideaux and Mitch Smith. Honorary pallbearers are all of her cousins.

Kirstan was born September 20, 2006 in Yankton,

South Dakota to Stephanie Hamilton and Clayton Roubideaux. She attended Lincoln Elementary School in Yankton where she completed the 1st grade. Kirstan was passionate about riding Freckles, her Aunt Ashley and Uncle Dillon's horse. In 2013 at the Tyndall Hot Dog Nite, she was the winner of a Mongoose bike which she loved to ride from her house to Grandma DuAnne and Grandpa Chuck's and to her Aunt Amanda and Uncle Brandon's. Kirstan loved jumping on the trampoline and playing with all the kitties and dogs she came across. She enjoyed garden-

ing with her grandmother, Marcia and helping her Aunt Gloria with baking or playing on her tire swing.

Kirstan enjoyed swimming and her favorite color was purple. She always had a smile on her face and was always a happy girl. She spent this last weekend celebrating a wedding with her maternal family and three cousins: Samantha, Blake and Braelyn, whom she watched over. Kirstan adored her little brother, Coltan. They always had one another. Although a great tragedy has occurred, we find comfort that she accepted God into her heart.

Kirstan is survived by her mother, Stephanie Hamilton (Te Archambeau) of Scotland; father, Clayton Roubideaux (Emily Yancer) of Yankton; brother, Coltan; grandparents, Clayton Sr. and Marcia Roubideaux of Utica, DuAnne (Chuck) Hoaglin of Scotland and Colin Hamilton of Tyndall; great grandparents: Annette Roubideaux of Yankton, Philip and Virginia Neuhardt of Menno, Marie Vitek of Scotland, John (Mary Ann) Hoaglin of Springfield and Maricelle Hamilton of Tyndall; and many aunts, uncles, great aunts, great uncles and cousins.

Kirstan was preceded in death by her great grandparents: Duane Vitek, Eugene Roubideaux and Larry Hamilton.

To send an online message to the family, please visit www.wintzrayfuneralhome.com.

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Sharon Koupal

Sharon Jo'Ett Koupal, age 74, of Yankton, South Dakota, died Saturday, August 9, 2014, at Avera Yankton Care Center in Yankton.

A memorial service will be 2:00 p.m. on Wednesday, August 13, 2014, at Trinity Lutheran Church in Yankton with Reverend David Wildermuth officiating. Burial of the urn will be in the Garden of Memories Cemetery in



Koupal

Yankton. The family will receive friends at the church starting at 12:00 p.m. on Wednesday.

Sharon was born May 20, 1940, on the farm north of Mayfield, South Dakota to Harry and Lillian (Johnson)

Westergaard. She grew up on the farm and graduated from Irene High School in 1958. She worked at Dale Electronics in Yankton for a few years until 1969 when she began working at the Human Service Center in Yankton as a switchboard operator. She married Mike Eugene Koupal on July 10, 1970 in Yankton South Dakota. After their marriage, Sharon continued to work at

the Human Services Center until retiring in 1979. After her retirement, she wanted to focus on enjoying her life.

Sharon enjoyed spending time in her flower garden and attending to her roses, going for drives with Mike, attending garage sales, spending time with her dogs and especially visiting and meeting new people. She was a member of Trinity Lutheran Church in Yankton

and the Antique Auto Association.

Survivors include her husband of 44 years, Mike Koupal of Yankton; brother, Ralph (Sally) Westergaard of Burbank, South Dakota; and many nieces and nephews.

She was preceded in death by her parents, Harry and Lillian Westergaard.

Memorials may be directed to Trinity Lutheran Church in Yankton or the

Heartland Humane Society in Yankton.

To send an online sympathy card, please visit www.wintzrayfuneralhome.com.

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Donald Bonneau

Donald William Bonneau, 68, of Hartington, Nebraska, died Sunday, Aug. 10, 2014, at his residence.

Memorial services are at 10:30 a.m. Saturday Aug. 16, at the Trinity Lutheran Church in Hartington with the Rev. Amanda Jertson officiating.

Visitation begins at 9:30 a.m. Saturday at the church. Local military honors will be provided by the Hartington VFW Post 5283 and the Legion Riders.

Burial will be at the Ft. McPherson National Cemetery in Maxwell, Nebraska, at a later date.

The Wintz Funeral Home in Hartington is handling the arrangements. To view the video tribute, or to send online condolences, visit www.wintzrayfuneralhome.com/.

Harry Batcheller

Harry Batcheller, 64, of Yankton died Sunday, Aug. 10, 2014.

A celebration memorial visitation is 5-8 p.m. Thursday, Aug. 14, at the Yankton Elks Lodge No. 994, 504 West 27th Street, Yankton. Burial of his cremated remains will

take place at a later date. The Opsahl-Kostel Funeral Home & Crematory, Yankton, is assisting with the memorial service details.

Vlasta Christensen

Vlasta Christensen, 89, of Yankton died Sunday, Aug. 10, 2014, at Avera Yankton Care Center, Yankton.

Funeral services are at 2 p.m. Thursday, Aug. 14, at Calvary Baptist Church in Yankton with the Rev. Rick Slattery officiating. Burial will be in the Volin Cemetery in Volin.

Visitation is 5-7 p.m. Wednesday, Aug. 13, at the Wintz & Ray Funeral Home in Yankton with a prayer service at 6:30 p.m. Visitation will resume one hour prior to the funeral on Thursday at the church.

To send an online sympathy card, visit www.wintzrayfuneralhome.com.

Jody Sage

Jody A. Sage, 50, of Yankton died Sunday, Aug. 10, 2014, at Avera Sacred Heart Hospital in Yankton.

Arrangements are pending with the Wintz & Ray Funeral Home and Cremation Service in Yankton.

Gail Hall

Gail Hall of Wagner died Sunday, August 10, 2014 at the Good Samaritan Society in Wagner under hospice care after a long battle with cancer at the age of 61.

Memorial services are at 11 a.m. Friday, Aug. 15, at the East Lake Andes Lutheran Church, rural Armour. Inurnment is in the church cemetery.

Memorial visitation will be an hour prior to services at the church. Crosby-Jaeger Funeral Home in Wagner is in charge of arrangements.

Max Quick

Max G. Quick, 87, of Gayville died Monday, Aug. 11, 2014, at Avera Sacred Heart Hospital in Yankton.

Funeral arrangements are pending with Kober Funeral Home, Vermillion.

Erdis Raynie

Erdis Ann Raynie, 85, of Yankton died Monday, Aug. 11, 2014, at Avera Sister James Care Center in Yankton.

Funeral services are at 10:30 a.m. Friday, Aug. 15, at Trinity Lutheran Church in Yankton with the Rev. David Lund officiating. Burial will be in the Garden of Memories Cemetery in Yankton.

Visitation is 5-8 p.m. Thursday, Aug. 14, at the Wintz & Ray Funeral Home in Yankton. Visitation will continue one hour prior to the funeral at church.

To send a message to the family, visit www.wintzrayfuneralhome.com.

Frank Nordman

Frank Nordman, 93, of Yankton died Monday, Aug. 11, 2014, at his residence.

Arrangements are pending with the Wintz & Ray Funeral Home and Cremation Service in Yankton.

Franklin Lefler

Franklin Wayne Lefler, 83, of Yankton died Aug. 10, 2014, at Avera Sacred Heart Hospital in Yankton.

Funeral services are at 2 p.m. Friday, Aug. 15, at the Wintz & Ray Funeral Home in

Yankton with Reverend Jon Cooke officiating. Burial will be in the Yankton Cemetery.

Visitation is 5-8 p.m. Thursday, Aug. 14, at the Wintz & Ray Funeral Home in Yankton with a prayer service at 7 p.m. Visitation will continue one hour prior to the funeral.

To send an online message to the family, visit www.wintzrayfuneralhome.com.

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Friday, Saturday, Sunday
Aug. 15, 16, 17

IN REMEMBRANCE

<p>Hal Ardell Lansdowne 7:00 PM, Tuesday Wintz & Ray Funeral Home Yankton</p> <p>Sharon Jo'Ett Koupal 2:00 PM, Wednesday Trinity Lutheran Church Yankton</p> <p>Kirstan DeAnna Roubideaux 10:30 AM, Thursday St. George Catholic Church Scotland</p>	<p>Vlasta Christensen 2:00 PM, Thursday Calvary Baptist Church Yankton</p> <p>Erdis Raynie 10:30 AM, Friday Trinity Lutheran Church Yankton</p> <p>Donald W. Bonneau 10:30 AM, Saturday Trinity Lutheran Church Hartington</p>
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