

2010 Legal and Public Notices

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends AP-PROVAL of Application No. 7524-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 11, 2013.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$26.48.

2+1  
NOTICE OF APPLICATION  
NO. 7538-3 to Appropriate Water

Notice is given that Ron Kulish, 29945 432nd Ave, Lesterville SD 57040 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Scotland Management Unit of the Lower James:Missouri Aquifer (360 feet deep) located in the SE 1/4 SW 1/4 Section 15 for irrigation of 260 acres located in the SW 1/4, S 1/2 SE 1/4, NW 1/4 SE 1/4, NE 1/4 Section 15; all in T95N-R57W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends AP-PROVAL of Application No. 7538-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 11, 2013.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

2+1  
NOTICE OF APPLICATION  
NO. 7549-3 to Appropriate Water

Notice is given that Eagle Venture LLC, c/o Dennis Mitchell, PO Box 711, Yankton SD 57078 has filed an application for a water permit to appropriate an additional 1.93 cubic feet of water per second (cfs) and irrigate an additional 60 acres to what is currently authorized by Water Permit No. 6792-3. Water Permit No. 6792-3 appropriates 0.29 cfs from the Missouri River located in (SD Survey) SE 1/4 Section 15-T93N-R55W (Accretion to Gov't Lots 1, 2, 3 & 4) to irrigate 20 acres located in portions of the

2010 Legal and Public Notices

(SD Survey) SE 1/4 Section 15-T93N-R55W (Accretion to Gov't Lots 1, 2, 3 & 4). This application proposes to appropriate an additional 1.93 cfs from the existing Missouri River diversion point to irrigate an additional 60 acres located in the same area described above. This application, if approved along with Water Permit No. 6792-3 will authorize a total of 2.22 cfs to irrigate 80 acres. The applicant is requesting a diversion rate greater than the statutory limit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends AP-PROVAL of Application No. 7549-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 11, 2013.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

2+1  
NOTICE OF HEARING UPON APPLICATION  
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, March 9, 2013, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, February 11, 2013 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota, this 28th day of January, 2013.

AI Viereck  
FINANCE OFFICER  
Published once at the approximate cost of \$17.54.

2+1  
NOTICE OF APPLICATION  
NO. 7510-3 to Appropriate Water

Notice is given that Howard A Kathol, 30918 450th Ave, Gayville SD 57031 has filed an application for a water permit to appropriate an additional 0.28 cubic feet of water per second (cfs) and irrigate 95 additional acres to what is currently authorized by Water Right No. 7030-3. Water Right No. 7030-3 appropriates 1.34 cfs from one well completed into the Lower James:Missouri Aquifer (162 feet deep) located in SE 1/4 NW 1/4 Section 27 to irrigate 115 acres located in the NW 1/4 Section 27; all in T94N-R53W. This application proposes to divert an additional 0.28 cfs from the existing well to irrigate 95 additional acres located in the NW 1/4 Section 27 and E 1/2 NE 1/4 Section 28; all in T94N-R53W. This application, if approved, and Water Right No. 7030-3 will authorizes a total diversion of 1.62 cfs for irrigation of 210 acres.

2010 Legal and Public Notices

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends AP-PROVAL of Application No. 7510-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 11, 2013.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$30.45.

# Checks

From Page 1A

people register at 1-800-333-1795. You can also visit the bank or credit union with whom you have an account and they can help you make the switch. People can also visit the Social Security office in Yankton at

# Home

From Page 1A

because the floor is unsafe and we don't want anybody to get hurt. Visitors may not get very far into (the house), and they could fall through the floor."

The Norbeck home was given to the society by Mr. and Mrs. Morris Rommen. The house was moved into Geddes by the Vander Pol Moving Company, serving as the community's Living Legacy project for South Dakota's centennial in 1989.

Norbeck was born Aug. 27, 1870, to the Rev. George and Karen Norbeck. His childhood in Geddes played a pivotal role in developing his lifetime traits and accomplishments, said CMCHRS secretary Ron Dufek.

"Peter Norbeck's father was a minister, and he accepted a call from the Frankes Congregation," Dufek said. "They moved here from Clay County and lived in Bloomington, northwest of Geddes."

Peter later attended the University of South Dakota in Vermillion. He was the first big driller for artesian wells in the state.

"He went into the well business in 1892, when he was only 22," Dufek said.

Norbeck married his wife, Lydia, on June 7, 1900, and they had four children: Nellie, Ruth, Harold and Selma.

Norbeck's interest in government was fueled by his father's service in both the territorial and first state legislature.

In 1908, Peter Norbeck was elected to the South Dakota state senate. He later served as lieutenant governor and governor before serving as U.S. senator from March 1921 until his death in 1936.

As lieutenant governor, he played an important role in enacting a law designed to protect deposits in all banks operating under state charters.

During his two terms as governor, he was responsible for the bridges across the Missouri River and the passage of a state highway law.

# Hagel

From Page 1A

Hagel quickly provides additional material requested by some members.

The nominee's fiercest exchange came with Sen. John McCain, R-Ariz., a fellow Vietnam veteran, onetime close friend and a vote that could carry considerable sway. Politics and Hagel's evolving opposition to the Iraq war caused a split between the two men that was on full display.

McCain suggested that Hagel and his critics were not quibbling over small matters.

"They are not reasonable people disagreeing; they are fundamental disagreements. Our concerns pertain to the quality of your professional judgment and your world-view on critical areas of national security," he said.

# S.D. Legislature Passes Criminal Justice Reform Plan

BY CHET BROKAW  
Associated Press

PIERRE — The South Dakota Legislature gave final approval Thursday to a wide-ranging plan to cut the state's prison costs by treating more nonviolent offenders through intensive probation, parole and other programs outside prison walls.

The House voted 63-7 to pass the bill, which was approved 31-2 last week by the Senate. The measure now goes to Gov. Dennis Daugaard, who is expected to sign it into law.

The measure is based on recommendations made by a study panel appointed by the Republican governor, Supreme Court Chief Justice David Gilbertson and legislative leaders.

It would use intensive probation and parole, along with expanded special courts and other programs that treat drug and alcohol offenders, as part of an effort to divert offenders from prison and prevent them from committing future crimes.

Rep. Jon Hansen, R-Dell Rapids, said justice demands that the state help offenders overcome the drug, alcohol and other problems that lead them into trouble.

"We don't meet those demands when we continually ratchet up penalties, throw people in jail but do little to address what got them in jail in the first place," Hansen said.

Officials have said that if nothing is done to curb a rapid increase in adult inmates, the state would have to spend an estimated \$212 million to build and operate a new men's prison and a new women's prison in the next decade. The proposed programs would cost an estimated \$51 million, resulting in a savings of more than \$160 million, they said.

South Dakota's adult inmate population rose from fewer than 55 inmates in 1977 to more than 3,600 last year, outpacing the national growth rate. They study panel reported that South Dakota has 416 inmates for every 100,000 people, far higher than the average imprisonment rate of 307 per 100,000

# Neb. Lawmakers Asked To Exempt Pensions From Taxes

BY GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — Veterans' groups told lawmakers Thursday that Nebraska's tax on military retirement pay is driving people out of the state, while some lawmakers questioned whether the losses are influenced more by warmer climates and family connections elsewhere.

The Legislature's Revenue Committee heard testimony on four bills targeting retirement pay. Two measures would exempt military retirement pay from the state income tax, one would exempt military pensions and Social Security benefits, and one would eliminate taxes on all pensions.

The bills were introduced by Sens. Jim Smith and Bill Kintner of Papillion, Charlie Janssen of Fremont, and Bob Krist of Omaha. Lawmakers have pitched scores of tax-exemption proposals this year aimed at Social Security benefits, military pensions and other forms of retirement pay.

Nebraska Gov. Dave Heineman has introduced an even larger plan that would eliminate the state's income tax, while removing as much as \$2.4 billion in sales tax exemptions from various businesses and organizations. A second, alternative proposal would get rid of Nebraska's corporate income tax and reduce the tax burden on retirees.

Dan Donovan, the head of a Nebraska veterans group, said the tax cli-

population in the neighboring six states.

If the lock-up rate holds steady, South Dakota's adult prison population will increase by an estimated 900 inmates in the next decade, the panel estimated.

Rep. Marc Feinstein, D-Sioux Falls, tried unsuccessfully to amend the bill by deleting a provision that removes preliminary hearings for those charged with Class 1 misdemeanors, offenses such as simple assault that carry a maximum penalty of a year in jail. Defense lawyers have argued that those hearings, which determine whether sufficient evidence exists to go to trial, are needed to help some defendants get their cases dismissed early.

But other prosecutors and other lawyers have contended that few preliminary hearings are held for misdemeanors. House Republican Leader David Lust of Rapid City said 43 other states don't have preliminary hearings for misdemeanors, and getting rid of those hearings will save money so counties can afford to carry out new programs aimed at rehabilitating criminals.

Rep. Stace Nelson, R-Fulton, argued that the 33-page bill is unconstitutional because it includes provisions dealing with more than one subject. The measure should have been split up into a number of bills so extensive hearings could have been held on the different parts, he said.

However, Lust said all the measure's provisions deal with improving public safety. The measure was put together after three dozen meetings involving 400 court officials, prosecutors, defense attorneys and others, he said.

"It's the way we should do things," Lust said.

Supporters said sending offenders to prison isn't working, as many return to drinking, using drugs and committing crimes when they are released. The proposal would reserve prison for chronic, violent offenders, while enhanced probation and parole supervision would help nonviolent offenders avoid committing new crimes.

mate is a compelling reason for the exodus. Some lawmakers suggested that the weather and other factors played a larger role.

Chris Ferdico, a lawyer and spokesman for the Nebraska National Guard Officers Association, said retirees will start spending their nest eggs but might hesitate if they live in a state where they face higher taxes.

"How much they spend and how quickly they spend it is absolutely, directly related to how far they believe they can stretch their savings," Ferdico said. "They will only spend if they have the confidence that their savings, the current value of their dollar, is worth what they're going to need it to be worth."

essary trip to the bank and electronic payments wipe out the possibilities of difficulty delivering checks in inclement weather."

For more information on switching to the electronic payments, visit [www.godirect.org](http://www.godirect.org).

You can follow Andrew Atwal on Twitter at [twitter.com/andrewatwal](http://twitter.com/andrewatwal)

## CROSSWORD

By THOMAS JOSEPH

### ACROSS

- 1 Applies makeup
- 5 His — (cribbage jack)
- 9 Archaeology find
- 11 Eyeballs
- 13 Steaming
- 14 Anger
- 15 Shark feature
- 16 Not recognizable by
- 18 Swindles
- 20 Writer Follett
- 21 Dike's kin
- 22 Simple
- 23 Hall of Famer Williams
- 24 Dripping
- 25 Overlook
- 27 Peruses
- 29 Small worker
- 30 Young hens
- 32 Allowance
- 34 Fruitcake bit
- 35 External
- 36 Writer Jong
- 38 Shaving mishaps
- 39 Gasp, say
- 40 Friends' pronoun

### 41 Ice chunk

### DOWN

- 1 Snow formation
- 2 Reception aid
- 3 Decorative sewing touch
- 4 Canine command
- 5 Like some situations
- 6 Story monster
- 7 Proclamation of complete innocence
- 8 Hunting dog
- 10 Put a stop to
- 12 Radiated
- 17 Tell tales
- 19 Preceding times
- 22 Repast
- 24 Metal worker
- 25 Stone worker
- 26 Sense
- 27 Baseball score
- 28 Wall
- 30 In itself
- 31 Map
- 33 Small dog, for
- 37 Field judge

S	C	A	R		S	L	A	S	H
W	A	D	E	R		T	O	N	T
I	C	A	M	E		A	C	T	O
L	A	P			M	O	T	I	O
L	O	T	I	O	N		N	E	E
			A	R	E		I	R	S
T	O	N	S		E	G	O	S	
R	O	N	E	I	R	E			
E	R	A			N	O	T	I	O
P	O	T	I	O	N	S		R	U
O	N	E	N	D		O	R	A	T
S	T	A	T	E		L	O	B	E
T	O	R	O	S		B	U	R	S

### Yesterday's answer

NEW CROSSWORD BOOK! Send \$4.75 (check/m.o.) to Thomas Joseph Book 1, P.O. Box 536475, Orlando, FL 32853-6475

1	2	3	4		5	6	7	8	
9				10		11			12
13						14			
15					16		17		
18				19				20	
	21						22		
			23				24		
25	26				27				28
29				30					31
32		33					34		
35						36	37		
38						39			
	40							41	

2-1

A X Y D L B A A X R  
is L O N G F E L L O W

One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

## 2-1 CRYPTOQUOTE

M B Y Y E Y L F X F M B Y W L

F N W K W S L F H L ; M B Y S W

M B F N Q B M L F N W V I Q Y L .

— T S W Q S H S I J F F P X

Yesterday's Cryptoquote: IN ORDER TO HAVE A REAL RELATIONSHIP WITH OUR CREATIVITY, WE MUST TAKE THE TIME AND CARE TO CULTIVATE IT. — JULIA CAMERON

©2012, King Features Syndicate, Inc.