

USDA Says Heat Stresses Nebraska Livestock

LINCOLN, Neb. (AP) — The U.S. Department of Agriculture says the recent heat and humidity in Nebraska is putting stress on livestock, but it helped farmers harvesting wheat and hay. The USDA released its weekly update on the state's crops Monday. The temperatures across Nebraska averaged 4 degrees above normal last week with highs mostly in the upper 90's. And little rainfall fell in the state. Ranchers and feedlot operators continue to watch livestock for signs of heat stress. The USDA says the wheat harvest is 66 percent done, up from 28 percent last week. That's still about six days behind the average of 84 percent done, but it's much improved. About 72 percent of the hay crop has been harvested. That's better than last year rate of 65 percent harvested at this point.

St. Joseph Cathedral Opens Its Doors To Public

SIOUX FALLS (AP) — St. Joseph Cathedral is opening its doors for public tours starting Monday evening. KELO-TV says crews have been working to restore the historic structure in Sioux Falls for two years. Now, the public can view the changes firsthand. The changes include new chandeliers and marble along with restored artwork on the ceilings and walls.

Native American Standards OK'd For Schools

PIERRE (AP) — The State Board of Education on Monday approved standards for teaching the history and culture of South Dakota's Native American people. The standards outline grade-level specific activities and resources for teaching the standards. The 2007 Indian Education Act mandated the development of course content for curriculum in South Dakota Native American history and culture. Gov. Dennis Daugaard spoke to the board about his support for the standards. He said students are more engaged when they find the curriculum relevant. He said it's important for both Native and non-Native students to have a better understanding of the state's cultural background.

For \$799,000, You Can Buy Town Of Scenic

SCENIC (AP) — Scenic, once known as a Wild West town next to the Badlands, now finds itself in an unlikely place: listed for sale by the woman who has owned much of the town for years. And Twila Merrill is hoping to get as much as \$799,000 for the town located 50 miles east of Rapid City, S.D. She has posted the town, which includes a saloon and jail, for sale at buyscenicsd.com. Scenic, established in the early 1900s, once had a functioning bank, grocery stores, a church, a high school and a hotel. However, the town hit hard times during the Great Depression and businesses began shutting down. Merrill's daughter, LeeAnn Keester, says they hope someone else can bring the town back to life.

\$25M S.D. Assisted Living Complex Planned

RAPID CITY (AP) — A group of developers are planning to build a \$25 million independent and assisted living community in Rapid City's medical corridor. The Rapid City Journal reports that the developers hope to break ground this fall on the 134-unit Village at Skyline Pines. Randy Kozeal is the president of Village Skyline Pines and one of eight partners in the project. He says the group plans to finance the project through private investment combined with a mortgage loan backed by the Department of Housing and Urban Development.

S.D. Casino Robbery Suspect Arrested

RAPID CITY (AP) — Rapid City police have arrested a suspect they say tried to rob two casinos in four days. KOTA-TV reports that 26-year-old Julia Peters of Rapid City was arrested Sunday. She is being held in the Pennington County jail on charges of robbery, attempted robbery and burglary. Police say Peters entered Market Square Casino on July 3 and threatened a clerk with a large knife and then fled with an undetermined amount of money. On July 6, Peters allegedly walked into a Happy Jacks Casino with a machete and demanded money from a clerk. The clerk refused, and Peters fled.

Cost Of High-Voltage Upgrades Irks Utilities

WICHITA, Kan. (AP) — Executives at several utilities in nine Midwestern states are upset that they are being asked to pay millions of dollars in upgrades to high-voltage lines in western Kansas that eventually will power the wind industry, according to some members of a state organization. The Southwest Power Pool, an association of utilities in nine states, has been roiled by disagreement as the costs of the projects climb, The Wichita Eagle reported Monday. The projects are considered critical to the development of the wind industry in western Kansas. Construction is scheduled to begin in mid-2012, and the lines are scheduled to be in service by the end of 2014. The tension erupted at an October meeting of the power pool, when members were told that the projected cost of the Kansas project, called the "V plan" or the "Y plan" had risen from \$356 million to \$456 million. The twin 345-kilovolt power lines will extend from the Wichita area to Medicine Lodge to Spearville in western Kansas. A similar project in western Oklahoma and a new line in Nebraska and Missouri also had nearly \$200 million in cost increases. Jeff Davis, a commissioner on the Missouri Public Service Commission, said the current process, which allows individual utilities to design the projects but spread the cost across all the utilities in the pool, offers no incentive to control costs. "It's like being asked to remodel your house and assess your neighbors for the cost," he said. Critics contend that ITC Great Plains and Prairie Wind Transmission, which includes Westar En-

ergy, increased costs on the Kansas project by lengthening the route to avoid the habitat of the lesser prairie chicken in Barber, Comanche and Clark counties. Kelly Harrison, vice president for transmission and environment for Westar and president of Prairie Wind Transmission, said Prairie Wind developed two routes for the line. The routes cost about the same, he said, but the one that was chosen avoided the habitat of the lesser prairie chicken. The original estimate from power pool planning staff was based on simplistic assumptions about the lowest-cost route, he said, and those estimates changed when the utility's staff began studying the actual routes. "I would say that there are members of the Southwest Power Pool that are disappointed in the lack of rigor used in the initial cost estimates," he said. Some members of the pool question whether utilities that don't directly benefit from the lines should have to pay for them. The Southwest Power Pool adopted a formula in April 2010 that assesses the cost of building the pool's largest lines, called "highway" lines, equally across all pool members because they can transfer energy between utilities. That means Kansas ratepayers will pay about 20 percent of all the approved projects, including those in Oklahoma, Nebraska and Missouri, according to Harrison. If Kansas ratepayers had to pay the entire costs of the "V Plan," it might have shut the project down, effectively ending the prospect of wind power in the state.

Dangers Persist Around Low-Head Dams

SIOUX FALLS, S.D. (AP) — Even though safety problems with low-head dams are so well-known that they are sometimes referred to as "drowning machines," no measures have been taken to address the problem because no one government entity claims ownership of them. The dams are typically less than 15 feet in height, and many date to the 1800s. They are the legacy of lumber and gristmills, small hydropower plants and ice harvesting ventures that long ago passed into history. Others were built as public works projects during the Great Depression. There are estimated to be thousands of low-head dams throughout the United States. On the Big Sioux River, there are dams in Flandreau, Dell Rapids, Trent, Baltic — where there are two — Sioux Falls, at Klondike between Sioux Falls and Canton, in Canton and in Hawarden, Iowa. Another spans Split Rock Creek in Garretson. A teenager drowned in one of the small dams two weeks ago in Baltic, yet no government entity feels it can take the initiative to mitigate the safety hazards associated with

them, the Argus Leader reported in a story published Monday. Neither federal, state nor local governments claim ownership of the dams. "These are not typically the dams we monitor," said Garland Erbe, director of the Water Rights Program of the South Dakota Department of Environment and Natural Resources. While the DENR is charged with overseeing stock dams and reservoir impoundments in the state, particularly to ensure they don't pose flooding risks, the low-head dams back up a small enough head of water that, if they fail, the flow would stay within the stream and not cause flooding. Baltic Mayor Mike Wendland expressed regret for the drowning death of Andrew Hanneman, 17, two weeks ago and said the dam was "a risk. Absolutely." Hanneman was tubing with a group of friends when he went over the small dam and disappeared. Rescue workers found his body two days later. But for the city to do anything about it, "someone would finally have to decide who owns it. I do not know if we have the right to touch it," Wendland said.

Ken McFarland, administrative officer for the Minnehaha County Commission, said commissioners don't think they have any authority over low-head dams in the county. "From our viewpoint, we have always assumed the waters of the state, the lakes and navigable rivers, are the purview of the state. We don't exercise any control over those bodies of water," McFarland said. Sara Rabern, spokeswoman for the South Dakota Attorney General's office, said if ownership of a dam can be determined, its regulation can be assigned to an agency. Some believe the dams on the Big Sioux should ultimately be the responsibility of the U.S. Army Corps of Engineers because the river is a tributary of the Missouri River. "If we want to put riprap on the bank, we have to go through the Corps of Engineers," said Larry Schildhauer, Dell Rapids Public Works director. However, the corps does not acknowledge ownership of any low-head dam on the Big Sioux, nor is it responsible for safety issues involving them or maintenance, corps spokeswoman Monique Farmer said.

Neb. 3-Judge Panel Sentences Man To Life In Prison

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — A Mexican national convicted of killing a 3-year-old Nebraska girl escaped the death penalty Monday when a three-judge panel sentenced him to life in prison. The panel of state district judges unanimously handed down the sentence more than a year after Melecio Camacho-De Jesus, 31, was convicted of first-degree murder in the death of Evelyn Verdugo Paniagua. Prosecutors had argued for the death penalty, saying Camacho-De Jesus killed the girl during a sexual assault. The jury found there was an aggravating circumstance that warranted the death penalty during the first phase of Camacho-De Jesus' sentencing. But Camacho-De Jesus' attorney, Todd Lancaster of the Nebraska Commission on Public Advocacy in Lincoln, had argued that the jury was improperly instructed to consider the victim's mental anguish in deciding whether to recommend execution. He cited a Nebraska

Supreme Court ruling — made in an unrelated death penalty case after the first phase of sentencing in Camacho-De Jesus' case — that threw out that instruction. The three-judge panel, which convened in Dakota County, cited that instruction Monday in handing down a life sentence to Camacho-De Jesus, Lancaster said. "The panel in this case essentially said, 'We can't give that aggravator any weight.' The only option is to give him a life sentence," Lancaster said after the ruling. Attorney General Jon Bruning said his office disagreed with the panel's decision. "Mr. Camacho took little Evelyn from her bed, raped her and smothered her until she died," Bruning said in a statement. "He ended an innocent child's life through horrific acts of brutality. We believe the atrocity of these crimes called for the ultimate sentence." Prosecutors had maintained during Camacho-De Jesus' trial that he broke into the girl's home on May 23, 2009, assaulted her, then suffocated her as her family

slept. Camacho-De Jesus had lived in the home until about two weeks before the killing. He was arrested a few hours after the girl was killed, at a home where he had been staying in Sioux City, Iowa. The town is across the Missouri River from South Sioux City. Camacho-De Jesus' attorneys argued during his trial that he

didn't understand his actions that night because of cocaine in his system. "I am pleased the state of Nebraska is not going to try to execute Mr. Camacho," Lancaster said. Lancaster said he couldn't relay Camacho-De Jesus' reaction to the sentence, citing attorney-client privilege.

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