

1705 Items \$100 or Less

Shop Vac Quiet Plus, 16 gal, 5.5 HP. \$30. Call (605)661-1231 or (605)760-5734.

Stihl FS 46 string trimmer, mechanics special, runs but need TLC. \$75 Call (605)660-1027.

Swimming pool with metal frame and filter 10' across x 30" high. Easy setup new still in box \$50. Call (605)665-2709.

The Press & Dakotan offers \$100 or less ads FREE for subscribers. The following policies are in effect:

- \$100 or less ads must be 25 words or less.
- **No pets, livestock, plants or produce can be advertised.**
- Private party ads only.
- Ads will run for 3 days. (As space allows.)
- Subscribers may run 2 free ads per month.

Additional runs may be purchased at the cost of \$5 per 3-day run.

- Non-subscribers will be charged \$5 per 3-day ad run.
- All items must have a price listed in the ad and total of all items must be \$100 or less.
- Please allow 1-2 business days before your ad runs so that subscriber status can be validated. \$100 or less ads can be submitted to the Press & Dakotan through our Web site (yankton.net), by calling (605)665-7811 or stopping at our office, 319 Walnut St., Yankton, SD 57078.

1725 Books

Complete set of Neighbor Lady cookbooks with 6 Neighbor Lady cookbook holders. (605)689-0258.

1780 Items Wanted

THE YANKTON ROTARY CLUB NEEDS YOUR HELP AGAIN THIS YEAR! ROTARY'S GOT YOUR BACK IS NOW COLLECTING CASH DONATIONS AND SCHOOL SUPPLIES TO HELP FILL THE BACKPACKS OF LOCAL KIDS IN NEED. WE WILL BE COLLECTING CASH AND OR SUPPLIES AT WALMART FRIDAY FROM 4 - 7 AND AT HY-VEE SATURDAY FROM 9 TIL NOON. YOU CAN ALSO MAIL YOUR ROTARY DONATIONS TO PO BOX 490, YANKTON, SD 57078. WE HELPED MORE THAN 70 KIDS LAST YEAR AND WITH YOUR HELP WE ARE HOPING TO DOUBLE THAT AMOUNT IN 2014.

1820 Give Aways

Solid, upholstered, blue swivel/rocker. Needs some cleaning. Call 605-665-0101.

1840 Lost and Found

FOUND: Single key in Riverside park on July 4th. Call (605)260-0543.

2000 Notices

THE YANKTON ROTARY CLUB NEEDS YOUR HELP AGAIN THIS YEAR! ROTARY'S GOT YOUR BACK IS NOW COLLECTING CASH DONATIONS AND SCHOOL SUPPLIES TO HELP FILL THE BACKPACKS OF LOCAL KIDS IN NEED. WE WILL BE COLLECTING CASH AND OR SUPPLIES AT WALMART FRIDAY FROM 4 - 7 AND AT HY-VEE SATURDAY FROM 9 TIL NOON. YOU CAN ALSO MAIL YOUR ROTARY DONATIONS TO PO BOX 490, YANKTON, SD 57078. WE HELPED MORE THAN 70 KIDS LAST YEAR AND WITH YOUR HELP WE ARE HOPING TO DOUBLE THAT AMOUNT IN 2014.

2010 Legal and Public Notices

7+16+23

NOTICE TO REDEEM FROM TAX SALE

Certificate Number: 100175 of 2010

Legal Description: Lot 15A Gavins Gulch except Lot 15B Engen Tract 14

To: Wayne Ryan; Julie Ryan, the owners of record, persons in possession and in whose name the property is taxed.

You are hereby notified of land and lots for unpaid taxes by the County Treasurer of Yankton County, South Dakota, the aforesaid real property situated in Yankton County, South Dakota, was published at the time taxes went delinquent. Yankton County Treasurer's Certificate of Sale was issued by the County Treasurer of Yankton County, South Dakota, who is now the lawful owner thereof. The right of redemption will expire and deeds for said parcels will be made upon the expira-

2010 Legal and Public Notices

tion of sixty days from completed service of notices.

Dated at Yankton this 11th day of July 2014

Pam Marchand

Treasurer of Yankton County

Published twice at the approximate cost of \$22.03.

7+9+16+23

STATE OF SOUTH DAKOTA)

COUNTY OF YANKTON)

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUITIn The Matter Of The Estate Of
BERNADETTE ANN

WOLLMAN,

Deceased

Pro. No. 14 - 41

NOTICE TO CREDITORS AND
NOTICE OF INFORMAL

PROBATE AND

APPOINTMENT OF

PERSONAL

REPRESENTATIVE

Notice is given that on the 30th day of June, 2014, Robert Wollman, whose address is 1103 Belfast Street, Yankton, SD 57078, was appointed as Personal Representative of the Estate of Bernadette Ann Wollman.

Creditors of Decedent must file their claims within four months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the Personal Representative or may be filed with the Clerk, and a copy of the claim mailed to the Personal Representative.

Robert Wollman

1103 Belfast

Yankton, SD 57078

Yankton County Clerk of Courts

410 Walnut, Suite 205

Yankton, SD 57078

Michael D. Stevens

Blackburn & Stevens, Prof. L.L.C.

100 West 4th Street

Yankton, SD 57078

(605) 665-5550

**P&D CLASSIFIEDS
WORK FOR YOU!
(605) 665-7811**

PUC Won't Force SD Co-Ops To Purchase Wind Company's Power

BY BOB MERCER

State Capitol Bureau

PIERRE — The South Dakota Public Utilities Commission ruled unanimously Tuesday against a company that wants to make rural electric cooperatives buy its wind power.

Prelude, based in Green Bay, Wisconsin, is attempting to use a 1978 law known as PURPA to force Basin Electric and five local-level cooperatives to purchase electricity Prelude plans to produce.

The five other cooperatives are Butte Electric at Newell, Grand Electric at Bison, Moreau-Grand Electric at Timber Lake, Rosebud Electric at Gregory and Rushmore Electric at Rapid City. They receive power from Basin Electric.

PURPA applies to rate-regulated utilities. Rural electric cooperatives aren't rate-regulated under South Dakota law.

Basin Electric, based in Bismarck, North Dakota, argued the PUC should dismiss Prelude's complaint because Basin isn't subject to rate regulation by the PUC.

Basin produces electricity and purchases electricity that it supplies to local-level rural cooperatives across the region.

PUC staff attorney Kristen Edwards agreed with Basin that the PUC doesn't

"In a way, aren't we going down a dead-end street?"

JOHN SMITH

have jurisdiction.

The commissioners voted 3-0 to dismiss Prelude's complaint.

"The state Legislature has not given us authority to rate-regulate cooperatives," commissioner Kristie Fiegen said.

Miles Schumacher, a lawyer representing Basin Electric, said the federal PURPA law doesn't extend rate-setting authority to state commissions over cooperatives that aren't public utilities.

Prelude lawyer Robert Lorge of Madison, Wisconsin, argued that Basin Electric hadn't filed proper documents with the South Dakota secretary of state's office that prove Basin is a rural electric cooperative.

He made another argument. "By their actions they're not really acting as a cooperative," Lorge said.

That is because Basin provides service known as wheeling where electricity generated by other utilities is carried over parts of Basin's transmission network, he said.

Public Utilities Commission member Chris Nelson said the secretary of state

documented Basin Electric Power Cooperative has been an active corporation in South Dakota since Dec. 16, 1968.

Lorge said that wasn't sufficient to prove Basin is a rural cooperative.

"I didn't see the dotting of i's and crossing of t's," Lorge said. He added, "The name doesn't mean anything."

Lorge said Basin charges for carrying other utilities' power over its lines and therefore isn't a cooperative in that respect.

The PUC's chief legal counsel, John Smith, said it's been clear for many years the commission doesn't regulate rates for rural electric cooperatives.

"In a way, aren't we going down a dead-end street?" Smith asked.

The ruling Tuesday was opposite of the commission's decision last year in a somewhat similar but also very different complaint.

The commission agreed last year NorthWestern Energy must purchase power from Oak Tree Energy's wind farm in Clark County under the same federal law.

Smith said NorthWestern is an investor owned utility whose rates the commission regulates.

Prelude plans wind farms in Perkins, Ziebach, Dewey, Tripp and Gregory counties, according to its PUC filing.

' Fargo' Gets 2nd Season; Will Feature Sioux Falls

BY ALICIA RANCILIO

Associated Press

BEVERLY HILLS, Calif. — FX is taking another trip to "Fargo," where the cast is changing but some of the characters are not.

The network announced Monday that it has renewed the series for a second season with new actors, time period and crime.

Executive Producer Noah Hawley told a TV Critics' panel that season two will be set primarily in North Dakota in 1979 with a younger version of the Lou Solverson character (played by Keith Carradine in season one.) His daughter, Molly, who Allison Tolman portrayed, is just 4 years old.

Hawley said he's open to changing the weather and is toying with starting the story in the winter and transitioning to spring and summer. Part of the season will be set in Sioux Falls, South Dakota, and Luverne, Minnesota.

The earliest the series will air is fall 2015.

Hawley said it would be

easier to tap the same actors to return, but he's committed to making "Fargo" an anthology.

FX CEO John Landgraf said that while he thinks casting an Oscar-winning actor like Billy Bob Thornton helped attract viewers, he's not sure that it's necessary for season two.

Landgraf noted that Tolman, who began the series as an unknown actress, now has an Emmy nomination.

"We needed Billy Bob Thornton, but now the show, the title, the tone, the writing ... are the star of that show," Landgraf said.

Landgraf compared "Fargo," which also starred Martin Freeman, to HBO's "True Detective," saying the latter "is gonna have to prove that it's more than just a vehicle for movie stars."

Hawley has "already proven he can write something really great," Landgraf said.

"Fargo" has earned 18 Emmy nominations. It was based on the 1996 Coen brothers' movie.

Firefighting Air Stations, Planes Now Operational In Nebraska

LINCOLN, Neb. (AP) — New emergency stations to store flame retardant and water for a firefighting airplane are up and running, a state forestry official said Tuesday.

The state-contracted plane and flight crew arrived last week for a two-month stint during the summer wildfire season, said Don Westover, the Nebraska Forest Service's rural fire protection program leader.

The forest service recently hired a manager for the single-engine air tanker base in Chadron, which was dedicated in April but officially went into operation earlier this month. Two other bases are also in place in Valentine and Alliance, in addition to a mobile unit that can travel to different airports. The bases serve as storage facilities for water and flame retardant, allowing the plane to reload and circle back to a fire quickly.

The planes and bases were approved after massive wildfires in 2006 and 2012 that threatened lives and property. Nebraska has not seen any major wildfires so far this year.

"All these fires start out small," Westover said. "If you can keep them that way, the fires of the magnitude that we saw in 2006 and 2012 might not occur. The (plane) can't do that all by itself, but it should help save resources and lessen the threat to human life."

In 2012, the state relied on a single-engine plane based in Hot Springs, South Dakota to help fight grass- and woodland fires.

The Legislature passed a law last year that allowed the state to contract for the firefighting plane during the summer. Supporters argued that having the plane stationed in Nebraska will help shorten response times and keep the state from competing with others for resources.

The single-engine plane can carry 550 to 700 gallons of liquid or foam flame retardant, Westover said. Emergency crews use them to extinguish fires in hard-to-reach areas, such as canyons or thick forests, and to soak grass quickly to keep flames from advancing.

The airport stations are comprised of three tanks: one for water, one for concentrated flame retardant and a third to mix them for use by the single-engine plane.

Gov. Dave Heineman signed another law in April to have Nebraska join the Great Plains Interstate Fire Compact. The agreement with Colorado, Wyoming and the Dakotas lets member states share their firefighting resources and equipment in an emergency without going through the federal government.

Attorney Seeks Gay Marriage Ruling

BY KEVIN BURBACH

Associated Press

BISMARCK, N.D. — The Minneapolis attorney representing the seven same-sex couples challenging North Dakota's gay marriage ban is asking a judge to bypass a trial and issue a ruling.

Attorney Joshua Newville filed a motion for summary judgment late Tuesday while also responding to the state's motion to dismiss the case.

The state attorney general's office filed a motion to dismiss on July 1 in U.S. District Court in Fargo. North Dakota Solicitor General Doug Bahr argued in court documents that states have the right to define and regulate marriage.

A message left with a

spokeswoman for the attorney general wasn't immediately returned.

In June, Newville filed the federal lawsuit, which challenges a voter-approved 2004 constitutional amendment banning gay marriage that passed with more than 73 percent of the vote. It claims it violates protections found in the U.S. Constitution, including the 14th Amendment's guarantees of equal protection and due process.

In the memorandum, Newville argues that the plaintiffs are entitled to summary judgment on their constitutional claims.

"With the filing of this motion today, we are seeking an order from a district judge that declares marriage equality the law of the land in North Dakota," Newville said

in an interview with the Associated Press on Tuesday.

A move for summary judgment has been common in other states wrestling over the issue of same-sex marriage, Newville said.

In May, Newville also filed a similar lawsuit in South Dakota on behalf of six same-sex couples. Newville's lawsuits made North Dakota and South Dakota the last two states to have constitutional same-sex marriage bans challenged in court.

"The state of North Dakota was the last state to challenge their same-sex marriage ban and the state's refusal to recognize same-sex marriages, but certainly they are every bit as entitled to marriage equality as every other state in the country."

\$1M Upgrade Sought For Dinosaur Park

RAPID CITY (AP) — An historic park overlooking Rapid City that features concrete and steel statues of dinosaurs might be in line for a \$1 million upgrade.

The City Council is seeking a federal grant of \$500,000 to match with an equal amount of city money to overhaul Dinosaur Park, the *Rapid City Journal* reported.

The 20-acre park was dedicated in 1936 and is listed on the National Register of Historic Places. The plan to upgrade the free park includes better pathways, an entrance shaped like a dinosaur bone, a viewing tower of downtown and a remodeled gift shop.

A major component of the proposed project is building a gently sloping walkway winding up the hillside from the city's Skyline Drive to the brontosaurus that overlooks downtown to the east and the Black Hills to the west. Access to the site currently is by a set of steep stone stairs, which makes the park largely inaccessible to visitors with disabilities.

The new path would create new experiences for tourists including a fire tower overlooking downtown, a paleontology dig site and a Black Hills geology wall.

The proposed remodel of the park gift shop that would include a dinosaur-bone entrance gate, an overlook patio at the rear of the building and an area for picnicking and bike rentals.

The grant is being sought from the federal Land and Water Conservation Fund, which is administered by the South Dakota Game, Fish and Parks Department.

Neb. Fares Well In Children's Report

LINCOLN, Neb. (AP) — Nebraska has fared well in a new national study of children's education and economic well-being.

The Kids Count report released Tuesday by the Annie E. Casey Foundation ranks Nebraska 10th overall.

The annual study ranked Nebraska fifth this year for children's economic well-being, down from fourth place the previous year. The state placed ninth overall when it came to education, up from 17th place in 2013.

The report says 18 percent of children lived in poverty as of 2012, the most recent year shown. Carolyn Rooker, executive director of Voices for Children in Nebraska, says the report demonstrates the need for heightened attention on the issue of child poverty.

Officials: Campfire Started RC Blaze

RAPID CITY (AP) — Rapid City officials are warning about the potential of grass fires after it was determined that a blaze at a local park was the result of a campfire.

The fire at Wilderness Park Monday covered about half an acre.

Rapid City Battalion Chief Rob Powell tells the *Rapid City Journal* that the grass is starting to turn and burn "quite quickly."

Powell says the public should be vigilant and report brush and grass fires as soon as possible.

SD Man Pleads Guilty In Fatal Crash

SIoux FALLS (AP) — A Sioux Falls man accused of driving drunk and killing a woman in a New Year's Day crash has pleaded guilty to first-degree manslaughter and second-offense driving under the influence.

The deal between 21-year-old Oscar Madrigal and prosecutors caps his prison time at 20 years and sees vehicular homicide, vehicular battery and reckless driving charges dropped.

A judge must agree. A sentencing date was not immediately scheduled Tuesday.

Police say Madrigal ran a flashing red light early on Jan. 1 in a Jeep and collided with a minivan, killing 38-year-old Tanya Sanchez and injuring her husband. Authorities say Madrigal's blood-alcohol level was more than twice the legal limit for driving.

Neb. Veterans Home Gets Clean Survey

SCOTTSBUFF, Neb. (AP) — The Western Nebraska Veterans' Home in Scottsbluff recently received its fifth deficiency-free survey from the U.S. Department of Veterans Affairs.

The Nebraska Department of Health and Human Services says in a statement an eight-member survey team from around the country noted no deficiencies during a June survey. The team evaluates life safety, resident care, environment, staff training and development, dietary-food service, banking and billing services for veterans, recreation/activities, medical staff credentialing, social work, and all areas related to quality assurance and care.

John Hilgert, director of the Division of Veterans' Homes in the Nebraska Department of Health and Human Services says it's unusual to have five no-deficiency surveys.

The state's Division of Veterans' Homes includes facilities in Bellevue, Norfolk, Grand Island and Scottsbluff.

Mountain Lion Near Children Shot

CHADRON, Neb. (AP) — A mountain lion has been shot south of Chadron after a man observed it crouching in the grass about 20 yards from his home where two young children were on a patio.

The Nebraska Game and Parks Commission says in a statement the 5-month-old female mountain lion was shot Saturday.

The man retrieved a rifle from the house and approached the animal, then shot it when it stood but did not flee. The mountain lion weighed about 30 pounds.

As required by law, the man immediately notified authorities after shooting the animal.

The Dawes County Sheriff's Department investigated the incident and took possession of the animal. It was transferred to Nebraska Game and Parks officials Sunday.

Authorities determined the man acted within the law.