

2010 Legal and Public Notices

authorized well completed into the Missouri:Elk Point Aquifer (80 feet deep) located in the SE 1/4 NW 1/4 Section 8 for irrigation of 35 additional acres located in the E 1/2 SW 1/4, SW 1/4 SW 1/4 Section 8; all in T93N-R52W. 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. 7785-3 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 May 28, 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 \$31.11.

5+17  
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 New Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2013, to June 30, 2014, from Bernard Properties, LLC d/b/a The Picnic Place, (MelCena Bernard, Managing Partner), 200-204 West 3rd Street, Yankton, SD 57078.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Tuesday, May 28th, 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 Dakotathis 13th day of May, 2013.

Al Viereck  
FINANCE OFFICER  
Published once at the approximate cost of \$14.73.

5+17  
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 the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2012, to June 30, 2013, from ChinaTown, Inc. d/b/a Chinatown, (Desheng YE, owner), to Wei Chuan Chu d/b/a China Town, 2007 Broadway Avenue, Yankton, South Dakota.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Tuesday, May 28th, 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 Dakotathis 13th day of May, 2013

Al Viereck  
FINANCE OFFICER  
Published once at the approximate cost of \$14.40.

Read & Recycle!

5+17  
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 New Retail (on-off sale) Wine License for January 1, 2013, to December 31, 2013, from Bernard Properties, LLC d/b/a The Picnic Place, (MelCena Bernard, Managing Partner), 200-204 West 3rd Street, Yankton, SD 57078.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Tuesday, May 28th, 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 Dakotathis 13th day of May, 2013.

Al Viereck  
FINANCE OFFICER  
Published once at the approximate cost of \$14.40.

5+17+24  
NOTICE TO BIDDERS

Town of Lesterville requests formal bids for Street Repair. This project consists of pavement restoration. Sealed bids may be hand-delivered to the Finance Office, deposited in the town's "drop box" in front of the fire hall building or mailed to Town Of Lesterville PO Box 36 Lesterville SD 57040. All bids must be received by June 10, 2013 at 5p.m. All envelopes must contain a notation of "Street Repair" on the front of the envelope. Bids will be opened and read at 7pm, June 10, 2013 at Lesterville Fire Hall Meeting Room.

Specifications are as follows:  
Areas to be repaired within the city limits are outlined in red paint. All areas must be cut out 4 inches deep and compacted asphalt overlay to match existing street level.

Questions regarding the submission of street repair bids can be directed to Paul Scherschligt (605-661-4289) or Finance Office (605-364-7793).

The Lesterville Town Board reserves the right to accept or deny any or all bids.

Dated this 15th day of May, 2013

Janelle Munkvold  
Finance Officer  
Town Of Lesterville  
Published twice at the approximate cost of \$18.07.

5+17+24  
ADVERTISEMENT FOR BIDS

Notice is hereby given that the City of Yankton, South Dakota will receive bids for the **2013 Water Treatment Plant No. 2 Upgrades**.

The project includes the following major construction items:

- o Removal and replacement of the existing carbon dioxide feed system.
- o Removal and replacement of the existing powdered activated carbon feed system.
- o Removal of the existing lime transfer system and replacement with new pneumatic transfer system.
- o Removal of existing piston pump.
- o Provide two new rotary lobe pumps and associated piping for lime sludge
- o Electrical associated with the equipment replacement and new equipment.
- o SCADA communication system upgrades
- o Cut-in new interior office window
- o And Other Miscellaneous Items

A prebid conference will be held at 10:00 AM on May 29, 2013 at the Water Plant No. 2 Facility, 105 W. Riverside Drive, Yankton, SD 57078. Attendance at the pre-bid conference is encouraged; however, it is not mandatory.

Owner reserves the right to make the award based on the lowest responsive bid.

Sealed bids will be received for the City Commission of the City of Yankton, South Dakota, at the office of the City Finance Officer of said City until 3:00 PM or may be hand delivered to the place of opening at 3:00 PM on the 12th day of June 2013, at which time they will be publicly opened and read in the Second Floor Meeting Room located at 416 Walnut Street in Yankton, South Dakota. Disposition of said bids is expected to be held on the 24th day of June, 2013, after 7:00 PM, in the Technical Education Center at 1200 W. 21st Street, Yankton, South Dakota.

In accordance with South Dakota Codified Law 5-18B-1, one copy of Plans and Specifications shall be furnished, without

charge, to each Contractor resident in South Dakota who intends, in good faith, to bid upon the project. For qualifying contractors, plans and specifications can be obtained by contacting Mr. Kevin Newman, HDR Engineering, 6300 S. Old Village Place, Sioux Falls, SD 57108-2101, phone number 605-977-7740, or by email at kevin.newman@hdrinc.com.

Plans and Specifications may be obtained from the Quest Construction Data Network Website (http://www.questcdn.com), Project #2697749 for Twenty and No/100 Dollars (\$20.00). All Quest payments for downloads are non-refundable.

Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, downloading and working with this digital project information. Addendums, if any, will be issued by email from QuestCDN only.

The Bidder to whom the contract is awarded will be required to furnish a construction performance bond and a construction payment bond to the OWNER in the amount of one hundred percent (100%) of the contract award for each bond, in conformance with the requirements of the Contract Documents. The construction performance bond and construction payment bond shall remain in full force until the completion of the Contract as specified in the General Conditions.

Each Bid must be accompanied by a certified check, cashiers check or draft in the amount of 5% of the base bid and all add alternates and drawn on a State or National Bank or a 10% bid bond issued by a surety authorized to do business in the State of South Dakota and made payable to the City of Yankton.

The bid guarantee will be retained by the OWNER as liquidated damages if the successful bidder refuses or fails to enter into an Agreement within fourteen (14) days after Notice of Award or fails at time of executing the contract to furnish a construction performance bond and construction payment bond guaranteeing the faithful performance of the work.

Bids may not be withdrawn after the time fixed for opening them. The OWNER reserves the right to reject any and all bids, and to waive any irregularities therein.

Bidders on this work will be required to comply with the President's Executive Order Nos. 11246 as amended, 11518 and 11625 as amended. The requirements for bidders and contractors under these orders are explained in the specifications.

Bidders on this work will be required to comply with Title 40 CFR 33 and Executive Order 12138. The requirements for bidders and contractors under this regulation which concerns utilization of Disadvantaged/Minority Business Enterprises (DBE/MBE) and Women's Business Enterprises (WBE) are explained in the specifications. The DBE/MBE and WBE goals for participation in this contract in terms of percentage of contract value are as follows: MBE 1.0 percent; WBE 4.0 percent.

Davis Bacon and Related Acts wages apply to this project. All provisions relative to those acts must be met.

Published two (2) times at an approximate cost of \$104.87.

5+17+24+31  
STATE OF SOUTH DAKOTA  
COUNTY OF YANKTON

IN CIRCUIT COURT  
FIRST JUDICIAL CIRCUIT

ESTATE OF JAMES T. GOETZ  
Deceased

PRO 13-11

Notice to Creditors and Notice of Informal Probate and Appointment of Co-Personal Representatives

Notice is given that on the 2nd day of April 2013, Deborah Beckmann, whose address is 423 South 162 Street, Omaha, NE 68118; Nancy Corcoran whose address is 321 Washington Avenue, Sheldon, IA 51201; and James T. Goetz, Jr. whose address is 18255 E. Powers Place, Centennial, CO 80015, were appointed as co-personal representative of the estate of James T. Goetz.

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 co-personal representatives or may be filed with the clerk, and a copy of the claim mailed to the co-personal representatives.

Dated April 2, 2013.  
Co-Personal Representatives

/s/; Deborah Beckmann  
423 South 162 Street  
Omaha, NE 68118

/s/;

Nancy Corcoran  
321 Washington Avenue  
Sheldon, IA 51201

/s/; James T. Goetz, Jr.  
18255 E. Powers Place  
Centennial, CO 80015

Jody Johnson  
Yankton County Clerk of Courts  
410 Walnut St. #205

Gary W. Conklin, Attorney for Personal Representatives.  
300 N. Dakota Ave. #608  
Sioux Falls, SD 57104  
Tele. 605-978-0036

And Frederick D. Stehlik, Attorney for Person Representatives  
Gross & Welch, P.C., L.L.O.  
2120 South 72nd St., Suite 1500  
Omaha, NE 68124  
Tele. 402-392-1500 Fax: 402-392-8101

5+3+10+17+24  
STATE OF SOUTH DAKOTA)

:SS  
COUNTY OF YANKTON)

IN CIRCUIT COURT

FIRST JUDICIAL CIRCUIT

CASE NO. 13-\_\_\_\_

ORDER FOR PUBLICATION

In the Matter of the Termination and Adoption of the Child known as

R.A.B.,

Minor Child.

YOU WILL PLEASE TAKE NOTICE that Kraig L. Kronaizl of Blackburn & Stevens, Prof. L.L.C. will bring on for hearing the Petition For Termination of Parental Rights of Kristen R. Works filed by Thomas Barry Beltran and Petition For Adoption of the minor child R.A.B. filed by Nicole Lynn Beltran before the Hon. Cheryle Gering in Courtroom "A" of the Yankton County Courthouse and Public Safety Center, 4th and Walnut, Yankton, South Dakota, on the 25th day of June 2013, at the hour of 9:00 o'clock a.m., or as soon thereafter as counsel can be heard.

The biological mother of the minor child must file any objections prior to the hearing or her parental rights will be terminated. Objections may be filed with the Yankton County Clerk of Courts, and a copy of the objections mailed to Kraig L. Kronaizl of Blackburn & Stevens, Prof. L.L.C.

Dated this 25th day of April, 2013.

BY THE COURT: (SEAL)  
  
/s/; Hon. Cheryle Gering  
Circuit Court Judge  
  
ATTEST:  
/s/; Jody Johnson  
Yankton County Clerk of Courts  
By: SAnderson  
  
Yankton County Clerk of Courts  
410 Walnut Street, #205  
Yankton, South Dakota 57078  
  
Kraig L. Kronaizl  
BLACKBURN & STEVENS,  
PROF. L.L.C  
100 West 4th Street  
Yankton, South Dakota 57078  
(605) 665-5550

With Fondest Memories

We remember those who have passed away and are especially dear to us.

On Saturday, May 25th we will publish in print and online at Yankton.net a Memorial Day section devoted to those who are gone but not forgotten.

Select one of the verses below to accompany your tribute.

1. We hold you in our thoughts and memories forever.
2. May God cradle you in his arms, now and forever.
3. Forever missed, never forgotten. May God hold you in the palm of His hand.
4. Thank you for the wonderful days we shared together. My prayers will be with you until we meet again.
5. The days we shared were sweet. I long to see you again in Gods heavenly glory.
6. Your courage and bravery still inspire us all, and the memory of your smile fills us with joy and laughter.
7. Though out of sight, you'll forever be in my heart and mind.
8. May the light of peace shine on your face for eternity.
9. May God's angels guide you and protect you throughout time.
10. You were a light in our life that burns forever in our hearts.
11. May God's graces shine over you for all time.
12. You are in our thoughts and prayers from morning to night and from year to year.
13. We send this message with a loving kiss for eternal rest and happiness.
14. May the Lord bless you with His graces and warm, loving heart.
15. I have written my own message and it is included.

Aneta Burrows  
Dec. 30, 1960-Nov. 8, 2002

Your courage and bravery still inspire us all, and the memory of your smile fills us with joy and laughter.

Dan, Ann & Sarah

To remember your loved one in this special way, send \$12.00 per listing, up to 25 word verse and \$5 for photo.

Fill out the form below and mail to:  
Yankton Daily Press & Dakotan/With Fondest Memories  
319 Walnut Street, Yankton, SD 57078

Deadline: Tuesday, May 21, 2013

Name of deceased \_\_\_\_\_  
Date of birth \_\_\_\_\_ Date of passing \_\_\_\_\_  
Number of selected verse \_\_\_\_\_ OR Personal message (25 word limit) \_\_\_\_\_  
Print your name here \_\_\_\_\_  
Phone Number \_\_\_\_\_ Address/City/State/Zip \_\_\_\_\_

Call Classifieds 665-7811 • www.yankton.net

Hy-Vee

EMPLOYEE OWNED

2100 Broadway, Yankton • 665-3412  
Pharmacy 665-8261 • Floral Dept. 665-0662

Salutes Our Favorite Graduates!

At Hy-Vee, we're very proud of our student employees. They are fine young men and women and have worked hard during their high school and college careers at achieving excellent grades while also working hard at satisfying you, our customer and boss. They feel a high sense of accomplishment when you feel they've given you excellent service. Please join us in congratulating them on their graduation.

Tonya Graff, Hy-Vee Store Director

Alexa Berg YHS  
Garrison Brockberg YHS  
Ryan Chavis YHS  
Fiona Dahlberg YHS  
Dustin Dvorak YHS  
Rebekah Frederick Home School  
Jamie Healy Irene-Wakonda  
Shayla Heydon YHS  
Troy Hunhoff YHS  
Thomas Kellen YHS  
Garret Kleinsmith YHS  
Thomas Kruse YHS  
Alex Martin Bon Homme  
Paige Medeck YHS  
Kyle Miller YHS  
Tyler Miller Bon Homme  
Noemi Nino YHS  
Mikayla Pinkelman Newcastle  
Morgan Privett YHS  
Royce Reisner YHS  
Patrick Ryken YHS  
Silas Schaeffer YHS  
Alyssa Schroeder YHS  
Nichole Steiner YHS  
Matthew Strom YHS  
Samantha Whitley YHS  
Kennedy Winteringer YHS

Not Pictured  
Jonathon Economy, Bellevue University  
Courtney Hannahs, USD  
Michael Blassl, Gayville Volin  
Dillon Buchanan, Irene Wakonda  
Tanner Joachimsen, Gayville Volin  
Brianna Kling, YHS

Best Wishes  
TO THE CLASS OF 2013