

1870 Ag Equipment

Farmall M Tractor with loader, narrow front. Runs good, \$1,850. Call (605)760-0378 after 3:30pm.

2010 Legal and Public Notices

10+25&11+1

NOTICE TO PROPERTY OWNERS

Notice is hereby given that the Yankton Board of City Commissioners will meet on Monday the 11th day of November, 2013, at 7:00 P.M. in the City of Yankton Community Meeting Room, located at the Technical Education Center, Room 114, 1200 West 21st Street, Yankton, South Dakota, to consider the approval of the Special Assessment Rolls filed the 27th day of September, 2013.

Said special assessments being levied for the Destruction of Noxious Vegetation and the Abatement of Nuisances

Said Special Assessment Rolls are open for public inspection at the office of the City Finance Officer, City Hall, 5th and Walnut Street, Yankton, South Dakota and is referred to for further particulars.

This notice is given pursuant to SDCL 9-43-14.

Al Viereck
Finance Officer
City of Yankton

Published twice at the approximate cost of \$25.66.

11+1

NOTICE OF APPLICATION NO. 7899-3 to Appropriate Water

Notice is given that Max Frhr. Raitz VonFrentz, c/o Justin Orr, 30804 Bluff Rd, Volin SD 57072 has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (100 feet deep) located in the NW 1/4 Section 13 for irrigation of 97 acres located in the NW 1/4 Section 13; all in T93N-R53W. The applicant is requesting a diversion rate greater than the statutory limit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7899-3 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 November 12, 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. Pimer, Secretary, Department of Environment and Natural Resources.

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

11+1

NOTICE OF APPLICATION NO. 7898-3 to Appropriate Water

Notice is given that Max Frhr. Raitz VonFrentz, c/o James Orr, 2947 Pettersen Rd, Vermillion SD 57069 has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (100 feet deep) located in the SW 1/4 Section 12 for irrigation of 132 acres located in the SW 1/4 Section 12; all in T93N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7898-3 because 1) unappropriated water is available, 2) existing

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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 November 12, 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. Pimer, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$25.49.

11+1+8+15+22
STATE OF SOUTH DAKOTA)

COUNTY OF YANKTON)

**IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT**

CIV. #13-326

NOTICE OF CONTINUED HEARING ON PETITION FOR CHANGE OF NAME

IN THE MATTER OF THE CHANGE OF NAME OF:

KRISTA MARIE ROTH,

Petitioner.

THE STATE OF SOUTH DAKOTA TO: All other interested persons

NOTICE IS HEREBY GIVEN THAT a Petition for Change of Name has been filed by Krista Marie Roth wherein she seeks to change her last name from "Krista Marie Roth" to "Krista Marie Kelly."

NOTICE IS FURTHER GIVEN THAT the undersigned will bring on for hearing the Petition for Change of Name of Krista Marie Roth before the Honorable Cheryl Gering at the Yankton Public Courts & Safety Center which is located at 5th and Walnut, Yankton, South Dakota, on the 10th day of December, 2013, at 10:00 o'clock a.m., or as soon thereafter as counsel can be heard at which time any interested person may appear and contest the proposed change of name.

Dated this 29th day of October, 2013.

HARMELINK, FOX &
RAVNSBORG LAW OFFICE

Wanda Howey-Fox
Attorney at Law
721 Douglas — Suite #101
Yankton, SD 57078
(605)665-1001

11+1

NOTICE OF HEARING on Application No. 7900-3

Notice is given that Leon Thompson, 401 S 11th St, Beresford SD 57004 has filed an application for a water permit to appropriate 1.89 cubic feet of water per second from one well to be completed into the Upper Vermillion:Missouri Aquifer (151 feet deep) located in the NW 1/4 NE 1/4 Section 6 for irrigation of 136 acres located in the NE 1/4 Section 6; all in T95N-R51W.

SDCL 46-2A-4(10) provides that "if the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the Chief Engineer's recommendation and no hearing may be held before the

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board, unless the Chief Engineer makes a finding that an application, even if uncontested, presents important issues of public policy or public interest that should be heard by the board." In this case, the Chief Engineer finds that this application presents important issues of public interest that should be heard by the Water Management Board.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends DEFERRAL of Application No. 7900-3 until information is available to determine if there is reasonable probability that there is unappropriated water available for the applicant's proposed use. Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that unappropriated water is available.

The Water Management Board will consider this application at 11:00 a.m. on December 5, 2013 in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave, Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

Any interested person who intends to participate in the hearing shall file a petition to oppose or support the application and the petition shall be filed with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 November 25, 2013. The petition may be informal, but shall be in writing and shall 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. The hearing is an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing and decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The December 5, 2013 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any person who has filed a petition to oppose or support the application. The request for an automatic delay must be filed by November 25, 2013. If an automatic delay is requested, the hearing will be rescheduled for a future Board meeting and personal notice will be provided to all petitioners regarding the time, date and location.

Contact Eric Gronlund by November 25, 2013 at the above Chief Engineer's address to request copies of the staff report, recommendation, application or other information. Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Environment and Natural Resources at least 48 hours before the hearing if you have a disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Chief Engineer is November 12, 2013. However, since this particular matter is a water permit application and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

As applicable, the following provides the legal authority and jurisdiction under which the hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31 46-5-32

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thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25:02; 74:02:01:35:01.

Steven M. Pimer, Secretary, Department of Environment and Natural Resources.
Published once at an approximate cost of \$63.88.

11+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 RETAIL (on-sale) Wine dealers License for 1 day, December 15, 2013, from Historic Downtown Yankton, Inc., (Kathy Church, Sec./Treas.), Dakota Theatre, 328 Walnut Street, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, November 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 October, 2013.

Al Viereck
FINANCE OFFICER

Published once at the approximate cost of \$16.39.

11+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 the transfer of ownership of a Package (off-sale) Liquor License for January 1, 2013, to December 31, 2013, from Stern Oil Co., Inc. (Gillis Stern, President), d/b/a Prairie Pumper to Annis Properties, Inc. (Kevin Annis, President), d/b/a Prairie Pumper, 909 Broadway Avenue, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, November 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 October, 2013.

Al Viereck
FINANCE OFFICER

Published once at the approximate cost of \$17.05.

11+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 RETAIL (on-sale) Wine dealers License for 1 day, November 16th, 2013, from Lewis & Clark Theatre Company (Shauna Marlette, Managing Director), 328 Walnut, Yankton, SD 57078.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, November 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

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heard.

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

Brad Bies
Community Development
City of Yankton

Published twice at the approximate cost of \$23.98.

125th

From Page 1A

up. It's fun to see people taking on character roles. And it's educational. You've got kids who might or might not have heard of some of these people who are the founding fathers of our state, but it's going to resonate a little bit better when you see somebody doing it live as opposed to reading it in a book."

Nelson said the museum has been involved getting re-enactors prepared to take on their roles.

"I did all the scripts and the biographical backgrounds," Nelson said. "Some people will be reading from a script; some people will be improvising."

Re-enactors will be dispersed throughout downtown Yankton, as well as the Cramer-Kenyon Heritage House at 509 Pine St., from 3:30 - 5:30 p.m. Saturday with the gala events beginning at 6 p.m. at the Riverfront Event Center. The Cramer-Kenyon House re-enactors will start at 3 p.m.

One such re-enactor is Nathan Johnson, a reporter at the *Press & Dakotan*. He will be portraying President Theodore Roosevelt, who in addition to being featured on Mount Rushmore, has also been connected to Yankton historically.

"Roosevelt actually visited Yankton twice that I am aware of," Johnson said, "once as a candidate for vice president and the next as the president of the United States."

Johnson said he has put a lot of time into researching the role.

"I've been watching documentaries and listening to recordings of his speeches," he said. "Interestingly, the text of many of his speeches can be found online. I could not find the speech he delivered in Yankton while president, but there are transcripts of speeches he gave in Mitchell and Sioux Falls on the same day."

Additionally, Johnson said he hopes the event inspires others from around the area to become more aware of the city's past.

"I hope others find it interesting, as well, and take advantage of this 125th celebration to discover things about South Dakota's — and, in particular, Yankton's — past that they may not have previously known," he said.

Other's being portrayed include Gen. George Custer, Arthur C. Mellette (last governor of the Dakota Territory and first governor of South Dakota) and George W. Kingsbury (first editor of the *Press & Dakotan*).

Also helping to supply acting talent and costumes is Lewis & Clark Theater Managing Director Shauna Marlette.

She said if the state's centennial was any indication, the 125th anniversary will be a great experience for all involved.

"I remember in (1989) when South Dakota's 100th was — getting to dress up in the fun, historic costumes and marching in parades and what-not," Marlette said. "Hopefully people take this opportunity to get their kids involved so they have something to remember, too, because it is a big deal."

Nelson said Saturday may not be the last time we see re-enactors tied to the quasicentennial.

"The 125th (anniversary) wagon train will be starting in Yankton next year in September," Nelson said. "There will probably be some re-enactors coming to life again. There's been some initial talk about that."

The list historical figures and their locations is as follows:

- Mary Ash, Bridget Stange - Yankton County Courthouse
- Charles Picotte, Capt. Grant Marsh - Schwenk-Barth Brewing Company
- Arthur & Margaret Mellette, Gen. George & Libby Custer - Dakota Theatre
- George & Lydia Kingsbury - *Press & Dakotan* Building
- For more information on the gala ball visit <http://www.yanktonsd.com/sd125/>.
- Jack McCall - Corner of 3rd & Cedar St.
- President Teddy Roosevelt - Corner of 3rd & Walnut
- Gen. William & Ellen Beadle - Dakota Territorial Replica Building
- Felix & Anna Vinatieri - Gala Ball
- Herbert & Esther Kenyon, Nelson & Alice Cramer, Dr. Joseph & Sarah Ward - Cramer-Kenyon House

For more information on the gala ball, as well as a full list of historical figures and a map of their locations, visit <http://www.yanktonsd.com/sd125/>.

You can follow Rob Nielsen on Twitter at twitter.com/Rob-NielsenPandD/. Discuss this story at www.yankton.net/