

The Owyhee Avalanche

VOLUME 18, NUMBER 27

HOMEDALE, OWYHEE COUNTY, IDAHO

SEVENTY-FIVE CENTS

Homedale District scores well on assessment tests

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God bless America... and mend its every flaw

William Perry Pendley
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Fair board refuses rodeo board's lease option

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Derby cars ignite Independence Day events

Marsing fireworks launched tonight

The Marsing Chamber of Commerce will host a memorial 4th of July celebration tonight (Wednesday) to honor the town's former mayor who died earlier this year from a long battle with cancer.

The Jenny Haken Memorial 4th of July celebration will be held on July 3 beginning at 6 p.m. at the city park with a Lion's Club annual barbecue.

Cost for the barbecue will be \$6 for adults, \$3.50 for children and children under four will be free. Don Denton from the Lions Club said the meat has been donated by Snake River Mart and Jeff Percifield will again prepare the steaks. He said longtime cook Bob Malmberg would again greet hungry participants.

At 7 p.m. the Annual Doodle Bug race will be held at the city park with the winning "bug" crossing the finish line for a first place prize. The owner of the first place finisher will receive \$500 followed by a \$250 second place prize and a \$100 third place prize. Tickets are being sold for \$5 each or

three for \$10 and are available at Marsing Hardware Store, The Service Station Antiques and Espresso, and from members of the Chamber of

Commerce.

From 7 until 10:30 p.m. at the Marsing Island Park, Donna and Jim Huntley and Woody Purdom's band

will entertain participants with live music. Patriotic sounds will be played throughout the evening with music provided by Marsing City Councilwoman Carol Edwards.

Popcorn, watermelon and pop stands will be available at the Island Park for refreshments.

Fireworks displays will be shot into the air over the Snake River at 10:30 p.m.

Homedale's 20th annual Lion's Club Demolition Derby will kick off 4th of July events in the northern part of Owyhee County beginning next Thursday.

The gates will open at 5:30 p.m. and the derby action will begin at 7 p.m. Nearly 40 drivers have signed up for this year's event, the most cars anyone can recall. Directors said they chose to change the time of the derby this year so the action would end in the dark for the fireworks display, which begins immediately after the derby.

Tickets are still available at any Select-a-Seat location.

In Marsing on Thursday, Andy's 10th annual Car Show and potluck dinner will be held at Marsing Island Park.

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Owyhee's share of PILT funds to be \$594,479

The Bureau of Land Management (BLM) will send almost \$14 million to Idaho counties in accordance with the Payments in Lieu of Taxes Act (PILT) for fiscal year 2002. Secretary of the Interior Gale Norton announced that PILT payments are being sent three months earlier to help local governments budget for their fiscal years.

Owyhee County is to receive \$594,479 this year,

according to Kim Buxton, Public Affairs Specialist at the Idaho Bureau of Land Management.

The BLM administers PILT payments, which are provided by the federal government to offset tax revenues lost because of tax-exempt federal land in their jurisdictions. "PILT payments are essential to support vital community services—such as firefighting, police protection, and providing

healthcare in rural communities across the West," said BLM Director Kathleen Clarke. By moving up the payments, we are providing counties with flexibility to manage their budgets," she added.

Congress appropriates funds for PILT payments to eligible units of local government each year. The BLM calculates the amount of payments using a

— to page 4

Businesses search for answers to road project

"Someone has got to put a stop to this"

Several business owners along Main Street in Homedale are searching for answers to the reason why the new roadway is nearly three feet higher than they were originally told it would be. Several entrepreneurs have even stated they are seeking legal advice to put a stop to the project.

"This is the worst thing that has ever happened to Homedale if it goes through," Homedale dentist William Jeppe said. "If that road is going to be that high, someone is going to get hurt. I think it is an atrocity. It isn't only going to be ugly, but people are going to get hurt in the wintertime trying to walk down the 'ramp' off the sidewalk to get into my office. They are going to get sued by injury cases over the years. "I talked to Hap Duryee and David

Freelove several times" Jeppe continued. "In no place have I ever heard that it was going to be this high. This is going to ruin this part of the Homedale strip. This is not even going to be functional. I am flabbergasted. I can't imagine anyone in their right mind looking at this and saying this would be functional."

A two-to-three-foot wall of gravel is now facing the entrance to most businesses on Main Street and the city

has informed them they do not intend change the status of the road work.

Jeppe is not the only business who says the design is inadequate. Sunnydale Motel owner David Douglas said his building is falling apart due to the construction and he will lose four parking spaces and an entrance to his garage because of the road improvement.

"They said they will not replace the

— to page 5

Truck fire ignites rangeland south of Marsing



Brush fire ...

Several hundred acres of grazing land were burned last week south of Marsing when a pickup caught fire. The pickup was destroyed, and the fire spread from the south end of Clark Road west to Squaw Creek on Sommercamp Road. Firefighters from Marsing, MRW, and the BLM battled the blaze.

A fire which ignited from an overheated pickup truck scorched nearly 700 acres of public land near Marsing last Wednesday night sending local fire departments and Bureau of Land Management fire crews scrambling.

BLM Fire Specialist Randy Eardle said three engines, two dozers and one water tender from the bureau and three fire trucks from the Marsing Fire District contained the blaze off of Summer Camp and Clark Road at approximately 1:30 a.m. He said the fire was completely controlled at 4 p.m. Thursday afternoon.

Eardle said no restrictions have been placed in Owyhee County yet, but he would like to ask people to be aware of the fire danger as the summer months continue.



Scorched

Nearly 700 acres of public land was blackened last week after an overheated pickup truck ignited dry cheat grass and sage brush.

State has control of Snake River Islands

The federal government turned over 159 of 213 islands in the Snake River between Swan Falls Dam and the headwaters of Brownlee Reservoir. Idaho Attorney General Alan Lance’s Chief of Staff, Lawrence Wasden, said U.S. District Judge B. Lynn Winmill approved the settlement agreement last week. A dedication of the islands was held at Riverside Park in Homedale Thursday where speakers from the attorney general’s office discussed the reasons Winmill stated for the decision.

The case arises from a Snake River Basin Adjudication case in which the U.S. Fish and Wildlife Service claimed a federal reserve water right to sufficient water ensuring that the islands in the Deer Flat National Wildlife Refuge remained islands. After concluding that the United States was claiming a federal reserve water right for islands that the State of Idaho owns, Lance’s office filed suit in federal court to resolve the legal dispute over ownership of the islands.

“Importantly, the clarification of ownership has enhanced the ability of the Department of Interior to manage the Deer Flat National Wildlife Refuge, one of the premier refuges in the United States,” Wasden continued. “The certainty of ownership allows the Department of Interior to focus its efforts on management of resources for the benefit of fish and wildlife on these islands. It has also opened the door to greater state and federal cooperation.”

The age of the individual islands was a critical issue in clarifying whether the State of Idaho or the United States owned that island. Under the Equal Footing Doctrine, new

states are admitted to the union on an “equal footing” with the original 13 states. Since the title to the beds and banks of navigable waters passed to the original 13 states, the State of Idaho became the owner of the bed of the Snake River upon Idaho’s admission on July 3, 1890. Since the bed of the river belongs to the state, any islands that formed on the state’s submerged riverbed after July 3, 1890 are state property. Conversely, islands that existed on July 3, 1890 remained federal property.

“This settlement is the result of 6 months of negotiations between the State of Idaho, the U.S. Department of Justice and

the U.S. Fish and Wildlife Service,” Wasden said. “As a result of this settlement, the State of Idaho now has title to 159 of the islands without the need to pursue lengthy and costly litigation.”

To prove its case, the state compared aerial photographs from 1938 with those from 1996 that showed several islands had emerged. Scientists working for the state also dug 95 pits to aid in aging the islands. They dug up modern items like a rod and piston from an engine, which was on display during the presentation ceremony Thursday.

“The State of Idaho defeated the Deer Flat claims in the

SNAKE RIVER BASIN Adjudication Court as well as the Fish and Wildlife’s Service’s appeal to Idaho’s Supreme Court,” Wasden said. “As a result, more than 1 million acres of irrigated farmland in southern Idaho, which had been threatened by those claims, remain in production today.”

“Under terms of the settlement, the State of Idaho has clear title to 109 Snake River islands. The U. S. Fish and Wildlife Service owns 54 of the islands. Title to the remaining 50 islands goes to the State of Idaho with the federal government specifically disclaiming ownership of those 50 islands,” Wasden said.

“This settlement and the final outcome of the Deer Flat water case, indicates a significant change in the way Washington, D.C., works with the states,” Wasden said. “The Bush Administration came to the negotiating table with a pragmatic and realistic view.”

They also found pollen from plants brought into Idaho since statehood, including Russian

olive trees. The age of the islands was determined by comparing the depth where the items were found to the historic high-water mark of the river.

The lawsuit came out of an earlier dispute between the federal government and the state over water rights. The federal government claimed a reserved right to sufficient water to ensure the islands in the Deer Flat Wildlife Refuge remained surrounded by water.

The Idaho Supreme Court ruled against the federal claim. In the course of the lawsuit, the state discovered the federal government was claiming islands it did not own, Wasden said.

“As a result, more than one million acres of irrigated farmland in southern Idaho, which had been threatened by those claims, remain in production today.”

Wasden praised the Bush administration for reaching the settlement.

“The Bush administration came to the negotiating table with a pragmatic and realistic view,” he said. -CP



State controls islands

Lawrence Wasden, (right) chief of staff to Idaho Attorney General Al Lance speaks to reporters during a press announcement at Homedale’s River Side Park. The Attorney General’s office announced they would take control of over 100 islands on the Snake River between Swan Falls Dam and the headwaters of Brownlee Reservoir.

Sheriff wants more money from BLM

The Owyhee County commissioners renewed the contract between the county and the BLM whereby the county sheriff provides patrol services to the BLM for \$4,000 per month, but Owyhee County Sheriff Gary Aman told the commissioners at the signing on Monday, June 24 that he plans to ask the BLM for a larger amount of money than the contract currently specifies.

“For a start,” Aman said, “I think they should fund the entire cost of our backcountry deputy.” According to Aman, the BLM’s own patrolman spends very little time in Owyhee County.

The Department of the Interior and the US Dept. of Agriculture employ their own federal officers, but typically contract with county sheriff’s departments and sheriff’s associations to provide additional law enforcement services on land under federal management.

Fair board refuses rodeo board's lease option

In an attempt to put an end to a long time battle between the Owyhee County Fair Board and the local rodeo board, Owyhee County Commissioners requested that the fair board offer a lease agreement to the rodeo board during a commissioner's meeting in Murphy last week. But Commissioner Chris Salove said the request probably would not be met.

A special meeting of local non-profit groups was called last week and members of the American Legion, Chamber of Commerce, fair board, rodeo board and the Lion's Club attended. Salove said the meeting was called to have one member of each group attend, but when the meeting began several members from each group attended, except from the fair board.

"Tim Mackenzie from the rodeo board said when he got the phone call to attend the meeting he was not told only one person was supposed to show up," Salove explained. "The meeting was heated right from the start. Bill (Watterson) was upset because he was there alone and everyone else had more than one. It was a fight right from the start."

Salove said the idea of the meeting was to have one person from each group attend so they could attempt to resolve the issues.

"When we talked about it Monday, after the fair board attended the commissioner's meeting, we found that in the Idaho Code there is a section I have never seen before that says that in counties of over 200,000 people, commissioners have the option to make fair boards advisory. We read that to say that if counties over 200,000 have the option to make them advisory, then counties under 200,000 do not have the option."

Salove said the commissioners feel the fair board is in charge and the commissioners have no review over them. Salove said the commissioners have requested a letter from Owyhee County Prosecuting Attorney Ed Yarbrough stating if in fact the code is being read properly by the commissioners.

"We see Idaho code as saying the fair board is in charge and we have no review authority over them," Salove continued. "If counties over 200,000 can make them advisory and if counties under 200,000 can't, if they are not advisory, what are they?"

Salove said the battle began earlier this year when the fair board requested viewing the rodeo board's account information, but Salove said now the battle is over who is going to operate the beer concession stand during the rodeo.

"The point right now is who is operating the beer concession," Salove continued. "The fair board has told the American Legion that they will have the beer booth in the rodeo grounds and the rodeo board says they need the income from the beer concessions."

Salove continued to say that he is in favor of the fair board leasing the arena to the rodeo board as they do to other activities held on the grounds, but he said the members of the fair board are refusing to give the rodeo board a lease.

"I have said it before, in private, in public and I will say it here, I think the fair board should lease the grounds to the rodeo board," Salove said. "They (the fair board) are not interested in doing that. They say it will not solve anything and that it will prolong it. Their concern is a lease, to use their words; 'it is too hard to draw lines.'

"They want the rodeo arena for activities for the fair. I told them to write in their lease the hours the fair board has got to have the facility and the hours the rodeo board will have the facility. It seems very obvious to me how to solve the problem, but the fair board does not seem to want to hear it.

"I don't agree with them. They (the fair board) thinks that if they are totally in charge they can solve this problem. I think it will escalate it.

Salove said that if the commissioners received legal notification that in fact the commissioners were in charge of the fair board the rodeo board would receive a lease. He said that the county would still be

in charge of the money given to the fair board and the county would also be in charge of fair board member appointments.

"I was prepared to step in and give the rodeo board a lease," Salove exclaimed. "But after reading the code I felt that we might not have the authority to make the decisions. I think it would be devastating to the fair if the rodeo pulled out of the fair. I think the two need each other."

Salove said he is concerned that if the commissioners try to tell the fair board what they can do that the county may be

involved in a lawsuit. He said he has had no problems with how the fair board has handled the previous leases, but he said he did not understand why there had been so many problems with the rodeo board.

"I feel totally helpless with the thing," Salove concluded. "My intent when we entered the meeting Monday was to set a time in the next meeting to make a decision on how this thing would be handled. Now I don't think we have the legal obligation to do that. I wish someone would prove to me either way as to what authority

the county commissioners have in the matter. I won't back up the fair board's opinion because I don't agree with their opinion. I think a lease is the way to go, but the fair board, at least Gwen Miller, Joe Merrick and Bill Watterson, are completely against it."

Members of the fair board are appointed for four-year terms and the members elect a chairman of the board, which is Watterson. Owyhee County Clerk Cindy Eaton said she was unsure when Watterson was appointed to the board. -CP



Hit and run

Gina and Rob Wilkerson inspect the damage to their Dodge van after their daughter Vanessa was injured in a hit and run accident last week. Vanessa was forced off the road when a man driving a maroon colored pickup truck crossed into her lane of traffic.

Hit and run driver sought

Owyhee County Sheriff's office is searching for the driver of a pickup truck that struck a van on Jump Creek Road near Homedale last Tuesday afternoon.

Seventeen-year old Vanessa Wilkerson, daughter of Rob and Gina Wilkerson of Homedale, was transported to West Valley Medical Center and later released with minor injuries, after she was forced off the road by a maroon pickup truck.

Wilkerson said she had just left her home less than a block from the accident site, when a pickup traveling south on Jump Creek crossed into her lane of

travel and forced her off the road. Wilkerson said the driver of the pickup was traveling at a high rate of speed. Wilkerson's eight-month old baby was in the front seat of the vehicle restrained in a car seat and was uninjured. Wilkerson was also wearing a seat belt.

Wilkerson's van hit a dumpster and received damage to the front passenger side of

the car. She said she tried to get the license number of the pickup, but the vehicle was traveling to fast for her to see.

A spokesman at the Owyhee County Sheriff's office said Friday that the suspect has not been found and anyone with information concerning the accident are urged to contact the Owyhee County Sheriff's office at 495-1154. -CP

Related
commentary,
page 17

Bill Chisholm
FOR
STATE SENATE

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Pd. by Chisholm for State Senator Committee, Helen McCracken, treasurer

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From page 1

✓ July 4th... ✓ PILT...

Registration is from 8 until 9:30 a.m. with a \$15 entry fee. The fee will be reduced to \$10 for those who bring a side dish for the dinner.

A car parade will begin at 10 a.m. and a live band and a raffle will be held after the parade. Trophies and plaques will be given to the best entry in street, muscle, classic and custom car or motorcycle entry.

In Melba, the Melba Valley Senior Center will be holding its major fund-raiser during Melba's Old Tyme 4th of July Celebration. Activities will begin at 11:30 a.m. with oven fried chicken, potato salad, coleslaw, cold watermelon, cake, rolls, cold punch and iced tea will cost \$6 for adults, \$4 for children and children under 12 and free for children four and younger. -CP

formula based on population and the amount of federal land in a local jurisdiction. These payments are in addition to federal revenues transferred to local government under other programs, such as income generated from the use of federal land for livestock grazing, timber harvests, and mineral receipts.

This year's PILT payments of \$13,915,735 to Idaho counties are an increase of \$464,633 over the payments for fiscal year 2001. Changes in payments are due to the amount appropriated by Congress and changes in other federal revenues. Since the PILT program began in 1977, the BLM has distributed more than \$2.7 billion.

The BLM, an agency of the U.S. Department of the Interior, manages more land — 262 million acres — than any other federal agency. Most of this land is located in 12 western states, including Alaska. The BLM also administers 700 million acres of subsurface federal minerals throughout the nation. The BLM has an annual budget of about \$1.2 billion and a workforce of about 9,000 employees.

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Classifieds Monday noon the week of publication	Display advertising Friday noon the week prior to publication
Legal notices Friday noon the week prior to publication	Inserts Friday noon the week prior to publication

Commissioners call The Nature Conservancy “two-faced”

say the group “is not to be trusted”

Troubled by The Nature Conservancy's recommendations to the state Office of Species Conservation concerning the distribution of grant monies to the Sage Grouse Local Working Groups, including the recommendation that no funds be allocated in support of predator control, the Owyhee County Board of Commissioners has sent a stinging letter to TNC state director Geoff Pampush.

“(The Nature Conservancy's) position is clearly contrary to the position of the Owyhee County Local Working Group and is contrary to this Board's adoption of the Local Working Group's plan and recommended projects,” the letter says in part. “By recommending against the projects developed through two years of cooperative, collaborative, consensus-driven work of the Local Working Group, your organization has placed itself in direct opposition to the plans and project goals of this Board.”

The commissioners accused TNC of misrepresentation and

“sham” when they asked the state OSC to rely on federal funding that TNC knew had already been cancelled. The commissioners regarded such an “attempt to misguide” an “insult to this board and an indication that your real agenda may well be closer to that of the groups who have halted the state and federal projects than to our own.”

“We do not appreciate your organization's two-faced approach on this important issue,” the letter continued. “We also believe the deceit intended” is shown by the

TNC's addressing copies of their recommendations only to Tom Hemker of Idaho Fish and Game and Signe Sather-Blair of the BLM.

The letter to The Nature Conservancy, signed by commissioners Chris Salove, Hal Tolmie and Dick Reynolds, concluded, “We view your organization's actions in this matter to be inappropriate, deceitful, and disrespectful to this Board. To us, the (TNC recommendation letter) is a strong indicator that The Nature Conservancy is not to be trusted.” -RB

Fire District slates hearing on annexation request

The Homedale Rural Fire Protection District board will hold a public hearing on an application for annexation of land into the district at 12 noon next Monday, July 8 at the Owyhee Lanes and Restaurant in Homedale.

The applicant, Janet S. Anglin, is asking that land south of the old Poison Creek Station be annexed into the fire district.

The hearing is open to the public, and testimony will be taken, according to Mikeal Parker, secretary of the district board.

Read all about it in the Avalanche!

PUBLIC MEETINGS ANNOUNCED

Dear Reader,

The Lower Snake River District of the Bureau of Land Management (BLM) is preparing two Resource Management Plans: 1) the Snake River Birds of Prey National Conservation Area; and 2) the Bruneau Planning Area. **The Land Use Plans will provide management direction for the affected public lands in southwestern Idaho for the next 20 plus years.** These plans, which were initiated in August of 2001, and will take approximately four years to complete.

Six public meetings were held from November 2001 to January 2002. People provided us their concerns about the management of the areas. We also received written comments. We completed an assessment of public involvement opportunities for constructive participation with interested publics in completing the two Land Use Plans.

BLM received over 1,000 comments that reflected an active interest in both planning areas as well as a significant knowledge about the natural resources and the management of these lands. We used this information to formulate issues that reflect the public's management concerns, which will be used to develop a plan that protects the natural resources and meets the needs of those who use our public land. You can view the public comments on our web page at <http://www.id.blm.gov/planning/index.htm>.

We invite everyone who is interested to attend any of four public meetings. At the meetings we will present issues generated from your comments and discuss how to increase public input and long-term ownership in the decisions that result from the plans. All meetings will run from **6:00 p.m. to 9:00 p.m.**

- **July 8 - Marsing at the new Marsing Community Center, Bruneau Highway and 2nd Ave;**
- **July 9 - Nampa Civic Center, 311 3rd Street South;**
- **July 10 - Mountain Home Fire Station, 220 S. 2nd St. East;**
- **July 11 - Rimrock Jr.-Sr. High School, Hwy 78, 10 miles west of Bruneau.**

We have a challenging task ahead of us and look forward to working with many individuals and organizations that have an interest in the management of public lands. Individuals who plan to attend and need special accommodations should contact the BLM as provided below.

Any questions about the planning process or public meetings, please call **Mike O'Donnell, (208)384-3315.**



From page 1

✓ Road

entrance to two of my rooms on the west-side or to the garage,” Douglas said. “Plus my building has begun to crack down the walls and around windows because of the heavy machinery that has been running on the road. I will lose four parking spaces and an entrance to my garage.”

Jeppe said he was consulted before the operation began. He said Homedale Councilman Hap Duryee personally visited him and showed him the plans for the project.

“I said that was fine, all I had to do was increase the width of my sidewalk,” Jeppe continued. “The city was going to take care of it. So I didn’t even go to the council meetings. Then (Dr.) Ed Perkins said I needed to check it out because it was going to be different than what I thought it was going to be. I got a set of the plans from Hap and found out they were going to put in a curb and gutter 10 feet out from

my sidewalk. I talked to Freelove and Duryee and they said it was too expensive to move the power poles so they were going to move the curb and gutter out beyond the power poles. I have just been going by what members of the city council have told me. No one along the way has ever told me that this thing was going to be three or four feet higher than my property. It is absolutely bizarre to me to have a road that high with property down two to four feet from the road.

“So far the only response I have gotten from city hall is to be told that I should have been at the city council meetings. They told me it’s to late now.”

They sent a notice to all the property owners of a special meeting earlier this month. Jeppe said he didn’t attend the meeting because he had discussed the project with Freelove and Duryee.

“I told them I had already talked to Hap and he showed me the plans and I am fine,” Jeppe continued. “So I didn’t



Nearly three feet of extra embankment from a road project in Homedale has caused concern with several business owners concerning access to their businesses.



Road work damage

Sunnydale Motel owner David Douglas shows where the machinery from the work on a city road project in Homedale has caused his building to crack in many places. Douglas said he has also lost access to four parking spaces and an access to his garage due to high embankments in the new road.

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go to the meeting. Then they change it because of the power poles.

“I don’t know what I am going to do with this kind of a drop-off. I guess I could put in a skate ramp. People are going to get hurt. This is crazy. They have got to stop it.

Just because I was not at the city council meetings doesn’t give them the right to do something stupid. This is stupid for the community. I don’t think the engineer even understands what is going on out here.”

Tab Cahill owner of TC’s, said the city would shorten his entrance by a short amount due to the sidewalks, but he said overall he was fairly satisfied with the project. Cahill said the project would cost him a small amount of money, but he said that for items he has asked to be changed, some would save money and some would cost him some money.

During a regular city council meeting last week, according to Homedale City Clerk Pam Dugger, engineers for the project and Jeppe visited his site. She said a compromise was met, but she did not know the outcome. Jeppe was unavailable for comment Friday.

Homedale mayor Harold Puri said the project would go ahead as scheduled.

“They are going to look at putting in a retaining wall in to offset the look,” Puri said. “I don’t know that he is totally happy with the decision, but he was willing to accept the decision.”

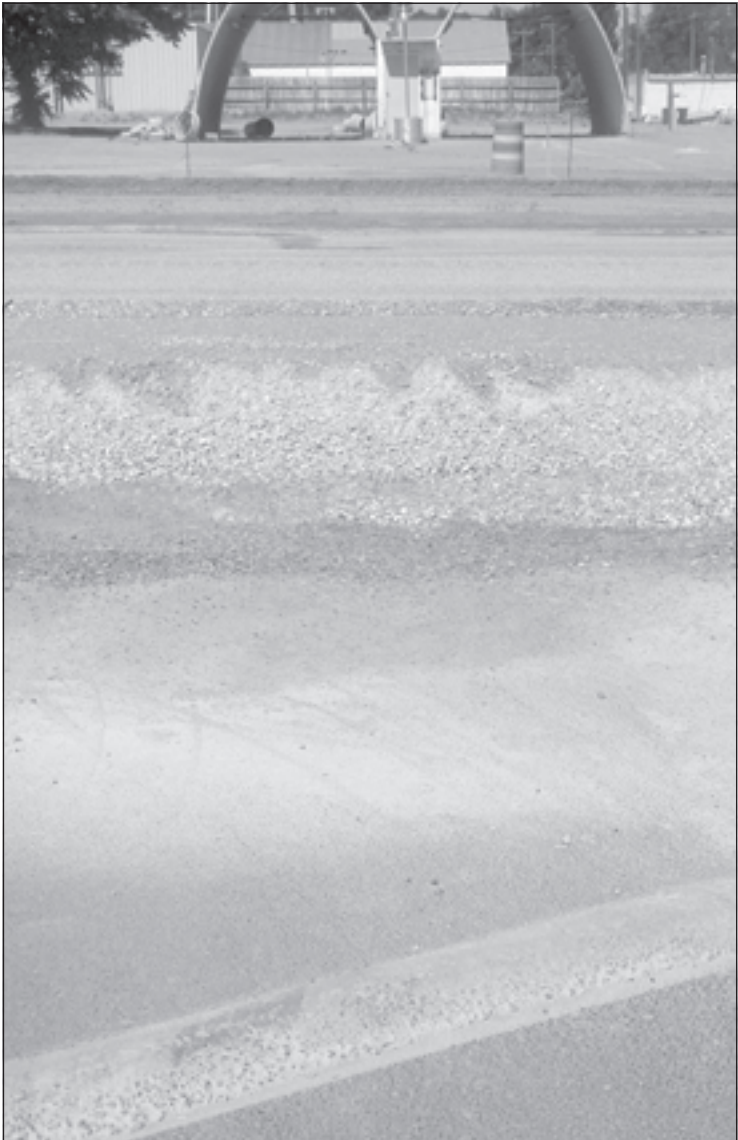
Puri said as for Douglas, the city is trying to find a way to accommodate him.

“The bad part is, two wrongs don’t make a right,” Puri continued. “When you try to

make something right and it has been wrong for all these years, do you keep making it wrong because someone else is going to be upset? I just had the City of Caldwell do the exact same thing on a street near my business. They didn’t come and ask my opinion about anything, they just said this is what we are going to do. I feel we as a city are trying to make a reasonable effort to accommodate these people and

stay within budget.

“The parking spaces at Douglas’s are not an issue anyway. They want to make it an issue. He isn’t going to have them anyway. No one is going to park out there. It just is not going to be there. They are trying to find a solution to help him over there. We don’t have an answer to what that solution is, but the street is going to go on as it is.” – CP



New curbs and gutters will line the street on Main Street in Homedale, but several business owners are discouraged with the height of the new road.

Obituary

Beulah Evelyn Engle

Graveside services for Beulah Evelyn Engle, 98, of Homedale will be held Wednesday, July 3, 2002, at 10:00 a.m. at Wilder Cemetery. Mrs. Engle died Sunday, June 30, 2002, at a Homedale Care Center.

She was born March 22, 1904 at Prineville, Oregon to Roscoe C. and Margaret Grimes Kinder. They moved to Central Cove in 1917.

She married W. V. (Virgil) Engle on December 31, 1922 in Central Cove. They farmed in Central Cove until retiring in 1986, and moved to Homedale. She was a member of the 1st Presbyterian Church of Homedale and Homedale Senior Citizens. She belonged to the Rebecca Lodge. She was initiated in April of 1952 and became Noble Grand in 1960. In 1991 she joined the O. E. S. of Homedale #83.

She is survived by a daughter, Doris Haggard of Homedale, 3 grandchildren, 7 great-grandchildren, several great-great-grandchildren, 1 brother in law, Paul Engle of Caldwell, and nieces and nephews. She was preceded in death by her husband, Virgil and son Harold Cecil Engle.

Memorials made be made to the Homedale Presbyterian Church, or Homedale Senior Citizens.



Highway 95 patch-up
Crews from the Idaho Department of Transportation patch pot holes on Highway 95 near the Idaho/Oregon border last week.

Homedale District scores well on assessment tests

Each year students in local school districts seem to be crammed with state and federal assessment testing and each year staff of local districts attempt to find more ways to help students study and prepare for each test. This year work in the Homedale School District has shown improvements in writing and math assessment scores.

Homedale Elementary School Principal Scott Freeby recently dressed in a princess gown complete with crown and wand to hold up to his end of the bargain to honor a challenge to students to read a certain amount of books. At Homedale Middle School, Principal Keith Fields donned a cape and a mic to impersonate the late, great Elvis Presley for his students' scores in the State Writing Assessment.

Fourth grade students slightly declines by two tents of a percent in the direct math assessment but were still one tenth above the state average. Students in the eighth grade improved by one tenth from last year's scores, but were still three tenth below the state average.

In the direct writing assessment testing, students in the fourth grade significantly increased by three tenths of a

percent. Eighth grade continued to remain about the same as they scored last year, but students in the 11th grade increased by four tenths of a percent.

In the writing assessment, students in the fourth grade scored a 2.9, three tenths of a percent above last year's score of 2.6. Students who score a three are considered proficient in math. In 1999-2000 the students scored a 2.6 and a 2.5 in 1998-1999.

Eighth grade students scored 2.8 in 1998-1999, 2.6 in 1999-2000 and a 2.7 in 2000-2001. Their score remained the same in 2001-2002 at 2.7. The overall state score is a 3.0.

Eleventh grade students scored a 3.2 in 1998-1999, 3.3 in 1999-2000 and a 3.2 in 2000-2001. This year the students scored a 3.6, one percent over the state average of 3.5.

"We have had a lot of in-services this year on the writing process," Homedale School District Superintendent Bob Lisonbee said. "Apparently we are getting it when we get into the eleventh grade level, but in the fourth grade level they don't have it completely yet. In math, the assessment is only given in the fourth and eighth grade. We are still above the state level in the fourth grade."

Lisonbee said another program the school is going to participate in is the Treasure Valley Reading Foundation Program. He said the program is patterned after a program developed in Kennewick, Washington.

"One of the pieces in it is to have all parents reading to their children," Lisonbee explained. "Parents are their children's first teachers before they enter school. All children are home

schooled before we get them. The parents who have done that their children usually score better."

Lisonbee said that in November the district is making it a goal to have children's parent reading to them. He said the high school had several students who obtained perfect scores on the direct writing assessment test.

Next fall, high school

students can expect a tougher round of questions when they take a revised version of the new Idaho State Achievement test.

Testing officials said recently that the pilot exam, given to Idaho high school students in April, wasn't enough of a challenge.

The next version of the exam to be tested on students will have harder questions. -CP

New law sets speed, load limits

Also names new misdemeanors on county roads

A new law establishing restrictions on certain roads in the county, and placing responsibility to violators of other acts on all county roads was adopted by the Owyhee County Commissioners at their June 24th meeting.

The ordinance is titled the "County Road Maintenance, Speed Limit and Weight Limit Ordinance of 2002".

Included in the new law is speed restrictions on Juniper Mountain, Trout Creek, and Cow Creek roads. Weight and

speed limits will apply to other roads, including the DeLamar-Silver City Road (25 mph), and various limits of certain sections of the Highway 78-to Silver City road, varying from 25, 35, and 50 mph.

The ordinance calls for misdemeanor citations for certain acts resulting in responsibility of those acts on all county roads. These acts include allowing water to flow upon or impair public roads, damage to public roads, cost of rescue and retrieval efforts, and failure to abate dust and mitigate damage.

The ordinance explains the purpose of the new law as follows:

"There are several County Roads and sections thereof which require the setting of speed limits and weight limits in order to protect the health and safety of motor vehicle operators, prevent great expenditures of public funds for assisting and rescuing operators who attempt to drive overweight vehicles into areas where the road will not support the vehicles and/or drive vehicles at speeds excessive for the roads conditions.

Operators of vehicles also cause damage to the County Roads and sections thereof because of the weight of the vehicles and the manner of operation without regard for protecting the roads surfaces. The purpose of this Ordinance is to establish speed limits and weight limits on those County Roads and sections thereof where the need for prevention and protection is present, provide for punishment of violators, provide for owners and operators of vehicles to be responsible for and to mitigate damage to roads caused by their operations, and provide for punishment of violators."

The text of the ordinance is published in the Public Notice section of this issue, and is in full force and effect upon this publication. - JA



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The Avalanche

County seeks \$200,000 for sage grouse conservation

The state Office of Species Conservation has informed the county that it is ready to allocate funds for sage grouse conservation projects. The state is proposing a budget of \$100,000 for the Owyhee Local Working Group and the same amount for the Jarbidge LWG to cover such items as Juniper controlled burns, sagebrush restoration, grass/forb interseeding, radio telemetry studies, lek surveys, landowner surveys, informational brochures, a NEPA contract, fire hydrant installation, fire danger signs, meadow habitat improvement and winter habitat surveys.

Because proposed Owyhee LWG projects are entirely in Owyhee County and "many, if not the majority" of proposed Jarbidge LWG projects are in Owyhee County, plus the fact that many of these projects will also require the expenditure of additional county funds, the commissioners have asked the Office of Species Conservation to allocate about \$200,000 to Owyhee County.

In a letter to the administrator of the OSC, the commissioners were careful to point out that all sage grouse conservation projects occurring within the boundaries of Owyhee County must be managed by the Owyhee County Board of Commissioners.

The board also had several serious questions about the performance of the OSC, including the facts that funding is being allocated to "sage grouse funding partners" but all the partners are not identified, that no funds are being allocated for predator control, that the Owyhee County representative was left out of an important conference call regarding budgeting, and that there is an unusual amount of involvement by The Nature Conservancy (see separate story, *Commissioners call The Nature Conservancy "two-faced," say the group "is not to be trusted"*).

The commissioners pointed out that the OSC had allowed The Nature Conservancy to provide two documents related to the allocation of funds, essentially doubling its comment, and that TNC, a private landowner, was to be allocated \$22,600 for "mapping, planning and monitoring" its Crooked Creek Ranch.

Owyhee crime down from last year

According to the state's Agency 2001 Crime Report, Owyhee County crime was down 11.1 percent from 2000. This includes group "A" offenses such as murder, manslaughter, rape, robbery, aggravated assault, burglary, arson, counterfeiting, vandalism, drug and sexual crimes.

The city of Homedale fared even better than the county as a whole, with a crime reduction of 31.7 percent from the year before. The five-year trend for both city and county is also down, with Homedale showing less than half the reported crime in 2001 as in 1997. This is at a time when the FBI Uniform Crime Report indicates that crime in the United States as a whole is once more trending upward.

4-H demonstration day planned

The Owyhee County Family and Consumer Sciences/Miscellaneous Demonstration day is planed for Wednesday, July 17 this year and pre-registration is required by July 5.

4-H participants will demonstrate family and consumer sciences and miscellaneous entries at the Owyhee County Extension Office in Marsing beginning at 10 a.m. A microwave and easel will be made available and students in four divisions will show demonstrations.

The junior I division will consist of eight and nine year old, junior II division will be for 10 and 11 year old demonstrators, intermediate division will be for children

12-14 and the senior division will be for teens 15-19.

Special county demonstration awards will be given to the top Family and Consumer Science/Miscellaneous demonstrator in each division and trophies are sponsored by Betty Brandau from Melba for junior I, Adele

Payden from Jordan Valley for junior II, Christofferson family from Homedale for intermediate and from the Jordan Valley Cattlewomen from Jordan Valley for the senior division.

Entrants may be obtained by calling 896-4104 or by e-mail to owyhee@uidaho.edu.

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Looking back...

from the files of The Owyhee Avalanche and Owyhee Chronicle

25 years ago

June 30, 1977

Fireworks display to climax Fourth events

HOMEDALE- Activities are scheduled for the annual Fourth of July celebration to be held on Sunday the 3rd of July and then all afternoon and evening Monday, July 4.

Sunday afternoon at 1 p.m. there will be “All Comers” slow pitch soft ball games held at the grade school fields.

Two dances held this weekend will feature two top bands. One dance July 2 will feature “Sasperilla” and the other dance held July 3 will be by “Street Level.” Admission will be \$2 per head and will be held at the old junior high school at 9 p.m.

On Monday, July 4, a championship softball play off game will start at 1 p.m.

Kids’ games and races directed by Ken Simon will be held at 3 p.m. Monday at 3 p.m. at the old park.

The traditional open-pit barbecued chicken dinner will get under way at 5:30 p.m. and serve until 7 p.m. The menu includes chicken, potato salad, beans, a roll, and a drink. Tickets are \$2.00 for adults and \$1.00 for children under 12. Mike Kelly and Rob Troxell will co-chairmen the event.

The Chamber of Commerce sponsored “Anything Goes” contests begin at 7 p.m. at the stadium. Monte Kirstine, chairman, promises to have a “Bigger and Better” contest this year.

The grand finale of the day will be the display of fireworks shot off at dark at the Homedale stadium.

Grand View plans old fashioned 4th

Plans are underway to celebrate the Fourth of July in an old fashioned manner here in Grand View. Harold Collett revealed that a picnic featuring watermelon and homemade ice cream will be held at the Lions Park. It would follow that the horseshoe pits will be the scene of many close measurements and disputed points.

Actor visits Silver City

Owyhee County received distinguished guests Sunday, June 19 when Paul Newman and his daughters Clea, Lissy, and Nell visited Silver City.

The famous movie actor was in Idaho to visit his daughter Nell, who is working with the peregrine falcons in the Snake River Birds of Prey area. His wife, actress Joanne Woodward, was unable to accompany him on the trip.

Pool now owned by Chamber

HOMEDALE – The Homedale Chamber of Commerce became the official owners of the swimming pool, it was announced Tuesday noon. C of C President Paul Bull said the Farmers Home Administration notified him last Wednesday of acceptance of the organization’s bid for the pool. The FmHA became owners of the facility last fall, due to default by the Homedale Swimming Pool Association. The bid made by the chamber was for \$1,000, and was the only bid received, FmHA officials reported.

At Tuesday’s meeting of the Chamber of Commerce, the question came up “what are we going to do now?” Following the expression of various views, it was generally agreed that the group will attempt to put the facility in operating condition, but it is infeasible to attempt to open it this year.

Herb Fritzley, who has worked closely with the operation of the pool in the past, listed several items that needed corrected before the pool could be opened. The pool floor and walls need replastered and leveled (the major factor of expense), refinish the diving board, refurbish chlorine system, repaint pool, shower rooms, etc.

50 years ago

July 3, 1952

Final figures show 6307 inhabitants in Owyhee County

Males numbered 3366 and females, 2941 among the 6307 inhabitants of Owyhee County enumerated in the 1950 Census according to final figures announced by the Bureau of the Census.

The total population included 6049 whites, 4 Negroes, and 254 persons of other races.

The median age of the population was 27.2 years, while 7.2 percent were 65 years old and over. The number of children under 5 years old was 773. The number of persons 21 years old and over was 3644.

Among the 2356 males 14 years old and over, 1526 were married; among the 1980 females of these ages, 1518 were married. Among the 1510 married couples living together, 1455 lived in their own households, while 55 were sharing the households of other. The total households was 1788 and the average population per households was 3.52 persons.

Of persons 14 years old and over, 2432 were in the labor force, comprising 84.7 per cent of the males and 22.0 per cent of the females in this age group. Of employed workers, 1.5 per cent were engaged in manufacturing.

In the group 7 to 13 years old, 99.0 per cent were in school. The median years of school completed by persons 25 years old and over was 9.0.

The median income in 1949 of families and unrelated individuals was \$1926.

The data on education and income are based on inquires made of a sample of one in five of the whole population, while the other data are based upon complete enumeration.

Homedale women join in horseback trip to Silver City

Returning Wednesday from a 10-day horseback trip into the Silver City area were Mrs. Ann Gowing, Mrs. Alma Perine, Mrs. Nona Haile, all of Caldwell, and Mrs. Hilda Davis and Mrs. Mildretta Adams of Homedale.

The group left Caldwell June 15, trucking their horse to McBride Creek on the ION highway, and riding from there to the head of Little Jackson Creek. After two days there, they rode to Silver City, War Eagle Mountain, Townsend Ranch on Flint Creek, and Wagon Town, spending several days at each place.

From the top of War Eagle they could see the Ruby Mountain near Elko, Nev., the South Mountains and the Juniper and Mahogany Mountains. They also explored the abandoned mines on War Eagle and found the Never Sweat mine.

Competes for queen

Terry Marchek, daughter of Mr. and Mrs. Joe Marchek, was one of the 26 girls competing for the Nampa rodeo queen title Tuesday night. After individual performances, all were eliminated but 10, of which Miss Marchek was among. After further showing, 5 of the 10 were eliminated and Terry was among the remaining five. Terry’s performance was excellent but her horse failed to back, which was a requirement, and automatically eliminated her. Judy Voiten of Boise was chosen queen.

New marquee nears completion

The price hasn’t been announced as yet, but it is sure to be within reason when the Homedale Supply puts a tag on the shade for rent in front of the store on Idaho avenue.

Under the supervision of Jim Quintana, a new marquee is nearing completion across the front of the building, which not only will provide respite from the hot rays of the summer sun, but will also add a nice touch to general appearance of the establishment.

134 years ago

June 27, 1868

FOURTH OF JULY. – It is to be hoped that our citizens will obey the call in this paper for a meeting on Sunday evening in order to make arrangements for a grand ball on the Fourth for the benefit of a fire company. The object is of vital importance to the safety of our town, and if for no other purpose than that alone, our citizens should manifest a lively interest. Besides the proposed ball let us make arrangements for a real good old-fashioned time on the glorious Fourth. Let us have all sorts of gay old games such as chasing a shaved and soaped pig, climbing a greased pole for a 20-dollar piece placed on top, sack-racing and other funny old games that will suggest themselves. Don’t fail to attend the meeting. Get up a ball; our word for it, there will be a large attendance and a handsome sum above expenses will remain for the benefit of a Hook and Ladder Company that may save the town from being destroyed by fire. Come up, tumble up, any way to get up to the meeting.

The season for improving the streets has set in. Washington Street appears in a new dress and is still adding a flounce here and there. Jordan has on her Sunday clothes and is still but half dressed; timbers are on the ground to put in a bridge across the creek at the north end, etc. The Long Gulch bridge will soon be widened on Washington St., and filled up level with the buildings on either side. The embankment in front of Thos. Ewing and Co., J. F. Dye and Co., Rupert’s drug store, Dr. White, John Grete, etc., has been cut away and filled into the street on the east side. W. H. Dewey has thrown up quite a good walk in front of his property and will continue the good work. W. S. Stevens looks as if he intended to fill in the ugly chasm in front of his building – the Clipper Restaurant – while the Road Supervisor, Mr. Abbott, and his deputy, Judge Allison, are busy collecting road tax to continue the work until “our ways are ways of pleasantness.”

WIND-SAIL. – A more complete and cheap arrangement to rid a shaft or tunnel of the smoke after blasting was never devised than the wind-sail apparatus erected by Jimmy Murray for the shaft now being sunk in front of Webb and Myrick’s Bank. We have seen this mode adopted for ventilating holds of ships, and on the same principle it produces a like result in mines. Jimmy is entitled to the credit for its adoption in this camp, if not to the invention, and we would say to our mine-owners that if any of them are getting out of wind they had better call on Jimmy who will furnish them from his unlimited supply.

NEW STORE. – Fred Brunzell has just received one of the largest and best assorted stocks of goods ever brought to the Owyhee market, direct from San Francisco, and has opened out in elegant style on Washington street, opposite J. M. Blossoms’s. Call round and examine his goods and prices – he won’t charge you anything for a look.

NEW ROAD OPENED – Scotch Bob and partners have so far completed their wagon road as to conduct wagons over it, several heavy teams having already gone out empty, and we understand, found no difficulty except at this end – from the Owyhee mill to the summit, where the hill is very steep. This road leads from Ruby to Snake River, and is claimed to be nearer than the one now traveled, besides being free from mud and safer on account of Indians.

NO CRICKETS. – The crickets have not paid their accustomed visit to our Jordan Valley neighbors this season.

PUBLIC NOTICE OF INTENT

To Propose or Promulgate New or Changed Agency Rules

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

IDAPA 01 — STATE BOARD OF ACCOUNTANCY P.O. Box 83720, Boise, ID 83720-0002

Docket No. **01-0101-0201**, Idaho Accountancy Rules. Repeal of chapter. Comment by: 7/24/02.

Docket No. **01-0101-0202**, Idaho Accountancy Rules. Rewrite addresses education and experience requirements for CPA exam and licensure; ability for licensees to practice across state lines via a streamlined process; recognition of foreign credentials; non-licensee ownership of firms; acceptance of commissions and contingent fees; issuance of inactive and retired status licenses; and allowing licensees to issue plain paper financial statements. Comment by: 7/24/02.

Docket No. **01-0101-0203**, Idaho Accountancy Rules. Updates fee structure to allow Board to recover expenses for providing services and administering programs. Comment by: 7/24/02.

IDAPA 02 — DEPARTMENT OF AGRICULTURE P.O. Box 790, Boise, ID 83701

Docket No. **02-0212-0201**, Bonded Warehouse Rules. Clarifies the following: when Department will issue duplicate licenses; extensions for filing financial statements; exemptions from requirement to pay, collect or remit assessments; requirements to pay indemnity fund assessments and amount required; and allows for the acceptance of records held in an electronic format. Comment by: 7/24/02.

Docket No. **02-0213-0201**, Commodity Dealers Rules. Clarifies the following: when Department will issue duplicate licenses; extensions for filing financial statements; exemptions from requirement to pay, collect or remit assessments; and allows for the acceptance of records held in an electronic format. Comment by: 7/24/02.

Docket No. **02-0215-0201**, Rules Governing the Seed Indemnity Fund. Provides for a Seed Indemnity Fund and a seed buyer license. For licensure, seed buyers must fill out an application, provide a current and sufficient policy of insurance covering loss, provide a sufficient bond and will be responsible for the collection and remittance of seed indemnity fund assessments. Comment by: 7/24/02.

Docket No. **02-0403-0201**, Rules Governing Animal Industry. Rule sections dealing with Brucellosis and the import of animals have been moved to new chapters - 02.04.20 and 12.04.21. Comment by: 7/24/02.

Docket No. **02-0420-0201**, Rules Governing Brucellosis. New chapter of rules updates and modernizes the brucellosis program in accordance with the National Brucellosis Program Standards and state law. Comment by: 7/24/02.

Docket No. **02-0421-0201**, Rules Governing the Importation of Animals. New chapter updates and modernizes import requirements in accordance with state law and federal regulations. Comment by: 7/24/02.

IDAPA 16 — DEPT. OF HEALTH AND WELFARE P.O. Box 83720, Boise, ID 83720-0036

Docket No. **16-0210-0201**, Idaho Reportable Diseases. Defines waterborne outbreak, and deletes definition of week; updates incorporation by reference section; adds 5 conditions detectable by newborn screening and 3 infectious diseases; and updates reporting timeframes. Comment by: 7/24/02.

Docket Nos. **16-0612-0201** and **16-0612-0202**, Rules Governing Procedures and Testing to Be Performed on Newborn Infants. Repeal and rewrite of chapters updates terminology and clarifies newborn screening responsibilities and procedures to be followed to ensure

all infants are screened appropriately after birth. Comment by: 7/24/02.

Docket No. **16-0304-0201**, Rules Governing the Food Stamp Program. Revises work and training activities for Food Stamp participants; specifies criteria for determining a voluntary job quit or reduction in number of hours of employment and requirements to re-establish eligibility after a job quit or reduction in hours. Comment by: 7/24/02.

Docket No. **16-0308-0201**, Rules Governing Temporary Assistance to Families in Idaho. Implements changes regarding work and training activities; specifies that cooperation with Child Support Services includes assigning to the state child support payments received while the family is receiving TAFI; implements increase to the TAFI grant as provided by legislative authorization; and changes the maximum monthly TAFI grant to \$309. Comment by: 7/24/02.

Docket No. **16-0309-0207**, Rules Governing the Medical Assistance Program. Independent Residential Habilitation Providers providing services in the consumer's residence must be employed by a Residential Habilitation Agency. The Department will no longer issue payments directly to Independent Personal Care Services, Residential Habilitation Services Providers. Residential habilitation providers, who provide services in their home, as a Certified Family Home, must be affiliated with a Residential Habilitation Agency. Comment by: 7/24/02.

Docket No. **16-0602-0201**, Rules Governing Child Care Licensing. Addresses the placement of children in therapeutic outdoor camps not previously covered under the childcare licensing rules. Comment by: 7/24/02.

IDAPA 18 — DEPARTMENT OF INSURANCE P.O. Box 83720, Boise, ID 83720-0043

Docket No. **18-0132-0201**, Qualifications of Licensed Insurance Consultants. Repeal of chapter. Comment by: 7/24/02.

Docket No. **18-0142-0201**, Listing Fee-Surplus Lines Insurers. Repeal of chapter. Comment by: 7/24/02.

Docket No. **18-0143-0201**, Certification of Fire Inspectors. Conforms to a statutory change from using the Uniform Fire Code to the International Fire Code. Comment by: 7/24/02.

Docket No. **18-0149-0201**, Fire Protection Sprinkler Contractors. Conforms to a statutory change from using the Uniform Fire Code to the International Fire Code; corrects a technical reference. Comment by: 7/24/02.

Docket No. **18-0153-0201**, Continuing Education. Rewrite of state law requires rule to be updated and includes reciprocity requirements, electronic renewal of licenses, and allows director to deny an individual or firm to offer a program of instruction if their license has been revoked or suspended. Comment by: 7/24/02.

Docket No. **18-0162-0201**, Annual Audited Financial Reports. Changes conform to the NAIC model audit rule adopted in December 2001 regarding indemnification and mediation/arbitration. Comment by: 7/24/02.

Docket No. **18-0178-0201**, Mutual Insurance Holding Company Rules. Changes filing date for the mutual insurance company's annual financial statement so it coincides with the filing date of the affiliated insurer's audited financial statement from April 1 to June 1. Comment by: 7/24/02.

IDAPA 21 — DIVISION OF VETERANS SERVICES 320 Collins Road, Boise, ID 83702

Docket No. **21-0105-0201**, Rules Governing Medical Transportation Payment for Wheelchair Confined Veterans. Provides for a wheelchair confined veterans

transportation payment pilot project for the period of 7/1/02 to 6/30/03. Comment by: 7/24/02.

IDAPA 45 — IDAHO HUMAN RIGHTS COMMISSION P.O. Box 83720, Boise, ID 83720

Docket No. **45-0101-0201**, Rules of the Idaho Human Rights Commission. Removes language that required the Commission to serve a complaint of discrimination on a Respondent and its determination of probable cause or no probable cause to believe that discrimination had occurred on the Complainant and the Respondent by certified mail. Comment by: 7/26/02.

IDAPA 58 — DEPT OF ENVIRONMENTAL QUALITY 1410 N. Hilton, Boise, ID 83706-1255

Docket No. **58-0102-0202**, Water Quality Standards and Wastewater Treatment Requirements. Changes cover design, construction, installation, operation, release detection, closure and financial assurance requirements for UST systems and with some modification, incorporates the technical standards for UST system owners and operators found in 40 CFR Part 280. Comment by: 7/31/02.

Docket No. **58-0103-0201**, Individual/Subsurface Sewage Disposal Rules. Moves language that regulates leaking petroleum storage tank systems (PST systems) from this rule to a new chapter - 58.01.07. Comment by: 7/31/02.

Docket No. **58-0107-0201**, Rules for Owners and Operators of Underground Storage Tanks and Leaking Petroleum Storage Tanks. New chapter covers design, construction, installation, operation, release detection, closure and financial assurance requirements for UST systems, and with some modification, incorporates the technical standards for UST system owners and operators found in 40 CFR Part 280. Comment by: 7/31/02.

Docket No. **58-0108-0102**, Idaho Rules for Public Drinking Water Systems. Updates obsolete provisions, adds flexibility where possible and appropriate, and clarifies language to incorporate new engineering standards dealing with design, construction, and operation of public water systems. Comment by: 7/31/02.

Docket No. **58-0108-0201**, Idaho Rules for Public Drinking Water Systems. Adopts the EPA Filter Backwash Recycling Rule and the Long Term 1 Enhanced Surface Water Treatment Rule for public drinking water systems. Comment by: 7/31/02.

SCHEDULED PUBLIC HEARINGS

Public hearing have been scheduled for the following dockets:

Department of Agriculture

Docket No. **02-0420-0201**, Rules Governing Brucellosis.

Department of Health and Welfare

Docket No. **16-0309-0203**, Rules Governing the Medical Assistance Program.

Idaho Human Rights Commission

Docket No. **45-0101-0201**, Rules of the Idaho Human Rights Commission.

Department of Environmental Quality

Docket No. **58-0103-0201**, Individual/Subsurface Sewage Disposal Rules.

Docket No. **58-0108-0102**, Idaho Rules for Public Drinking Water Systems.

Please refer to the Idaho Administrative Bulletin, July 3, 2002, Volume 02-7 for notices and text of all rulemakings, public hearing schedules, Governor's executive orders, and agency contact names.

Citizens of this county can view all issues of the Idaho Administrative Bulletin at the county law libraries.

Copies of the Administrative Bulletin and other rules publications are available for purchase. For subscription information and ordering call (208) 332-1820 or write the Office of Administrative Rules, Department of Administration, 650 W. State St., Room 100, Boise, Idaho 83720. Visa and Mastercard accepted.

The Idaho Administrative Bulletin and Administrative Code are available on-line at: <http://www2.state.id.us/adm/adminrules/>

The Owyhee Avalanche

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Owyhee County Church Directory		
Assembly of God Church Homedale 15 West Montana, 337-4458 Pastor George Greenwood Sunday School 9:45am Sunday Morning Worship 10:30am Sunday Evening Service 6:30pm Wed. Bible Study 7:00pm	Crossroads Assembly of God Wilder Hwy 19 & 95, 482-7644 Pastor Geoff Cole Sunday School 10am Sunday Morning Worship 11am Sunday Evening Worship 6pm Wed. Bible Study 7pm Weekday prayer 6pm-9pm	St. Hubert's Catholic Church Homedale 101 E. Owyhee, 337-3153 Father Oscar Jarimillo Liturgical Schedule Masses: Sunday: 8:30 am 12:30 pm (Spanish)
Mt. Calvary Lutheran Homedale 337-4248 or 454-1528 SE corner Idaho and West 7th Sunday Services: 10am	Friends Community Church Homedale 301 W. Montana, 337-3464 Sunday School: 9:30 am Sunday Morning Worship: 10:45 am Pastor: John Beck	Church of Jesus Christ of Latter Day Saints Homedale 708 West Idaho Ave 337-4112 Bishop Ned Stokes Bishop Jerry Anderson Sunday 1st Ward 9am Sunday 2nd Ward 12:30pm Primary 11am
Homedale Baptist Church Homedale 212 S. 1st W., 337-3715 Sunday School 10am & 11am Sunday Evening 7pm Wednesday Evening 7pm Pastor James Huls	Wilder Church of God Wilder 205 A St. E, 482-7839 Pastor Ray Gerthung Sunday School 9:45am Sunday Service 11am Sunday Eve. 6:00pm Wed. Eve. 7:00pm	Nazarene Church Homedale 2nd W. and Owyhee, 337-3151 Pastor Chuck Ryan Sunday School 9:45am Sunday Morning Worship 10:30am Sunday Evening Worship 6pm Wednesday Night 7pm Adult Bible Study/Prayer, Youth Group & 12 Step Bible-based Recovery Group
Catholic Church Marsing 459-3653 Good Shepherd Saturday 7:00pm Good Shepherd Sunday 12 noon (Spanish)	Owyhee Baptist Church Homedale 337-3147 1 Railroad Ave., Homedale Sunday school 10am Sunday services 11am and 6:30pm Wednesday services 7pm	Marsing Church of Christ Marsing 932 Franklin, Marsing 896-5604 Sunday Bible Study 10am & 1pm Sunday Worship 11am Wednesday Bible Study 6pm
Christian Church Homedale 110 W. Montana, 337-3626 Pastors Maurice Jones & Duane Crist Sunday Morning Worship 11am Church school 9:45	Bible Missionary Church Homedale West Idaho, 337-4437 Pastor Paul Miller Sunday School 10am Worship 11am Sunday Evening 7pm	Assembly of God Church Marsing 139 Kerry, 896-4294 Pastor Rick Sherrow Sunday School 10am Sunday Worship 11am & 6 pm
Lizard ButteBaptist Church Marsing Pastor Dave London 116 4th Ave. W., 587-4866 Sunday worship 11am-12pm Sunday school 9:45am-10:55am Sunday evening 6-7pm Wednesday evening 7pm-8pm Every 3rd Sat. family video at 6 pm	Nazarene Church Marsing Pastor Bill O'Connor 896-4184 Behind Mr. B's Market Worship Services - Sunday 11am and 6pm Sunday School - 9:45am Wednesday 7pm	Trinity Holiness Church Homedale 119 N. Main Pastor Samuel Page 337-5021 Sunday School 10am Sunday Morning Worship 11am Sunday Evening 7pm Thursday Evening 7:30pm
Church of Jesus Christ of Latter Day Saints Marsing 215 3rd Ave. West, 896-4151 Bishop Streibel Bishop Christensen Sunday 1st Ward 9am Sunday 2nd Ward 12:30pm Primary 11am	Vision Bible Church Marsing 221 West Main Marsing, Idaho 208-896-5407 Sunday School 9:30 a.m. Sunday Service 10:30 a.m. Youth Meeting Wed. 7:00 p.m.	United Methodist Church Wilder Corner of 4th St. & B Ave. 880-8751 Pastor Carolyn Bowers Sunday Services 9:30am
First Presbyterian Church Homedale 320 N. 6th W., 337-3060 Pastor Marianne Paul Sunday Morning Worship 11am Sunday School 11am	Word of Hope Southern Baptist Church Homedale 711 W. Idaho, 455-3572 Pastor: Kevin Carpenter Sunday Services: 10 am Bible Study for all ages 11 am Worship Service	Seventh Day Adventist Homedale 16613 Garnet Rd., 880-4685 or 453-9289 Pastor Allan Payne Sabbath School Sat. 9:30am Worship 11am Wednesday Prayer Mtg. 7:30
Iglesia Bautista Palabra de Esperaza Homedale 711 W. Idaho, 463-9569 Pastor Jose Diaz Servicios: Los Domingos 3:00 pm Miercoles 3:00 pm	Calvary Holiness Church Wilder Corner of 3rd St. & B Ave., 482-7208 Sunday School: 10:00 a.m. Sunday Morning Worship: 11:00 a.m. Sunday Evening: 6:00 p.m. Wednesday Evening: 7:00 p.m. Pastor: David Alley	<i>Everyone is welcome!</i>

Rimrock grad completes Foal Eagle '02 exercise

Marine Corps Gunnery Sgt. Robert W. Pullen, son of Donna L. and Michael V. Pullen of Bruneau, recently completed Foal Eagle '02 while assigned to Commander Amphibious Squadron 11, embarked aboard the amphibious assault ship USS Essex, home ported in Sasebo, Japan.

The exercise allowed Pullen's squadron to operate as part of an amphibious ready group with allies from the Republic of Korea. Together they conducted training to become a combined combat-ready force. Foal Eagle '02 was designed to improve interoperability between the forces through real-world training scenarios.

Pullen's squadron is the command element that oversees the operations of an amphibious ready group. Amphibious Squadron 11, with its embarked Marine Expeditionary Unit, when at sea, provides credible deterrence against any potential aggressor in the region.

Pullen is a 1989 graduate of Rimrock High School of Grand View and joined the Marine Corps in July 1989.

Area students on Dean's list from AC of I

Several areas students were among the 160 individuals named to Albertson College dean's list for the recently completed spring semester. To be eligible for the Albertson College dean's list, a student must earn a 3.75 grade-point average.

The students and their hometowns are: Gavin Parker, Homedale, Amy Wright, Melba, John Reinschmidt, Mtn. Home, Tiffany Hipwell, Murphy, Theone Teter of Adrian, OR, Holly Stubbs and Matthew White of Jordan Valley.

Albertson College of Idaho is a private, liberal arts institution located in Caldwell. Its current enrollment is 785 students.

Irrigation district meetings planned

The Ridgeview Irrigation District will hold its regular monthly meeting at 7:00 p.m. on Tuesday, July 8, 2002 at its office at 118 S. 1st Street in Homedale.

The Gem Irrigation District will hold its regular monthly meeting at 7:30 p.m. on Tuesday, July 8, 2002 at the same location.

The South Board of Control will hold its regular monthly meeting at the above location at 8:00 p.m. on Tuesday, July 8, 2002.

Senior news

Homedale Senior Citizens' Center

The Center will be closed July 4 nd 5 for the July 4th Holiday.

Malibu chicken, tater tot dish, veggies, coleslaw, muffins and dessert will be served for dinner on Tuesday, July 9 with music and bingo following. A Board Meeting will be held at 1:00. The shopping bus will be in Homedale at 2:00 p.m.

Snake River Quilters will meet at 10:00. The bus will go to Givens at 11:00 a.m. The bus costs \$3.00 and swimming \$4.00.

Marsing Senior Citizens' Center

The Center will be closed July 4 and 5 for the July 4th Holiday.

Bacon or sausage, eggs, pancakes or waffles will be served for breakfast on Wednesday, July 10.

Have a news tip?

Call us!

337-4681

Welcome to
Homedale Lions Club 20th Annual

DEMOLITION DERBY



Tickets available
through
Select-a-Seat



Gates open 5:30 p.m.
Derby starts 7:00 p.m.



Thursday
July
4th



FIREWORKS AT DUSK!



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Dwyhee County Fairgrounds
Homedale

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Les Schwab Tire Center
Matteson's Owyhee Motors
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Westowns Disposal



Derby action at last year’s event

Dean Boyd’s derby car burst into flames last year during the final elimination heat at the 19th annual Lion’s Club Demolition Derby at the Owyhee County Rodeo grounds. Nearly 40 drivers signed up for this year’s derby which will mark its 20th anniversary.

Meridian Dairy Show’s local winners announced

Winners at the Meridian Dairy Show for Dairy Cattle on June 22, 2002 included several local 4-H members and FFA youth. In the Showmanship Classes Ross Cooper, Homedale, of the Notus FFA received Silver in the FFA Class. In 4-H Intermediate Class 1, Kayla Bertagnolli of the Tumble Weeds in Wilder placed Gold.

The 4-H Senior Class saw Pamela Travis of Wilder’s Critters of Gold place Gold as well as both Cody and Nick Usabel of the Wilson Butte 4-H in Marsing place Gold. Melba’s Drew Kendall of Dry Lake Livestock took Silver.

In the Quality Classes-Holstein, Senior Heifer Calf, Gold was won by Nick Usabel, Wilson Butte 4-H in Marsing and Kayla Bertagnolli from Tumbleweeds in Wilder who also took Silver in Summer Yearling Heifer.

Ross Cooper, Homedale, Notus FFA, and Cody and Nick Usabel, Wilson Butte 4-H, Marsing all received Gold in the 2-year old Cows, Unfreshened Class.

Pamela Travis, Critters of Gold in Wilder also took Gold in the 2 and 3 year old Cows, Reserve Senior Champion in the Holstein, Senior Champion Female and Overall Reserve Champion.

In the Quality Classes-Jersey, Peter DeWinkle of Dry Lake Livestock in Melba received Gold in Senior Yearling Heifer and Junior Champion in Jersey, Junior Champion Female. Drew Kendall also of Dry Lake Livestock in Melba took Gold in 2-year old Cows, Unfreshened.

Dry Lake Livestock, Melba, saw Drew Kendall place Gold in the 2-year old Cows, Unfreshened with Peter DeWinkle receiving the Junior Champion in the Jersey, Junior Champion Female Class.

Teams forming for Percifield tournament

The Tim Percifield Memorial Co-Ed Softball Tournament will be held in Marsing on July 26-28 at the Marsing school softball field. Twenty four teams will be accepted, with three divisions of play.

Games will begin the evening of July 26 and will continue through Sunday, July 28. Most valuable player, hitting and field awards will be given, as well as the prestigious Kim Panzeri Memorial award to the overall outstanding player of the tournament.

The tournament began in 1983 as a community recreation fundraiser and was later re-named for active tournament supporter Tim Percifield following his death in 1985. The proceeds from the tournament will benefit Marsing Community Recreation.

The entry fee for the tournament is \$125. Team rosters are due by July 16. Coordinators have asked team representatives to supply first and last names on the team rosters to Tim or Gwen Miller at 896-4997, or to Sharon VanWassenhove at 896-4997, or by fax to 896-4034.



World Cup Champ

Last year’s World Cup Champion Jason Maxwell races in Washington recently and will be racing again in Marsing Saturday during the Southern Idaho Sprint Boat Association’s third Sprintboat points series at the Marsing International Sprint Track.

SIBA hosts sprintboat races this Saturday

The Southern Idaho Sprint Boat Association will host the third in its summer Sprintboat points series at the Marsing International Sprint Track on Saturday, July 6.

SISBA spokesman Tammy Rice said, “based on the number of boats at the last points race in Richland, Washington, spectators can anticipate more boats, more thrills and more excitement at the Marsing venue then ever before.”

SISBA has over 148 members from Idaho and Eastern Oregon. Rice said many of whom are set to put on a terrific show for the valley’s race fans.

Qualifying rounds will begin

at 10 a.m. and elimination rounds will begin at 1 p.m. Tickets are available through all Select-a-Seat locations and at the gate.

Rice said local names such as Lee Rice from Sunny Slope, Daryl and Tim Healy, from Caldwell, and Chuck Coble from Boise will attempt to qualify for Saturday’s elimination round.

“From up north we will also have Dean ‘The Machine’ Lautenschlager from Lewiston and last year’s World Cup Champion Jason Maxwell will also be racing this Saturday.”

Marsing International Sprint Boat Track is located adjacent to the Snake River in Marsing, miles west of Nampa on Idaho 55.

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Homedale

Weather			
	H	L	
Mon. 24	97	60	
Tues. 25	101	60	
Wed. 26	103	65	
Thu. 27	100	66	
Fri. 28	90	63	
Sat. 29	no	read	
Sun. 30	93	55	
Trace of precipitation Thu. 27			



2002 Snake River Champs

Members of the Homedale U12 team won the 2002 Snake River Softball championship tournament held at Sundance Park on June 21 and 22. The team was coached by Shannon and Toby Johnson and included Katie Lindbloom, Hannah Gibson, Brittany Ambeau, Ashli Kesler, Cortnee Krzesnik, Kelsey Martinat, Tara Lynn Gluch, Roxy Barroso, Samantha Cuellar and Kelsey Silva.

Dairy Rodeo draws nineteen participants

The second annual Dairy Showmanship Rodeo held on June 15, 2002 at Owyhee Dairy in Homedale was reported to be a great success. Nineteen youth from as far away as Star and Eagle participated in the daylong event.

Beginning at 9 a.m. with a clipping demonstration, each child then picked out an unbroken calf. They spent the remainder of the day washing, clipping and leading their animals. A showing demonstration was presented after lunch.

At 6:00 p.m. Judge Becky Korn from Nampa began with Nick and Cody Usabel demonstrating with their own animals how the actual show would be conducted. The competition began with the younger novice class consisting of Megan Dunne, Curtis Doolittle, Kenny Harper and Colton Grimm. Curtis Doolittle was the winner.

Next, the older novice class of Katey McDonald, Neil Doyle, Tyler Blackstock, and Alicia Evans competed with Alicia Evans winning. Contending from the younger members were Mark Williams, Jacy Grimm, Megan Harper and Steve Williams with Megan Harper as winner.

The older showmen were Aaron Salvas, Rebekah McConnell, and Sarah McConnell with Sarah McDonnell winning.

Megan Harper of Caldwell took the honors when each of the class winners competed for the Championship.

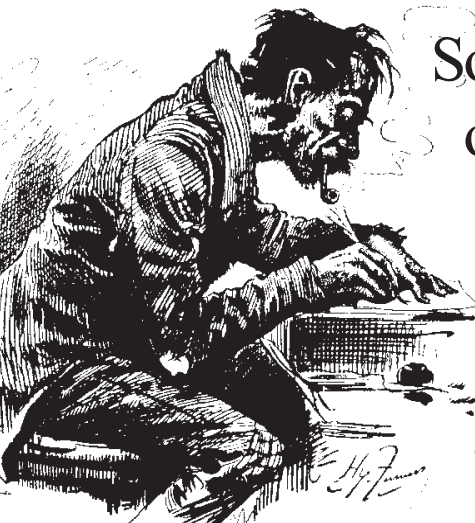
Each class winner received a prize and all participants received a certificate stating they successfully completed the day. A family picnic followed the rodeo events.

Dave and Sue Williams would like to thank all of the parents who helped during the day and furnished food and beverages. It is hoped that this activity will continue as long as the kids enjoy it.



Dairy rodeo

Participants in the second annual Dairy Showmanship Rodeo held on June 15, 2002 at Owyhee Dairy in Homedale included; front row from l to r; Megan Dunne, Curtis Doolittle, Steve Williams, Mark Williams, Kenny Harper, Megan Harper, Jacy Grimm, Colton Grimm, Neil Doyle and Tyler Blackstock. Back row from l to r; Nick Usabel, Aaron Salvas, Katey McDonald, Cody Usabel, Rebekah McConnell, Sarah McConnell, Alicia Evans and judge Becky Korn. Not pictured are Nikki Betts and Sarah Miller.



Something
on your
mind?

We
welcome
letters to the
editor

The Owyhee Avalanche

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Southern Idaho Sprint Boat Association
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SPRINT BOAT RACING AT IT'S FINEST!
WEDNESDAY, JULY 3 - RACE AT 1:00 PM
MARSING INTERNATIONAL SPRINT BOAT TRACK
QUALIFYING STARTS AT 10:00 AM



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ADULTS: \$10
CHILDREN 12 & UNDER: \$5
PIT PASSES: ADDITIONAL \$8



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God bless America ...

*by William Perry Pendley
President, Mountain States Legal
Foundation*

“It was a book package with a plastic zip cord. When I pulled the cord acrid white smoke billowed out-I remember the hiss and the strange smell-and moments later, a terrific flash.”

These were the observations of Professor David Gelernter of Yale University who was nearly killed by the Unabomber in June 1993. They may well have been the observations of my friend Gil Murray, President of the California Forestry Association. But we will never know. Gil was killed instantaneously.

In Professor Gelernter’s book *Drawing Life: Surviving the Unabomber*: He chronicles his struggle to, in his words, “confront the world one-handed and one-eyed [for] there are precious few activities that don’t involve clear vision and your right hand. My deep confusion is not a question of everyday tactics, it is the rest of my life.” He writes of the Unabomber, who was still at large at that point: “the manhunt rarely left our minds. Events as the months passed made the tension tighten, not slack off.”

In late 1994, the Unabomber killed a man “with a family and children and... a big heart,” leading Professor Gelernter to conclude, “An especially good man represents to a wicked one the ultimate danger-the conscience and justice he hates and can never silence.”

In the summer of 1995, the Unabomber writes Gelernter, invoking, incredibly, the name of God: “May the Lord strike you dead, or better yet may I strike you dead and the Lord merely grant me the necessary skill with explosives.”

At last, in 1996, the Unabomber was captured. Then came, for Professor Gelernter, the greatest shock of all, the response of intellectuals and the liberal, mainstream media to the Unabomber, his writings, and his deeds. Instead of the universal condemnation that Professor Gelernter expected, wanted, and needed, the media fawned over the “brilliant mathematician” who had sought refuge from civilization in a back to nature, rustic cabin in Montana.

“He makes a lot of good points, the media said. “We should listen to him,” they cried. “We ignore his point of view at civilization’s peril,” they cautioned. Finally, for Professor Gelernter came the ultimate insult: People magazine named the Unabomber, a man Professor Gelernter called a “squalid cutthroat coward,” “one of the most fascinating people of 1996.” For Professor Gelernter, it took his breath away:

It forces you to ask what is wrong with us? What makes us blur the line between good and evil and, in so doing, invite criminals to attack us and terrorists to kill our children? I found myself turning this question over night and day; I had no choice. When you are trying to figure out how a society thinks and feels, words are the surest route to the truth. In recent years we have gotten the habit of using “judgmental” as a pejorative.

Don’t be surprised, don’t be upset, don’t be judgmental. Be passive; morally and spiritually. Our “resilience,” our “practicality,” our unsurprise, our noble disdain for “being judgmental”-how could it all possibly be just the effect of violence and no part

of the cause?

I have thought often of Professor Gelernter and his book *Drawing Life* over the past few weeks and of the parallels to the events of September 11: the invoking of the name of God or Allah, the unending struggle to cope with pain and life-changing injuries, the tightening tension of the manhunt, the attack upon what is good and just, and the apparent invitation to do just that.

The morning of September 11, just hours before jets hit the World Trade Center, the New York Times hit the news stands with a laudatory article on the just-published memoirs of a “distinguished” professor of education at the University of Illinois at Chicago regarding his years as a bomber with the Weathermen. Professor Bill Ayers, who participated in the bombings of New York City Police Headquarters in 1970, the U.S. Capitol in 1971, and the Pentagon in 1972, had no apologies. “I don’t regret setting bombs. I feel we didn’t do enough.”

And then the buildings began to fall. In the days that followed the attack of September 11, we have learned and paid a terrible price for not being judgmental, for not having the courage, as a society, to call evil by its name and to condemn it. It would be laughable, for example, were the situation not so tragic, that the Clinton State Department stopped calling countries that foment and support terrorism, “rogue states.” Instead, unwilling to be judgmental or give offense, Clinton’s officials called them as “states of concern.”

We have learned and paid a dreadful price for allowing our leaders—men like the late Senator Frank Church of Idaho, President Jimmy Carter, and President Bill Clinton—to destroy the CIA and its ability to do its job, not just, over the years, in monumental ways, but in minor ones too. Recently, for example, we have heard complaints from CIA employees that they spend endless amounts of time in sensitivity training seminars, some of which end with the stitching of “diversity quilts.” In our dream world existence, of wars and rumors of war forever far removed from us, we have allowed the left to pervert the mission of our federal agencies:

In 1973, Congressman John Dingell of Michigan, urging passage of the Endangered Species Act, said that the problem with past such acts was that the Defense Department had asserted that it could not comply with them because its first duty was protecting the country. “Not any more,” cried Dingell, “its number one job is protecting endangered species.” I wonder if Dingell is saying that today, now that homo sapiens Americanus, in its habitat in New York City and Washington, D.C. is under assault.

In 1996, the Clinton Administration turned the Immigration and Naturalization Service (INS) into an international welcome wagon, ordering it to ignore the rules to rush through as many as half a million aliens, so they could vote in that year’s presidential election.

And I wonder if any reporter will have the temerity to ask gubernatorial want-to-be Janet Reno if there might have been better things for the FBI to do than to lay siege to citizens at places like Waco, Texas.

We have learned and paid a heartbreaking price for allowing our

leaders to look the other way when terrorists kill Americans:

241 Marines in their barracks in Beirut, Lebanon;

Navy diver Robbie Stethem on TWA flight 847;

CIA Officer William Buckley in 1985; Marine Lt. Colonel William Higgins in 1989;

the men and women at the World Trade Center in 1993;

Americans and those working for them at the U.S. Embassies in Kenya and Tanzania in 1998; and the officers and men and women aboard the USS Cole in 2000.

For as Jeff Jacoby, of the Boston Globe, points out, the vicious terrorists of the world saw these events and “concluded that America was rich but cowardly, mighty in arms but weak in spirit, unwilling to fight for its principles or to risk its sons in battle. America, they decided had gone soft. And so the time had come to attack.” And so they did. And so, as the only nation capable of setting the world free from the oppression of terrorism and the terror of oppression, we must respond. In the end, as one writer has suggested, quoting a Roman leader, *oderint dum metuant* (“let them hate, so long as they fear”).

I believe, as I am sure you believe, that, to paraphrase the concluding words of the movie *Tora! Tora! Tora!* as spoken by the Japanese Admiral who led the attack on Pearl Harbor: “They have awakened a great sleeping giant.”

As that giant has awakened, we have shown the world our best.

America is united as never before. I saw a political cartoon the other day portraying Americans before and after the attack. Before they wore a host of hyphenated American shirts, African-American, Japanese-American, Mexican-American, etc. After, their shirts all had the same word, American! It truly is as Justice Scalia said in the *Adarand* case, “[W]e are just one race here. It is American.” By the way, on October 31, I will have the honor and privilege of arguing before the Supreme Court in the *Adarand* case; it will be the third time the Court has ruled on it and I hope the last. The issue before the Court is whether the federal government may distinguish between and among Americans on the basis of race. As Americans of all races and ethnicities stand shoulder to shoulder in uniform abroad, I eagerly await the argument of the United States. Will it really assert that, notwithstanding the September 11 attack on all Americans and our unity in response, that some Americans, solely on the basis of their race, must be treated differently?

America has demonstrated that it deserves its reputation as the world’s most compassionate nation. Remember, before September 11, America led all other nations in the provision of privately funded relief to Afghanistan. And we have rushed, in an unprecedented way, to aid our fellow Americans in their time of need and grief. Today our condolences go out to the victims, their families, and friends and other suffering because of this unspeakable atrocity, and our prayers go forward to those who wear the uniform of this great country into the war that has been declared against us.

America has shown the world true heroism. New York City firemen and policemen ran toward the danger, not away from it, to save the lives of those placed in their care. I would like to

share with you one other story of heroism, the story told by Rick Reilly of *Sports Illustrated*, the story of the huge rugby player, the former high school football star, the one-time college baseball player, and the former national judo champion. It was these four men, aboard United Airlines flight 93, who fought back, forced their way into the cockpit, and flew the Boeing 757 into the ground near Pittsburgh instead of allowing the terrorists to fly it into the U.S. Capitol. So as you remember the names Church, Carter, and Clinton, who got us into this mess, remember too the names Beamer, Bingham, Burnett, and Glick who showed us the way out.

We learned from Beamer, Bingham, Burnett, and Glick yet another lesson. Too many of us have become passive. For example, we have allowed our government to say, “Give us your guns, your knives, and your mace and we will protect you.”

But it did not and it cannot. So much is up to us as individuals. It is up to us in our homes and our families.

It is up to us in our jobs. And in saying this I am mindful of the man under arrest in Virginia who swore a false affidavit that was accepted by a clerk that allowed one of the terrorists to obtain a driver’s license, without which the terrorist could not have obtained a credit card, without which the terrorist could not have bought a first class ticket, without which the terrorist could not have boarded that flight, without which... What is it the Ten Commandments say about “bearing false witness?”

It is up to us as citizens. We have an obligation to demand more of our political leaders. We have an obligation to demand that our government fulfill its constitutional and statutory obligations, including, first and foremost, its duty to protect the nation’s security. *Salus populi suprema lex*. We have an obligation, too, to make America better. For one of the great things about this, the greatest country ever, is that we as a people are committed to making it better, for all Americans. That was the vision of our Founding Fathers; it must be our vision as well. America is not only way ahead of whatever country is in second place, we are pulling even further ahead.

This occurred to me the other day in church as we were singing “America, the Beautiful.” You remember the words, “God mend thine every flaw, Confirm thy soul in self-control, They liberty in law. May God thy gold refine, ‘Till all success be nobleness, And every gain divine.”

Thus, we as citizens have an obligation to do what we at Mountain States Legal Foundation have done for the past quarter of a century, that is, to fight to preserve the liberties guaranteed by the Constitution and to demand compliance by our government with the laws of the land. Mountain States Legal Foundation does that by representing people who can not afford an attorney to go to court to set nationally significant legal precedents for freedom. To do that takes hard work, courageous clients, and the support of tens of thousands of loyal donors from throughout the country. Those donors believe, not only in the work of Mountain States Legal Foundation, but also in its slogan all these many years, “Freedom is not free.”

Let me also provide a practical consideration for why this very

... and mend its every flaw

important work in which Mountain States Legal Foundation engages must continue in the weeks, months, and years ahead. Prior to September 11, the Bush Administration had great difficulty getting its appointees in place. In fact, just a few months ago, the only Bush appointee in the U.S. Department of Justice was Attorney General John Ashcroft. One of the jokes, if you can call it that, was that Secretary Norton was "Home Alone" at the Department of the Interior, the only Bush appointee in that vast and important agency. In the past several weeks, many, although not all, of those appointees have been put in place and most observers thought that President Bush could turn to accomplishing the initiatives he had spoken of during the campaign, especially as they relate to policies that affect the West and rural America.

However, with the attack of September 11, President Bush has made it clear that the predominant issue of his administration is eradicating the threat of terrorism to Americans, America, and the world. I can assure you, having served in the Reagan Administration, that President Bush has conveyed that message to his Cabinet officers and they have told their subordinates that they all share that same priority. As a result, for many of the top officials in the Bush Administration, efforts to undo the damage done by the Clinton Administration regarding domestic policy must wait.

That is why Mountain States Legal Foundation is not waiting. It is moving forward with litigation to undue the mistakes of the past, to restore the liberties of the Constitution, to demand compliance with federal law, and to fight for the rights of individual Americans. Let me share some of those efforts with you.

President Clinton was famous for his war on the West, beginning with his illegal creation of monuments throughout the west, by which he removed federal land from availability for economic and recreational activity. Mountain States Legal Foundation sued Clinton in Utah for creation of the Escalante-Grand Staircase National Monument, by which he prevented the mining of a rich coal reserve, which would have provided 1,000 jobs and an annual revenue stream of twenty million dollars to economically hard-pressed rural southern Utah. Mountain States Legal Foundation also sued Clinton in Washington, D.C. for national monuments in Washington State, Oregon, Colorado, and Arizona. Both of these lawsuits are still before federal trial courts.

Mountain States Legal Foundation challenged Clinton's lock up of sixty million acres of national forest. People in rural northwestern Montana assert that Clinton's lock up kills their attempt to diversify from the mining and timber jobs killed by Clinton to ones involving recreation. Other Mountain States Legal Foundation clients in the case assert that Clinton's lock up will prevent them from maintaining forest health and from fighting deadly forest fires. The Bush Administration, having suffered a defeat in a similar case in Idaho, has asked that the Montana case be delayed. Mountain States Legal Foundation is demanding that the case go forward.

In Nevada, Mountain States Legal Foundation represents John Bernt, a miner who staked mining claims on open national forest service lands. Much

to his horror, he discovered federal employees, fraudulently and illegally, had backdated official documents to make it appear as if his claims were out of date. I believe those officials simply followed the example of President Clinton, concluding that, if Clinton can lie about matters trivial and tawdry, they could lie about matters immediate and important.

On behalf of rural people in Idaho and Montana, Mountain States Legal Foundation objected to the Clinton plan of putting grizzly bears where westerners live, work, and play. This is one Clinton policy that Secretary Norton, after notice of Mountain States Legal Foundation's planned lawsuit, abandoned.

Mountain States Legal Foundation is defending Kathy Stupak-Thrall in the Upper Peninsula of Michigan, who was denied the right to use her property because it is near a federal wilderness area. In Arizona, Mountain States Legal Foundation is fighting Clinton Administration regulations that would deny the ability of nearly a million people a year, many of them elderly or infirm, to see the Grand Canyon. These regulations were adopted because a handful of youthful hikers said the faint and distant sounds of aircraft interfered with their national park experience. In these difficult economic times, how trivial such objections sound.

Mountain States Legal Foundation represents farmers and ranchers in southern Wyoming and northern Colorado who have been told by the U.S. Fish and Wildlife Service that they must give up their water rights to save endangered species in Nebraska. These folks discovered, upon reading Forest Service documents, that the Forest Service, simply by harvesting more timber in the local forests, could, without harming water quality, generate more than enough water for the species. Remarkably, the Forest Service says it has no obligation to protect species, that private parties must do so by forfeiting their water rights.

One of the initiatives of the Clinton Administration was closing federal land to the public if Native Americans asserted that the land was "sacred." This policy began at Devils Tower in northeastern Wyoming. More recently, Mountain States Legal Foundation challenged the Clinton Administration's closure of portions of the Bighorn National Forest west of Sheridan, Wyoming, to timber harvesting. The Forest Service has declared that all of Medicine Mountain is to be managed as a "sacred site." By the way, the timber mill in Sheridan is the largest private employer in the county. Mountain States Legal Foundation has also challenged the closure of portions of the Rainbow Bridge National Monument in Utah to tourists.

Mountain States Legal Foundation has been aggressive in its defense of private property. Near Marthasville, Missouri, Mountain States Legal Foundation is defending the property rights of the Glosemeyer family. The Glosemeyers had a deed that gave a railroad an easement across their property. The easement provided that, when the railroad went away, the

property would revert to the Glosemeyers. However, Congress passed the Rails to Trails Act, which interfered with that right, compelling the railroad easement to become a recreational trail. As a result, today, 20,000 people a weekend parade across the Glosemeyers' land. Mountain States Legal Foundation argued that their property had been taken and they were owed "just compensation;" the federal judge agreed.



William Perry Pendley

On September 13, Mountain States Legal Foundation prevailed in a long running battle involving Larry Squires of Hobbs, New Mexico. Years ago, Dr. Squires, a veterinarian, learned that the oil and gas industry intended to dispose of waters produced during oil and gas operations in sinkholes near his land. Because he is a self-proclaimed environmentalist, he wanted to make sure that such an activity was safe

and prudent. He hired a hydrologist who advised him that there was 300 feet of impermeable clay beneath the sink holes, there was no ground water beneath that, and the nearest stream was forty miles away. So Larry entered into the business of disposing of those waters on his land.

In 1992, the Environmental Protection Agency (EPA) served him with a cease and desist order, asserting that his lands were "waters of the United States." What is the basis for the EPA's assertion, in an area with 13 inches of annual rainfall and an evaporation rate of more than 100 inches? The EPA argued that every one hundred years or so, it rains hard enough that water collects in the sinkholes and that, until the water evaporates, birds engaged in interstate commerce land there. That made the sinkholes "waters of the United States." Over the EPA's objection, a federal court has ruled that Larry Squires' property has been taken and he is owed just compensation.

In January 1999, Timothy Kornwolf heard a knock at the door of his home in Stillwater, Minnesota. The man at the door introduced himself as a Norwegian collector of native artifacts, who owned Laplander artifacts and was interested in purchasing Native American materials. He had heard Kornwolf had a golden eagle headdress and a dance shield. The man from Norway had a suitcase filled with money, which he opened for Kornwolf. After several hours Kornwolf agreed to sell the items, which he had been given by his great Uncle Nick who had traveled with the Buffalo Bill Wild West Show. What Kornwolf did not know was that the man from Norway was an undercover agent for the Fish and Wildlife Service and that, in addition to the money in his suitcase, he had a hidden camera and recorder.

Subsequently, Kornwolf was arrested and charged with selling feathers he had the legal right to own. It is the federal government's position that while Kornwolf could own the feathers, he could never sell them. Mountain States Legal Foundation, in a brief it filed in support of Kornwolf, disagrees noting that the U.S. Supreme Court has rejected that notion. After all, one of the most essential aspects of property rights is

the right to sell that property. One might want to ask Secretary Norton, on whose watch these events did not occur, if the best use of federal law enforcement officials is sending them into the homes of citizens with suitcases full of cash to persuade them to violate the law, especially during these dangerous times.

In a case related to Mountain States Legal Foundation's famous Adarand case, the Clinton Administration sued tiny Blaine County, Montana, asserting that Blaine County must racially gerrymander its commissioner districts to ensure the election of a Native American commissioner. In its lawsuit, it asserts that things done by the United States and by Montana more than 100 years ago demonstrate current racial bias. Blaine County asked Mountain States Legal Foundation's assistance in defending against this absurd and offensive lawsuit. This is yet another case that could make its way to the Supreme Court. To reaffirm the point I made earlier, about litigating against the Bush Administration, I regret to say that the Bush Administration is pressing forward with this lawsuit.

In two cases involving actions by local government, Mountain States Legal Foundation is defending the constitutional rights of all Americans. Years ago, Montana adopted a statute that gave the public access to private land by declaring that non-navigable streams across private land were open for recreation. Long time property owners asserted that the law deprived them of their rights in violation of the Due Process Clause. Mountain States Legal Foundation filed a lawsuit on behalf of those property owners.

In another case, Montana adopted a ballot initiative that barred corporations and groups receiving corporate support, like trade associations and grass roots groups, from participating in ballot initiatives. Because of this ban on the right of Montanans to speak and to hear speech, a ballot initiative banning certain types of mining was enacted. Mountain States Legal Foundation challenged the speech ban and the right of Montana to enforce the mining ban since it was adopted in a constitutionally tainted election. The speech ban was declared unconstitutional, but the mining ban was upheld. The Ninth Circuit held that although the First Amendment had been violated, it would be a hardship to require Montana to hold another election. That case is now before the U.S. Supreme Court.

Of course, there are a host of other cases in which Mountain States Legal Foundation is engaged. They are all set forth in great detail at the web site: www.mountainstateslegal.com. I urge you to explore that site.

In the days, weeks, and months ahead, as we persevere, as we prepare to prevail over tyranny and terror, I urge you to be of good cheer. Enjoy life, enjoy your families, enjoy one another, and enjoy this great, beautiful and wonderful country. As reported recently in National Review, in the early, dark days of World War II, Winston Churchill told British diplomats abroad: to light their windows; to hold their usual functions; to conduct themselves with confidence and spirit.

It was good advice then. It is great advice now.

Thank you. And God bless America.

Commentary

Editor's notebook

Joe Aman

Don't they have anything else to worry about?

All newspapers, I'm sure, receive a large amount of "junk" mail from about every cause one can imagine. I use the term "mail" loosely, because with the advent of the fax machine and the more-recent e-mail, the amount doubles and triples. And often we get one of each bearing the same message.



Among the most perplexing is that from politicians. The governor's office ranks among the top for volume. It also ranks among the top for the trivial and worthlessness. Like we in Owyhee County really care about his talk to a group of quilters in Bonners Ferry, or a botonical group in Lower Bongo-bongo Land. But maybe that all comes with the territory.

But the one which disturbs me the most is our U.S. Congressmen.

I cannot remember the last time we received a release from Senator Craig's office that had any real news value, or on any topic of national concern except one, and that questionable. Virtually all news releases from Craig's office deal with one topic: the Office on Aging.

Take the one I received yesterday: "CRAIG ADVISES SENIORS TO STAY HYDRATED DURING SUMMER MONTHS" the headline reads. Wow. A U.S. Senator is spending your tax dollars to tell old people to drink water when it's hot. (We didn't get old by being stupid.) And I assure you, most of the senator's "news relalses" are of this category.

But Craig doesn't have an exclusive on petty information put out at public expense.

The same day I received a fax from Congressman Mike Simpson advising folks building houses in the forests to use fire-resistant materials and use greenry to landscape yards.

Agreeably, these "tips" are good advice. But one woud hope our congressmen would have better and more important things to do.

Joe Aman may be reached at The Owyhee Avalanche or via email: avalanche@citlink.net

Farm Bureau

Ethanol makes sense for Idaho

by John Thompson
Director of Information

Developing ethanol production in southern Idaho is one of the best ideas since somebody put a pocket on a shirt.

We've got open space for plant sites, abundant raw products for making ethanol, a ready market for the byproduct, comparatively close proximity to markets and we desperately need the jobs and commerce these plants will create.

A group of developers made up of farmers, people who work in the petroleum industry, and others calling itself the Idaho Ethanol Coalition, is cooperating with Governor Kempthorne and various state agencies to develop at least three plants. Idaho Congressman Mike Simpson has also been an active advocate for ethanol production in Idaho.

Coalition members have developed business plans and identified several potential sites. Presently they are working out financing details. Plants sites are planned for Payette County, Minidoka or Cassia County and Bannock County.

The business plans developed by the Idaho Ethanol Coalition show exciting potential for Idaho to become an important ethanol producing state.

Initially, it looks like the plants will run on corn from the Midwest in order to satisfy the lenders. But in a short time developers intend to switch over to local wheat, barley and corn. A plant that produces 40 million gallons of ethanol per year, like the one planned for the Magic Valley, will need about 12 million bushels of grain per year. If you figure three plants and 100 bushels per acre grain yields, it will take about 360,000 acres of grain to meet the demand. Idaho farmers plant about 1.3 million acres of wheat, 700,00 acres of barley and 200,000 acres of corn per year. So while three new ethanol plants wouldn't make a big dent in Idaho grain production, they would create a new local market for many farmers and in turn have a positive effect on the state's economy.

Coalition members believe they have identified a 300 to 400 million-gallon market in Las Vegas, Salt Lake City and southern California. About 99 percent of the current ethanol production comes from the Midwest.

Another important part of this equation is the byproduct produced by the ethanol-making process. To make ethanol, the starch and protein in the grain must be separated. The starch or sugars become ethanol and the protein becomes a byproduct called dry distillers grain or DDG. This byproduct is an important cattle feed supplement widely used in the dairy industry.

A plant that produces 40 million gallons of ethanol per year costs about \$50 million to build and according to business plans would employ 35 to 40 people at an average salary of \$32,500 per year. Construction of the plants alone would be a big boost to the state economy and the need to create new good paying, stable jobs with benefits is a no-brainer.

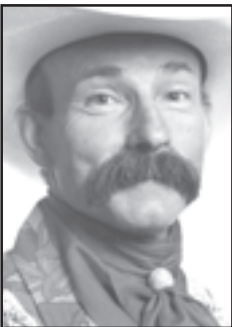
On the edge of common sense

Baxter Black, DVM

"Take your belongings and go"

Across the west this summer thousands of people heard the words, "Take your belongings and go." Drought, lightning, careless humans, arsonists and long-standing unnatural conservation policies combined to create a living inferno of our nation's forests and grasslands.

None of which would have mattered much in the grand scheme of things except that man, a recent newcomer to the planet, has begun to amass possessions. They, these 'belongings', distinguish us from the lower beasts. As the billowing thunderous fires inhaled and exploded, threaten-



ing houses, cabins, towns and TV towers with immolation, inhabitants in the crosshairs were told to evacuate. Some had a day's warning, some had a few minutes. "Take your belongings," they were told, "and leave."

It is a credit to Homo sapiens that the first 'belonging' most evacuees took, after their families were safe was their pet. Not the entertainment center, the table saw, the sofa, the swamp cooler, the silverware or the \$300 Stetson hat. At the top of the list was Sparky or Miss Kitty. Mongrels with no pedigree, bad habits and a \$300 vet bill.

And lest we forget, Fury, Dunny and Bossy were led, ridden or hauled out of harm's way before any thought was given to the gun collection, the Frederick Remington print or the trophy saddle in the tack room.

Why do domestic animals rate so high among our possessions? They are surely not more valuable, in dollars and cents. I think we value them differently than inanimate possessions. The word 'love' keeps creeping into the back of my pencil. But love is not quite right. Responsibility is much closer.

It is long standing, this relationship. Genesis says God gave man dominion over the fish, the fowl, the cattle and every creeping thing over all the earth. Dominion is defined as power over, authority, possession, rule and control. God could have said joint custody, equality, visitation rights, mutual exclusivity or time sharing...but He didn't.

But dominion implies a reciprocal dependence. It is bone deep in our instinct, caring for the flock. It is deeper than love of the land, the house, the car and even the bass boat.

In the face of this summer's fires, "get the animals out first" seemed to be our first thought. In a world where so much emphasis is placed on material possessions, our relationship with our animals turns out to be one of our most redeeming features.

It makes us almost human.

Front sight

Robert Boatman

Mr. Boatman is no longer on the Avalanche staff.

We thank him for his contributions during the past seven months.



Commentary

Tradition, power trips, and misinformation are roots of conflict over fairgrounds

Joe Aman

The ongoing flack among the commissioners, fair board, rodeo board, other groups, and the public has reached a point of ridiculous and unnecessary.

It's high time to get the mess straightened out and operate in a civil, commune and – most importantly – legal manner.

Recent and present points of contention vary, but the root of the problems stem back to the same lack of a clear, concise, and legal picture of the separate and distinct roles of the elected county commissioners and the appointed fair board.

This analysis is intended to clarify those points.

Some background information

The history of conflict goes back over a quarter century that I know of. When I came to Homedale in 1975, the fair board operated as a private group. The county gave the board the money of both the fair levy and fairgrounds levy and left them alone. They left them alone to the point the fair board didn't even report their financial condition to the commissioners, let alone make the records public, both requirements under Idaho law.

When I told the then-county agent (he ran the show) I wanted a copy of the fair board's financial statement, he told me in no uncertain terms that it was none of my business. I found out why he didn't want me to see them, when, after months of wrangling and threats of legal action, I finally got the records. The fair board was over \$7,000 in the red.

Since that time we have seen many abuses of power, questionable expenditures, acts of nepotism, and poor record-keeping. But that's history.

What the law says about all this

Once the voters gave their approval, the county commissioners were authorized to create a county fair board. Upon creation of a fair board, it becomes a separate taxing entity, as is a highway district or a library district. The difference, however, is that it operates on county property. Hence the conflict.

The fair board is *not* an advisory board as has been suggested. It is a separate entity, operating independently from the commissioners, but that authority pertains only to **conducting a county fair**.

County fair boards are created for one purpose: **conducting a county fair**. This is so stated in IC 22-201 in two instances.

The commissioners are authorized to create a special levy not to exceed .01% of market value **to purchase and maintain the fairgrounds**. IC 31-822 spells out the powers and duties of the board of commissioners as:

To contract to purchase a site, grounds or parks on which to hold public fairs or exhibitions, *to care for and maintain the same, regulate the use thereof* and, in their discretion, *to let, demise or lease the same*... To make a special levy of one hundredths per cent (.01%) of market value for assessment purposes of taxable property within the county for the purpose of purchasing a site, grounds or park on which to hold public fairs or exhibitions and to erect upon said site, grounds or park suitable buildings and provide for the maintenance of said buildings.

Historically, the commissioners have delegated the management of this levy to the fair board, which intermingled it with the money for operating the fair. The fair board has controlled both levies, and which expenditure came from which levy is impossible to separate. The commissioners cannot legally delegate the authority allocating the maintenance levy funds

to the fair board.

The commissioners are authorized to create another special levy not to exceed .02% of market value to **operate the fair**. The code lists just what the operation of the fair entails:

collecting, preparing and maintaining an exhibition of the products and industries of the county at any domestic or foreign exposition, for the purpose of encouraging immigration and increasing trade in the products of the state of Idaho, and for the same purposes, in the discretion of the commissioners to pay premiums or prizes for, and any costs or expenses of collecting, preparing, maintaining, exhibiting and advertising of like exhibitions, exhibited by others than the county at any such domestic or foreign exposition.

Clearly, this levy is collected to operate the county fair only. Once it is collected, it is to be turned over to the fair board treasurer to be used for fair purposes inclusive of:

maintaining, carrying on, conducting, payment of obligations, premiums, prizes and all other necessary expenses, incurred or to be incurred in conducting a fair. IC 22-206.

IC 22-204 clarifies the powers of the fair board this way:

It shall safely keep or cause to be safely kept all moneys coming into its care, custody or possession in strict compliance with the provisions of the public depository law of this state. It shall formulate in writing and file in its office all plans adopted by it from time to time in connection with the conduct of the business of the county fair, and also file a copy of the same with the board of county commissioners of the county. It shall keep or cause to be kept proper records of its proceedings, business transactions, and true and proper accounts of all moneys received by it and expended or on hand; and it shall require proper vouchers evidencing all disbursements of money. The records of the board shall be open to inspection by any taxpayer or voter within the county during all regular office hours. The board shall publish in at least one (1) issue of the official newspaper of the county a detailed statement of all moneys received and expended in connection with the operation of any fair or fairs, within ninety (90) days after the holding of any such fair within the county.

It shall take charge of and manage all such property as the county may have acquired or set aside for fair purposes pursuant to the provisions of section 31-822, Idaho Code. It may recommend to the board of county commissioners that such board purchase such real and personal property as may be needed for fair purposes. It shall have power to employ labor, award prizes, make exhibition contracts, fix and charge admission and entrance fees, let contracts for concessions or services to be conducted at the fair or under the direction of the county fair board, but if any concession or service is to extend for a period of less than twelve (12) days in a calendar year, the concession or service may be awarded without bid, and do all other things necessary for holding county fairs. It shall fix the salaries of the secretary and treasurer and prescribe the time and manner of payment. The county fair board shall not have the power to create any indebtedness in excess of the amount to be

derived from the special levies for each year and the estimated income from annual fair receipts, nor shall it mortgage or otherwise pledge or encumber any of the real or personal property owned by the county and used for fair purposes.

One argument the chairman of the fair board keeps making is that the part which reads "It shall take charge of and manage all such property as the county may have acquired or set aside for fair purposes pursuant to the provisions of section 31-822, Idaho Code" gives the fair board the right to care for and maintain and set rents and virtually control the fairgrounds.

The provisions to which 22-204 refers in 31-822 states that the commissioners have the responsibility and duty to "care for and maintain... regulate.. and let or lease" the grounds. There is an apparent conflict in the laws on this issue, in part. No where is the fair board given the authority to rent the fairgrounds, only the commissioners. It can easily be argued that 22-204 refers to taking charge and managing the grounds and buildings during the fair, since the only authority given the fair board is that of **conducting a fair**.

Where do we go from here?

Since this writing, the board of commissioners has met, and may have resolved some of these issues. Or they may not have.

Without exception, the biggest problem is that of power and control. The commissioners don't seem to want to accept what is legally theirs', and the fair board wants to have ultimate power over every facet of the fair *and* fairgrounds. The Owyhee County Rodeo Board also wants to control a part of the fairgrounds during the fair.

It's time to put aside the differences, the indifferences, the egos, the power freaking, and the nitpicking. It's time to rise above all that.

As we've noted, the fair board has control over the County Fair levy. It's theirs to spend to conduct a fair. With the exception of the presumed conflict in IC 22-204, the only function of the fair board is to **conduct a fair**.

The county commissioners must take charge of the Fair Grounds levy and exercise its authority to care for and maintain, regulate the use, and control the rents of the grounds, as stipulated in IC 31-822. The commissioners cannot delegate this authority to the fair board. The commissioners need to enter into lease agreements with the rodeo board, the Lions Club, high school rodeo, and others who use the facility.

The fair board has the power to regulate concessions at the fair. IC 22-204 states this authority most clearly. This issue of concessions is one of the hot topics between the fair board and the rodeo board. (The rodeo board is not a part of the county government, but is a private not-for-profit corporation.) The rodeo board runs a beer garden on the east side of the arena, and the fair board hasn't authorized it. There are lots of petty points on both sides, but it's clear the fair board controls the concessions.

The bottom line is that the fair board needs to be limited to conducting a fair. The commissioners need to take charge of the maintenance, use and lease of the grounds. The rodeo board needs to acknowledge it cannot run a concession at the fair without the fair board's okay.

Then, maybe the conflicts can be put aside, and the affairs of the county can be conducted in a legal, professional manner.

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Public notices

NOTICE TO CREDITORS CASE NO. SP02-01652*M

THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

In the Matter of the Estate of, Georgia McCornack Deceased.

NOTICE IS HEREBY GIVEN that, Terry Weston, has been appointed personal representative (administrator) of the above-named estate. All persons having claims against the said deceased are required to present their claims within four (4) months after the date of the first publication of this notice or said claims will be forever barred. Claims must be presented to Terry Weston, Representative, at the address hereinafter setforth, or filed with the Court. The date of the first publication of this notice is July 3, 2002.

DATED this 24th day of June, 2002.

Terry Weston
Representative
2398 Greiner St
Eugene OR 97405

7/3, 10, 17/02

NOTICE OF PUBLIC HEARING ANNEXATION OF CERTAIN LANDS INTO HOMEDALE RURAL FIRE PROTECTION DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing will be held at 12 noon Monday, July 8th, 2002 at Owyhee Lanes and Restaurant in Homedale, Idaho, to consider action on a petition filed by Janet S. Anglin for annexation of the following described lands into Homedale Rural Fire Protection District:

In Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho: Section 21: Southeast Quarter Northwest Quarter.

Any person supporting or objecting to such petition shall be heard at such hearing.

DATED this 27th day of June 2002.

Mikeal D. Parker
Secretary
Homedale Rural Fire
Protection District

7/3/02

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder, payable in lawful money of the United States, **at the front entrance to the Owyhee County Courthouse, Highway 78, Mile Marker 29 1/2, Murphy, Idaho on 10/09/2002 at 11:30 A.M.,** (recognized local time) for the purpose of foreclosing that certain Deed of Trust recorded **12/19/2000** as Instrument Number **234616**, in Book N/A, at Page N/A, and executed by **LYLA HERNANDEZ and ODILAN HERNANDEZ**, as Grantor(s), in favor of **"MERS" MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. SOLELY AS NOMINEE FOR LENDER**, as Beneficiary, to Stewart Title of Boise, Inc., the Current Trustee of record, covering the following real property located in **OWYHEE** County, state of Idaho:

PARCEL I

A portion of Tract 14 of Record of Survey No. 164239, being a portion of the Southeast Quarter Northwest Quarter of Section 14, Township 1 South, Range 3 West, Boise Meridian, Owyhee County, Idaho, and being more particularly described as follows:

COMMENCING at the Northeast corner of said Southeast Quarter Northwest Quarter, said corner being marked by a brass cap monument; thence

South 00 degrees 44'57" West 332.85 feet (South 00 degrees 45'10" West 332.86 feet) along the East line of said Southeast Quarter Northwest Quarter to a found 1/2 inch rebar at the Southeast corner of Tract 13 of said Record of Survey; thence

North 89 degrees 21'57" West, 261.69 feet along the South line of said Tract 13 to a set 1/2 inch rebar and the POINT OF BEGINNING; thence

South 00 degrees 45'24" West, 222.16 feet along a new line through said Tract 14 to a set 1/2 inch rebar; thence

North 89 degree 21'57" West, 392.38 feet along another new line through said Tract 14 to a set 1/2 inch rebar in the West line of said Tract 14; thence

North 00 degrees 44'46" East, 222.16 feet along the West line of said Tract 14 (East line of Tract 10) to a found 1/2 inch rebar at the Southwest corner of said Tract 13; thence

South 89 degrees 21'57" East, 392.42 feet along the South line of said Tract 13 to the

POINT OF BEGINNING.

SUBJECT TO: A 20.00 foot wide access and utilities easement across said PARCEL 1 and serving PARCEL 2 and PARCEL 3 of said Tract 14, said easement being the Northerly 20.00 feet of said PARCEL 1, Excepting therefrom any portion of the above described 20.00 foot wide strip of land presently occupied by a steel quonset building.

ALSO SUBJECT TO: A 10.00 foot wide easement for water service from a well located within said PARCEL 1 and serving PARCEL 4 of said Tract 14, said easement being described as follows:

BEGINNING at a point in the South line of said PARCEL 1 located South 89 degrees 21'57" East, 192.00 feet from the Southwest corner of said PARCEL 1; thence

North 36 degrees 03'55" West, 84.99 feet; thence

North 47 degrees 05'44" East, 189.42 feet; thence

South 42 degrees 54'16" East, 10.00 feet; thence

South 47 degrees 05'44" West, 180.55 feet; thence

South 36 degrees 03'55" East, 83.57 feet to a point in the South line of said

PARCEL 1; thence
North 89 degrees 21'57" West, 12.47 feet along said South line to the

POINT OF BEGINNING.
PARCEL II

A portion of Tract 14 of Record of Survey No. 164239, being a portion of the Southeast Quarter Northwest Quarter of Section 14, Township 1 South, Range 3 West, Boise Meridian, Owyhee County, Idaho, and being more particularly described as follows:

Commencing at the Northeast corner of said Southeast Quarter Northwest Quarter, said corner being marked by a brass cap monument; thence

South 00 degrees 44'57" West 332.85 feet (South 00 degrees 45'10" West 332.86 feet) along the

East line of said Southeast Quarter Northwest Quarter to a found 1/2 inch rebar at the Southeast corner of Tract 13 of said Record of Survey and the

POINT OF BEGINNING; thence
South 00 degrees 45'24" West (South 00 degrees 45'10" West),

88.55 feet along the East line of said Southeast Quarter Northwest Quarter to a set 1/2 inch rebar; thence

North 89 degrees 21'57" West 130.00 feet along a new line through said Tract 14 to a set 1/2 inch rebar; thence

South 00 degrees 45'24" West 155.00 feet along another new line to a set 1/2 inch rebar; thence

North 89 degrees 21' 57" West 131.69 feet along another new line to a set 1/2 inch rebar; thence

North 00 degrees 45'24" East 243.55 feet along another new line to a set 1/2 inch rebar in the South line of said Tract 13; thence

South 89 degrees 21'57" East 261.69 feet along said South line to the

POINT OF BEGINNING.

Also including: a 20.00 foot wide Access and Utilities Easement across PARCEL 1 of said Tract 14 and serving PARCEL 2 and PARCEL 3 of said Tract 14, said easement being the Northerly 20.00 feet of said PARCEL 1.

EXCEPTING THEREFROM: Any portion of the above described 20.00 foot wide strip of land presently occupied by a steel Quonset building.

SUBJECT TO: A 20.00 foot wide Access and Utilities Easement across said PARCEL 2 and serving PARCEL 3 of said Tract 14 said easement being described as follows:

BEGINNING at the Northwest corner of said PARCEL 2; thence

South 89 degrees 21'57" East, 170.20 feet along the North line of said PARCEL 2; thence

South 00 degrees 38'03" West, 88.61 feet through said

PARCEL 2 to a point in the North line of said PARCEL 3; thence

North 89 degrees 21'57" West, 20.00 feet along said North line of PARCEL 3; thence

North 00 degrees 38'03" East, 68.62 feet through said

PARCEL 2; thence
North 89 degrees 21'57" West, 150.27 feet to a point in the West line of said

PARCEL 2; thence
North 00 degrees 45'34" East, 20.00 feet along said West line to the Point of Beginning.

ALSO SUBJECT TO: A 10.00 foot wide easement for water service from a well located within said PARCEL 2 and serving PARCEL 3 of said Tract 14, said easement being described as follows:

COMMENCING at the Southwest corner of said PARCEL 2, thence

South 89 degrees 21'57" East, 131.69 feet along the South line of said PARCEL 2 to a corner in said South line; thence

North 00 degrees 45'24" East, 43.50 feet along the line between said

PARCEL 2 and PARCEL 3 to the POINT OF BEGINNING; thence

South 79 degrees 30'57" West 43.43 feet through said PARCEL 2; thence

North 10 degrees 29'03" West, 10.00 feet; thence

North 79 degrees 30'57" East, 45.42 feet to a point in said line between PARCEL 2 and PARCEL 3; thence

South 00 degrees 45'24" West, 10.20 feet along said PARCEL line to the POINT OF BEGINNING.

ALSO INCLUDING: A 10.00 foot wide easement for a water line across said PARCEL 3 and serving PARCEL 2, said easement being described as follows:

COMMENCING at the Northwest corner of said PARCEL 3; thence

South 89 degrees 21'57" East, 131.69 feet along the North line of said PARCEL 2 to a corner in said North line; thence

North 00 degrees 45'24" East, 43.50 feet along the line between said

PARCEL 3 and PARCEL 2 to the POINT OF BEGINNING; thence

North 00 degrees 45'24" East, 10.20 feet along said PARCEL line; thence

North 79 degrees 30'57" East, 40.74 feet through said PARCEL 3; thence

North 00 degrees 00'34" West, 93.39 feet to a point in the South line of said

PARCEL 2; thence
South 89 degrees 21'57" East, 10.00 feet along said South

PARCEL line; thence
South 00 degrees 00'34" East, 101.60 feet through said PARCEL

3; thence
South 79 degrees 30'57" West, 51.05 feet to the POINT OF

BEGINNING.
Also subject to: A 10.00 foot wide power line and telephone easement across said

PARCEL 2 and serving PARCEL 3, said easement being described as follows:

BEGINNING at a point in the North line of said PARCEL 2 located North 89 degrees 21'57" West, 39.44 feet from the Northeast corner of said PARCEL 2; thence

South 28 degrees 35'28" East, 80.48 feet through said

PARCEL 2 to a point in the East line of said PARCEL 2; thence

South 00 degrees 45'24" West, 18.31 feet along said East line to the Northeast corner of PARCEL 3; thence

North 89 degrees 21'57" West, 10.00 feet along the North line of said

PARCEL 3; thence
North 00 degrees 45'24" East, 15.72 feet through said

PARCEL 2; thence
North 28 degrees 35'28" West, 71.99 feet; thence

North 89 degrees 21'57" West, 46.18 feet to a point in the East line of an access and utilities easement through said

PARCEL 2 and here before described; thence

North 00 degrees 38'03" East, 10.00 feet along said East easement line to a point in the North line of said PARCEL 2; thence

South 89 degrees 21'57" East, 52.38 feet along said North line to the

POINT OF BEGINNING.
The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Idaho Code, Section 60-113, the Trustee has been informed that the street address of, 1313 HC BOX

79, MELBA, ID 83641 is sometimes associated with said real property.

Bidders must be prepared to tender the trustee the full amount of the bid at the sale in the form of cash, or a cashier's check drawn on a state or federally insured savings institution. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in that certain Deed of Trust.

The default for which this sale is to be made is:

Failure to pay the monthly payment due

12/01/2001 of principal, interest and impounds and subsequent installments due thereafter; plus late charges, with interest currently accruing at **16.500 percent** per annum; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said Deed of Trust, and any supplemental modifications thereto. The principal balance owing as of this date on said obligation is **\$34,701.06**, plus interest, costs and expenses actually incurred in enforcing the obligations thereunder and in this sale, together with any unpaid and/or accruing real property taxes, and/or assessments, attorney's fees, Trustee's fees and costs, and any other amount advanced to protect said security, as authorized in the promissory note secured by the aforementioned Deed of Trust.

Therefore, the Beneficiary elects to sell, or cause said trust property to be sold, to satisfy said obligation.

NOTICE IS HEREBY GIVEN THAT THIS FIRM IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE, AND THAT THE DEBT MAY BE DISPUTED. THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(A) IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

DATED:

April 24th, 2002

Stewart Title of Boise, Inc.

Successor Trustee

By: Bev Petersen, Trust Officer

Name and Address of the

Current Trustee is:

Stewart Title of Boise, Inc.

9196 W. Emerald St., Ste 100

Boise, ID 83704

PHONE: (800) 281-8219 for information.

6/12, 19, 26, 7/3/02

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Public notices

NOTICE OF TRUSTEE’S SALE

The following described property will be sold at public auction to the highest bidder, payable in lawful money of the United States, **at the entrance to the Owyhee County Courthouse, Highway 78, Mile Marker 29 1/2, Murphy, Idaho, 83650**, on **10/23/2002**, at **11:30 AM**, (recognized local time) for the purpose of foreclosing that certain Deed of Trust recorded **4/18/1994** as Instrument Number **212618**, in Book N/A, at Page N/A, executed by **KENNETH LEE MOORE and GLADYS E. MOORE**, as Grantor(s), in favor of **CARL I. BROWN AND COMPANY, A KANSAS CORPORATION, DBA PREMIER MORTGAGE RESOURCES**, as Beneficiary, to Stewart Title of Boise, Inc., the Current Trustee of record, covering the following real property located in **Owyhee County**, state of Idaho: **LOTS 22, 23, AND 24 OF BLOCK 5 OF THE REVISED TOWNSITE OF BUTTE, NOW THE CITY OF MARSING, OWYHEE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF FILED MARCH 9, 1946 AS INSTRUMENT NO 71472 IN THE OFFICE OF THE RECORDER FOR OWYHEE COUNTY, IDAHO.**

The Trustee has no knowledge of a more particular description of the above referenced real property, but for purpose of compliance with Idaho Code, Section 60-113, the Trustee has been informed that the street address of, **102 1ST STREET SOUTH, MARSING, ID 83639** is sometimes associated with said real property.

Bidders must be prepared to tender the trustee the full amount of the bid at the sale in the form of cash, or a cashier’s check drawn on a state or federally insured savings institution. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in that certain Deed of Trust.

The default for which this sale is to be made is:

Failure to pay the monthly payment due **11/01/2001** of principal, interest and impounds and subsequent installments due thereafter; plus late charges, with interest currently accruing at **7.500 percent** per annum; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said Deed of Trust, and any supplemental modifications thereto. The principal balance owing as of this date on said obligation is **\$49,748.92**, plus interest, costs and expenses actually incurred in enforcing the obligations thereunder and in this sale, together with any unpaid and/or accruing real property taxes, and/or assessments, attorney’s fees, Trustee’s fees and costs, and any other amount advanced to protect said security, as authorized in the promissory note secured by the aforementioned Deed of Trust.

Therefore, the Beneficiary elects to sell, or cause said trust property to be sold, to satisfy said obligation.

NOTICE IS HEREBY GIVEN THAT THIS FIRM IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE, AND THAT THE DEBT MAY BE DISPUTED. THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH

SECTION 45-1506(4)(a) IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

DATED: May 10, 2002

Stewart Title of Boise, Inc.
Successor Trustee
By: Bev Petersen,
Trust Officer
Name and Address of the Current Trustee is:
Stewart Title of Boise, Inc.
9196 W. Emerald St., Ste 100
Boise, ID 83704
PHONE: (800) 281-8219 for information.

6/26, 7/3, 10, 17/02

NOTICE OF“TRUSTEE’S SALE

On the **2nd day of October, 2002**, at the hour of 10:45 A.M., of said day, (recognized local time), in the lobby of the Owyhee County Courthouse, Murphy, in the County of Owyhee, State of Idaho, First American Title Company of Idaho, Inc. an Idaho Corporation, as successor trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Owyhee, State of Idaho, and described as follows, to-wit:

In Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, Section 35: West Half of the East Half of the Southeast Quarter of the Southwest Quarter.

The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Section 60-113 Idaho Code, the Trustee has been informed that according to the County Assessors office, the address of **HC 79, Opalene Rd., Marsing, Idaho**, also can be known as **HC 79 Box 964, Marsing, Idaho**, is sometimes associated with said real property.

Said sale will be made without covenant or warranty regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the deed of trust executed by **MARK D. EMERY and JANE C. EMERY, husband and wife**, as grantors, to **FIRST AMERICAN TITLE COMPANY OF IDAHO, INC.**, an Idaho Corporation, as successor trustee, for the benefit and security of **Republic Mortgage Corp.**, as beneficiary, recorded **July 31, 1998**, as Instrument No. **225603**, and assigned to **FIFTH THIRD BANK, successor by merger with Old Kent Mortgage Company**, as beneficiary, by assignment recorded **July 31, 1998**, as Instrument No. **225604**, Mortgage Records of Owyhee County, Idaho.

THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506 (4)(A), IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

The default for which this sale is to be made is the failure to pay when due, under Deed of Trust Note, the monthly payments for Principal, Interest and Impounds of \$834.70, due per month for the months of September through December, 2000, January through December, 2001 and January through April, 2002 and all subsequent payments until the date of sale or reinstatement, with a monthly late charge accruing at \$32.24, uncollected late charges in

the amount of \$580.32, with interest accruing at 7.625 percent per annum, and continuing to accrue from August 1, 2000. Also due are delinquent and unpaid taxes for 2001. The principal balance owing as if this date on the obligation secured by said Deed of Trust is \$89,401.12, plus accruing interest, costs and advances. All delinquent accounts are now due, together with accruing late charges and interest, unpaid and accruing taxes, assessments, trustee’s fees, attorney’s fees, and any amounts advanced to protect the security associated with this foreclosure and that the beneficiary elects to sell or cause the trust property to be sold to satisfy said obligation.

Date: May 23, 2002

FIRST AMERICAN TITLE COMPANY OF IDAHO, INC.
By Monine Cole
Trust Officer

6/12, 19, 26, 7/3/02

NOTICE OF TRUSTEE’S SALE

The following described property will be sold at public auction to the highest bidder, payable in lawful money of the United States, **at the entrance to the Owyhee County Courthouse, Highway 78, Mile Marker 29 1/2, Murphy, Idaho, 83650**, on **10/23/2002** at **11:30 AM** (recognized local time) for the purpose of foreclosing that certain Deed of Trust recorded **06/03/1996** as Instrument Number **218977**, in Book N/A, at Page N/A, and executed by **SHERMAN R. WILLIAMS and RUTH N. WILLIAMS**, as Grantor(s), in favor of **AMERICA’S WHOLESALE LENDER**, as Beneficiary, to Stewart Title of Boise, Inc., the Current Trustee of record, covering the following real property located in **OWYHEE County**, state of Idaho:

LOT 6 AND THE EAST ONE-HALF (E 1/2) OF LOT 7 OF BLOCK 39 OF THE AMENDED TOWNSITE PLAT OF HOMEDALE, OWYHEE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF FILED AUGUST 9, 1966 AS NO. 7284 ON FILE IN THE OFFICE OF THE RECORDER FOR OWYHEE COUNTY, IDAHO.

The Trustee has no knowledge of a more particular description of the above referenced real property, but for purpose of compliance with Idaho Code, Section 60-113, the Trustee has been informed that the street address of, **223 WEST WASHINGTON AVENUE, HOMEDALE, ID 83628** is sometimes associated with said real property.

Bidders must be prepared to tender the trustee the full amount of the bid at the sale in the form of cash, or a cashier’s check drawn on a state or federally insured savings institution. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in that certain Deed of Trust.

The default for which this sale is to be made is:

Failure to pay the monthly payment due **11/01/2001** of principal, interest and impounds and subsequent installments due thereafter; plus late charges, with interest currently accruing at **8.500 percent** per annum; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said Deed of Trust, and any supplemental modifications thereto. The principal balance

owing as of this date on said obligation is \$64,245.71, plus interest, costs and expenses actually incurred in enforcing the obligations thereunder and in this sale, together with any unpaid and/or accruing real property taxes, and/or assessments, attorneys’ fees, Trustees’ fees and costs, and any other amount advanced to protect said security, as authorized in the promissory note secured by the aforementioned Deed of Trust.

Therefore, the Beneficiary elects to sell, or cause said trust property to be sold, to satisfy said obligation.

NOTICE IS HEREBY GIVEN THAT THIS FIRM IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE, AND THAT THE DEBT MAY BE DISPUTED. THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(a) IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

DATED: May 10, 2002

Stewart Title of Boise, Inc.
Successor Trustee
By: Bev Petersen,
Trust Officer
Name and Address of the Current Trustee is:
Stewart Title of Boise, Inc.
9196 W. Emerald St., Ste 100
Boise, ID 83704
PHONE: (800) 281-8219 for information.

6/26, 7/3, 10, 17/02

SUMMONS

Case No. CV-02-0358

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

DEAN WHITE, an individual, Plaintiff,
Vs.
CARL D. NORTH, an individual, Defendant.

NOTICE: YOU HAVE BEEN SUED BY HE ABOVE-NAMED PLAINTIFF (S). THE COURT MAY ENTER JUDGEMENT AGAINST YOU WITHOUT FURTHER NOTICE UNLESS YOU RESPOND WITHIN 20 DAYS. **READ THE**

INFORMATION BELOW.

TO: CARL D. NORTH

You are hereby notified that in order to defend this lawsuit, an appropriate written response must be filed with the above designated court within 20 days after service of this Summons on you. If you fail to so respond the court may enter judgement against you as demanded by the plaintiff(s) in the Complaint.

A copy of the Complaint is served with this Summons. If you wish to seek the advice or representation by an attorney in this matter, you should do so promptly so that your written response, if any, may be filed in time and other legal rights protected.

An appropriate written response requires compliance with Rule 10(a)(1) and other Idaho Rules of Civil Procedure and shall also include:

1. The title and number of this case.
2. If your response is an Answer to the Complaint, it must contain admissions or denials of the separate allegations of the Complaint and other defenses you may claim.
3. Your signature, mailing address and telephone number, or the signature, mailing address and telephone number of your company.
4. Proof of mailing or delivery of a copy of your response to plaintiff’s attorney, as designated above.

To determine whether you must pay a filing fee with your response, contact the Clerk of the above-named court.

DATED this 22nd day of May, 2002.

CLERK OF THE DISTRICT COURT
By Trina Aman
Deputy

6/19, 26, 7/3, 10/02

LEGAL NOTICE

Notice is hereby given, Pursuant to Idaho Code, 35-510 and 33-402f., that the annual meeting of School District No. 364, Pleasant Valley School District, shall be held by the Board of Trustees on the 8th day of July, 2002, at 7:00 p.m., at the Pleasant Valley School, which is east of Jordan Valley, Oregon. The public is welcome and invited to attend.

Dated this 28th of June, 2002
Rosa Maria Lowry
Clerk

7/3/02

Classified deadline

Monday noon the week of publication

Legal notice deadline

Friday noon the week prior to publication

The Owyhee Avalanche

337-4681

Public notices

SUMMONS

Case No.: **SP-02-01645**

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF OWYHEE IN THE MATTER OF:

SAMUEL DAVID WORTHINGTON, A Child Under the Age of 18 Years
DAVID G. ZARAGOZA and PATRICIA ZARAGOZA, Petitioners.

NOTICE: **A PETITION TO TERMINATE YOUR PARENTAL RIGHTS TO THE ABOVE-NAMED CHILD HAS BEEN FILED.** THE COURT MAY ENTER A JUDGMENT AGAINST YOU WITHOUT FURTHER NOTICE UNLESS YOU RESPOND WITHIN TWENTY (20) DAYS. **READ THE INFORMATION BELOW**

TO: THE NATURAL FATHER OF SAMUEL DAVID WORTHINGTON

YOU ARE HEREBY NOTIFIED that in order to defend the Petition for Termination of Parent-child Relationship, an appropriate written response must be filed with the above-designated Court within twenty (20) days after service of the Summons on you. If you fail to so respond, the Court may enter judgment against you terminating your parental rights as requested by the Petitioners.

If you wish to seek the advice or representation by and attorney in this matter, you should do so promptly so that your written response, if any, may be filed in time and other legal rights protected. You may have the right to be represented by an attorney at public expense if the Court determines that you are a needy person and unable to provide for the payment of an attorney and related costs. In order to exercise your right to counsel in indigent, you need to contact the Clerk of the Court to make application for Court appointed counsel.

An appropriate written response requires compliance with Rule 10(a)(1) AND OTHER Idaho Rules of Civil Procedure and shall also include:

1. The title and number of this case.
2. If your response is an Answer to the Petition, it must contain admissions or denials of the separate allegations of the Petition and other defenses you may claim.
3. Your signature, mailing address and telephone number, or the signature, mailing address and telephone number of your attorney.
4. Proof of mailing or delivery of a copy of your response to Petitioner's attorney, as designated above.

To determine whether you must pay a filing fee with your response, contact the Clerk of the above-named Court.

YOU ARE FURTHER NOTIFIED That if paternity has not been established you may claim paternity and parental rights to said child by filing or registering with the Vital Statistics Unit of the Idaho State Department of Health & Welfare, 450 W. State street, Boise, ID 83702, which filing or registration must be completed prior to the date of any termination proceeding, and

that a form for filing or registering

the claim may be obtained from the Vital Statistics Unit of the Idaho State Department of Health & Welfare or any office of any County Clerk in every county of the State of Idaho, and that your failure to file or register such claim of paternity or parental rights are willingness to assume responsibility for the child shall thereafter bar you from bringing or maintaining any action to establish your paternity of said child and that the failure to file or register shall constitute an abandonment of said child and shall be prima facie evidence of sufficient grounds to support termination of your parental rights in accordance with Section 16-2005, Idaho Code.

YOU ARE FURTHER NOTIFIED OF the existence of the Voluntary Adoption Registry, established by Section 39-259A, Idaho Code, whereby those eligible to register can provide identifying information and the Registry will match individuals who have authorized release of information to one another and disclose the information accordingly. Application forms may be obtained from the Idaho Department of Health & Welfare, Center for Vital Statistics and Health Policy, 450 W. State Street, Boise, Idaho 83720.

DATED This

11th day of June, 2002.

CLERK OF THE DISTRICT COURT

By: Lena Johnson
Deputy Clerk

6/19, 26, 7/3/02

OWYHEE COUNTY ORDINANCE NO. 02-03

AN ORDINANCE SETTING SPEED LIMITS AND VEHICLE WEIGHT LIMITS FOR SPECIFIED SEGMENTS OF COUNTY ROADS IN OWYHEE COUNTY, MAKING VIOLATION OF THE SPEED LIMITS AND/OR WEIGHT LIMITS UNLAWFUL AND MISDEMEANORS PUNISHABLE BY IMPRISONMENT AND/OR FINE, MAKING OBSTRUCTION, INJURY OR DAMAGE TO A ROAD PUNISHABLE BY IMPRISONMENT AND/OR FINE, MAKING ALLOWING WATER TO FLOW ONTO OR IMPAIR A PUBLIC ROAD PUNISHABLE BY FINE, MAKING PERSONS RESPONSIBLE FOR DAMAGE TO OR IMPAIRMENT OF PUBLIC ROADS, MAKING OWNERS AND OPERATORS OF VEHICLES RESPONSIBLE FOR THE COST OF RESCUE AND/OR RETRIEVAL MADE NECESSARY BY OPERATION OF VEHICLES IN VIOLATION OF THE SPEED LIMITS AND/OR WEIGHT LIMITS, MAKING OWNERS AND OPERATORS OF VEHICLES RESPONSIBLE FOR DAMAGE TO ROADS AND BRIDGES RESULTING FROM VIOLATIONS OF THE SPEED LIMITS AND/OR WEIGHT LIMITS, MAKING OWNERS AND OPERATORS OF VEHICLES RESPONSIBLE FOR DAMAGE TO ROADS RESULTING FROM FAILURE TO TAKE DUST ABATEMENT ACTION OR MITIGATION ACTION WHEN THE COUNTY ROAD SUPERVISOR HAS SERVED WRITTEN NOTICE ON THE OWNER OR OPERATOR THAT DUST ABATEMENT OR MITIGATION ACTION IS

NECESSARY TO PREVENT ROAD DAMAGE AND ROAD DAMAGE RESULTS FROM THE FAILURE TO TAKE ABATEMENT OR MITIGATION ACTION, AND MAKING AN EFFECTIVE DATE OF JULY 3, 2002.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR OWYHEE COUNTY, IDAHO as follows:

1. NAME OF ORDINANCE.

This Ordinance shall be known as the "County Road Maintenance, Speed Limit and Weight Limit Ordinance of 2002."

2. PURPOSE AND AUTHORIZATION.

There are several County Roads and sections thereof which require the setting of speed limits and weight limits in order to protect the health and safety of motor vehicle operators, prevent great expenditures of public funds for assisting and rescuing operators who attempt to drive overweight vehicles into areas where the road will not support the vehicles and/or drive vehicles at speeds excessive for the roads conditions. Operators of vehicles also cause damage to the County Roads and sections thereof because of the weight of the vehicles and the manner of operation without regard for protecting the roads surfaces. The purpose of this Ordinance is to establish speed limits and weight limits on those County Roads and sections thereof where the need for prevention and protection is present, provide for punishment of violators, provide for owners and operators of vehicles to be responsible for and to mitigate damage to roads caused by their operations, and provide for punishment of violators.

This Ordinance is enacted under authority granted to the Board of County Commissioners by the following Idaho Code sections: 18-3907; 18-113; 49-1005; 49-1006; 49-1007; 49-208; 40-604; 31-805.

3. SPECIFIED SPEED LIMITS. It shall be unlawful to operate a vehicle on the following roads and segments of roads at a rate of speed exceeding the speed limits set in this section:

- a. Speed limit of 45 miles per hour on the Juniper Mountain Road from the Oregon-Idaho borderline to Trout Creek Road;
- b. Speed limit of 40 miles per hour on Trout Creek Road to its intersection with Delamar Road;
- c. Speed limit of 35 miles per hour on Cow Creek Road from the Oregon-Idaho borderline at the intersection of Cow Creek and Trout Creek Roads to the Delamar Road intersections.

4. SPECIFIED SPEED LIMITS AND WEIGHT LIMITS.

It shall be unlawful to operate a vehicle on the following roads and segments of roads at a rate of speed exceeding the speed limits set in this section and/or to operate a vehicle on said roads and segments of roads which exceeds the weight limits set in this section:

- a. Speed limit of 25 miles per hour, 20,000 pound gross vehicle weight on the signed portion of the Delamar Road to the intersection with the Silver City Road;
- b. Speed limit of 50 miles per hour, 20,000 pound gross vehicle weight on the Silver City Road from the intersection with Highway 78 to mile post 8;
- c. Speed limit of 35 miles per hour, 20,000 pound gross vehicle weight on the Silver City Road from mile post 8 to mile post 11 (Sinker Creek);
- d. Speed limit of 25 miles per hour,

20,000 pound gross vehicle weight on the Silver City Road from mile post 11 (Sinker Creek) to Silver City.

5. OBSTRUCTION, INJURY AND DAMAGE TO PUBLIC ROADS.

Any person who obstructs, injures or damages any public road is guilty of a misdemeanor.

6. ALLOWING WATER TO FLOW UPON OR IMPAIR PUBLIC ROADS.

Any person who runs water across any public road without first constructing a good and sufficient ditch or ditches to convey the water, or who fails to bridge such ditch or ditches, or to keep such bridge or ditches in good repair, and all persons, companies or corporations who make, cause or allow any water used by them for the purpose of irrigation, or any other purposes, to flow into or upon any public highway, road or street, in any other manner than that authorized by law, are guilty of a misdemeanor, and upon conviction thereof must be fined in any sum not less than one dollar (\$1.00) nor more than fifty dollars (\$50.00), together with the costs of suit, and for a second defense, double said fine and costs.

7. RESPONSIBILITY FOR DAMAGE TO PUBLIC ROADS.

a. The owner and the operator of any vehicle which is operated in violation of the speed limits and/or weight limits set in sections 3 or 4 shall be jointly and severally responsible for all damages which the road or any bridge thereon may sustain as a result of the illegal operation.

b. Any person who violates sections 5 or 6 shall be responsible for all damages which a public road or bridge may sustain or for impairment to a public road or bridge as a result of the illegal activity.

8. RESPONSIBILITY FOR COST OF RESCUE AND RETRIEVAL EFFORTS.

The owner and the operator of any vehicle which is operated in violation of the speed limits and/or weight limits set in sections 3 and 4 shall be jointly and severally responsible for all costs of rescue and retrieval efforts connected with rescuing operator or vehicle when the vehicle has become stuck or otherwise inoperable as a result of the violation.

9. RESPONSIBILITY FOR FAILURE TO ABATE DUST AND MITIGATE DAMAGE.

The owner and operator of any vehicle who fails to abate dust created by operation of the vehicle, when dust abatement is necessary to prevent or mitigate damage to the road and when the need for dust abatement has been specifically brought to the attention of the owner and/or operator in a written notice provided by the County Road Supervisor, shall be jointly and severally responsible for all damages which the road may sustain as a result of the operation of the vehicle and the failure to abate dust. The owner and operator of any vehicle who fails to take action to mitigate damage to the road resulting from operation of the vehicle, when the need for mitigation has been specifically brought to the attention of the owner and/or operator in a written notice provided by the County Road Supervisor, shall be jointly and severally responsible for all damages which the road may sustain as a result of the operation of the vehicle and the failure to take mitigation action.

10. Penalty.

Violation of section 3 or 4 or 5

shall constitute a misdemeanor punishable by imprisonment in the County jail for a period not to exceed six (6) months, and/or by a fine not exceeding three hundred dollars (\$300.00).

11. EFFECTIVE DATE.

The effective date of this Ordinance is July 3, 2002.

Enacted this 24th day of June, 2002, by the Board of County Commissioners Owyhee County, Idaho.

-Signed-Hal Tolmie, Chairman

-Signed-Dick Reynolds

-Signed-Chris Salove

Attest: Cynthia Eaton, Clerk to the Board

7/3/02

OWYHEE COUNTY COMMISSIONERS MINUTES FOR MONDAY, JUNE 10, 2002 COMMISSIONERS' ANNEX, MURPHY, IDAHO 9:30 AM

Present for the meeting were Commissioner Hal Tolmie, Commissioner Dick Reynolds, Commissioner Chris Salove, Clerk Cynthia Eaton, Treasurer Barbara Wright, Assessor Ernie Bahem, Sheriff Gary Aman, Jim Desmond, Fred Grant, Kay Kelly Breach, Donna Vaughn, Rodney Young, Paul Nettleton and Ron Race.

The Board amended the agenda to include a discussion of dust abatement, the hauling of waste productions on the county roads, recommendation of an ordinance recommended by the Road Supervisor, and a report by the Building Official.

The Sheriff reported on the progress of the addressing and all inquiries on addressing should be directed to the Sheriff's Office. The Sheriff reported on the mapping being done by the BLM. The Sheriff offered a report on the Road Maintenance Ordinance and clarified that if the ATVs are permitted on the unpaved roads, other rules of the road should apply and a speed limit should be set for road use.

The Board will review the Ordinance to allow ATVs on non-paved county roads and make a final decision on June 17, 2002.

The Board approved the minutes for June 3, 2002.

The Board approved the taking of a small claims action in a Murphy Water Case.

The Owyhee County Natural Resources Committee Director, Jim Desmond reported on the activities of the OCNRC. The Board approved letters to Senator Craig, Senator Crapo, Congressman Otter, Congressman Simpson and Lynn Scarlett concerning the selection and appointment of key BLM Managers.

Indigent and Charity Cases 01-12 and 02-01 have been withdrawn; Case 02-03 release of lien; 02-16, 02-18, 02-19 denied by Board; Case 02-07 hearing July 8 at 1:30 pm; and, Cases 02-15 and 02-13 Board approved and sent to CAT Board.

The Board requested that a reported violation of the Silver City Ordinance be reviewed.

Donna Vaughn requested an appeal hearing on a denial of a building permit. The appeal will be scheduled for July 8, 2002 at 2:30 PM.

There being no further business, the Board adjourned.

Signed this 24th day of June 2002.

Hal Tolmie, Chairman

Attest: Cynthia Eaton, Clerk to the Board

7/3/02

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OWYHEE COUNTY BOARD OF COMMISSIONERS MINUTES FOR MONDAY, JUNE 17, 2002 COMMISSIONERS’ ANNEX, MURPHY, IDAHO 9:30 AM

Present for the meeting were Commissioner Hal Tolmie, Commissioner Dick Reynolds, Commissioner Chris Salove, Clerk Cynthia Eaton, Treasurer Barbara Wright, Assessor Ernie Bahem, Sheriff Gary Aman, Jim Desmond, Fred Grant, Kristen Mercer, and Robert Boatman.

The Board approved amending the agenda to include a tax cancellation request by the Treasurer; the signing of letters concerning the Wild and Scenic Rivers Designations by the BLM; report on the Shenk property exchange; consideration of a letter recommending the criteria for selection of a District Manager; and, consideration of a letter to Lavada Loucks and Mark Jerome recommended by the Planning and Zoning Commission.

The Board approved Treasurer Wright’s request for tax cancellation of MH04N06W245400 of \$25.99 tax and penalty of \$.02 because the mobile home was auctioned in 2001 and moved to Oregon. The Treasurer further reported that no one had made a bid on the Mike Gaviola equipment when it was offered for public sale. The equipment is at Mountain View Equipment with \$3,000 due on taxes. The Treasurer requested to ask for assistance with the course of action to take because of the lien on the equipment by New Holland. The Board approved of the request for the Treasurer to obtain the assistance required to collect the taxes due.

The Sheriff recommended that the Board direct an addressing policy be drafted. The Board will have the discussion placed on the agenda.

The Board reviewed and authorized payment of the County Bills.

Museum Director, Kristen Mercer reported on the activities during the Outpost Day. The fund-raiser was a success and the Pie Shoppe sold out before the event was over. The library is being reorganized and new books will be added and gift items will be increased. The computer and paperwork format will be updated.

Jim Desmond reported on the activities concerning the Owyhee County Natural Resources Committee. The Board reviewed and authorized signature of letters directed to Department of Interior Solicitor William Myers outlining events and issues with the Wild and Scenic Rivers withdrawal, and development of the RMPs and coordination. The Board approved and signed the letters. The Board

reviewed a letter to Mike Ferguson, Acting Director of the BLM suggesting the criteria to be used in the selection of the Lower Snake River District Manager. The Board authorized signature of the letter. The Board reviewed options for the botanical and archeological studies on 1300 acres of public lands. The Board approved and authorized Commissioner Chris Salove to sign the agreement for the studies.

The Board recessed from the Regular Session into Executive Session to obtain information on a legal matter. Upon moving from Executive Session back into Regular Session the Board determined that no action is to be taken at this time.

The Board reviewed and authorized signature of Ordinance 02-02 making it lawful to operate unregistered all terrain vehicles and motorcycles on roads and portions of roads designated in the Ordinance.

The Board continued the discussions of the Murphy Water System Ordinance and Emergency Response Plan, Road Maintenance Ordinance and the PILT Resolution until June 24, 2002.

Indigent and Charity Case 02-22 Board approved a lien; 02-21 Board denied application; 02-20 Board set for hearing 1:30 pm July 22, 2002; 02-11 Board set for hearing 3:30 pm July 22, 2002; 02-08 Board set for hearing 2:30 pm July 22, 2002; and Case 02-05 Board signed findings denying the case.

The Board set July 15, 2002 at 11:00 am for a hearing on the Helen Aman property vacation of a street.

The Board reviewed and signed the renewal on the contract with Holladay Engineering as the County Engineer.

The Board reviewed and authorized the signature of a letter concerning a violation of the Silver City Ordinance on Lot 52 Daly or Gabriel Barn. The letter addressed failure to replace a door and fencing with approved material. The Board directed that the letter be sent by certified mail.

Chris Salove will meet with a representative from each of the following associations and report on alternatives to resolve differences associated with the fair time-table: the Fair Board, the Rodeo Board, the Lions Club, the American Legion, and the Chamber of Commerce.

There being no further business, the Board adjourned.

Signed this 24th day of June 2002.

Hal Tolmie, Chairman of the Board

Attest: Cynthia Eaton, Clerk to the Board

7/3/02

Owyhee Graffiti

Volume 1

The latest book by
Mike Hanley



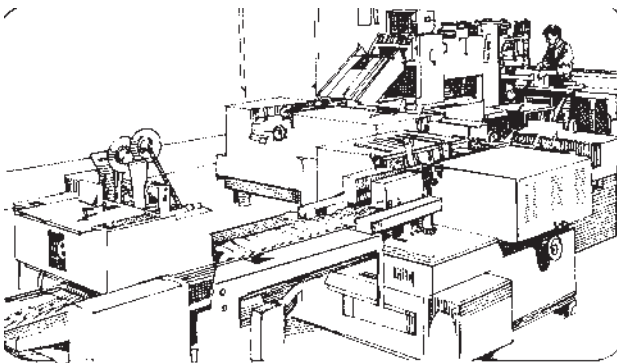
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THANK YOU

The family of Darin Haylett would like to express our gratitude and thanks to friends and family for cards, food, prayers and loving support in our loss of Darin.

Donna Haylett

Jeanne Haylett and Kendall

Kristy and Jeff Marks and family

Stacie and John Costa and family

Bonnie and Craig Beutler and family

The family of Lynnette Nash is thankful for all the acts of kindness and love that were extended to us during the time of Lynn's illness and death. The phone calls and cards have been so uplifting. The family dinner after her graveside service was such a blessing, and we want to send a special thanks to Shelley Shenk, Penny Masar, and Karen Hultz for the time and organization that went into it. Thanks to all those wonderful friends who brought food in and to those folks who honored Lynn by sending donations to Pet Haven. Thank you all so much.

Opal Nash

Vivian Nash Downing and family

Rodger and Ardis Nash and family

Mil and Rick Shanley and family

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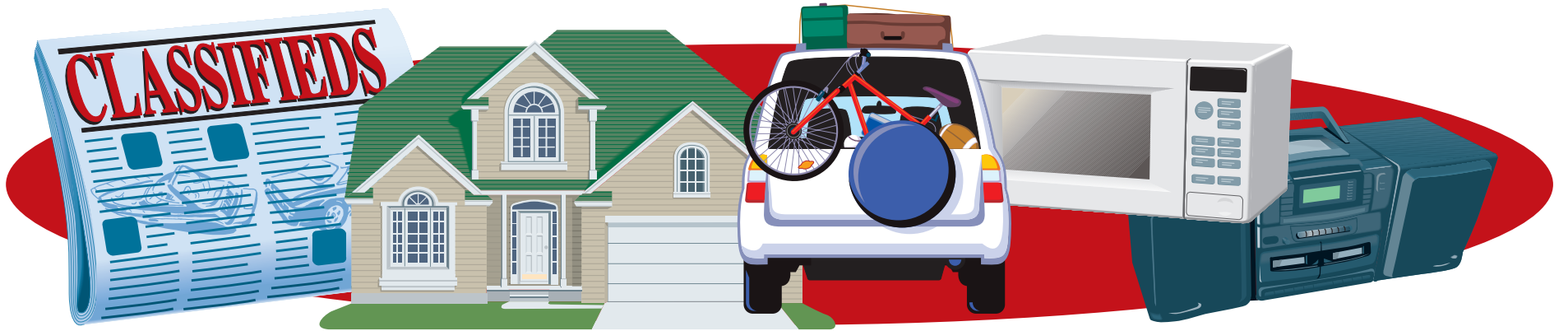
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BED-QUEEN PILLOW-TOP MATTRESS SET, brand name, brand new, still in package. List \$799, sacrifice \$173. Queen

orthopedic set, brand new. List \$550, sacrifice \$137. 208-866-7476.

GE Washer/dryer. Like new. \$350/obo. 337-4983

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FREE FIRE WOOD. 6-8 cords in logs, mostly green elm. Will haul w/in 5 mile radius of Homedale. Call NaturalTree 1-877-909-8733

Alfalfa hay, \$4/bale, grass alfalfa mix \$3/bale. Cliff Eidemiller, 23325 Ustick Rd, Wilder 337-3083

Cherries and apricots, Robison Fruit Ranch, Sunny Slope 459-7987

BIG CLOSE OUT sale. Grandma's Attic going out of business. 30 percent off all store items. Sale starts July 4, Thurs., Fri. and Sat. Don't miss this. Come on by.

HELP WANTED

The Farm Service Agency, Meridian and Marsing, ID is accepting applications for two temporary Program Technician Positions – Salary Range \$8.63 - \$9.42/hr. A copy of the position description and application may be obtained by contacting Job Service at any of their locations. Announcement opens June 30, 2002 and closes July 8, 2002. Applications must be received in the office by closing date to be accepted. FSA is an Equal Employment Opportunity Employer. 15 Reich St. Marsing, ID.

Homedale School District is accepting applications for a junior varsity football coach. Experience preferred. Apply at District Office, 116 E. Owyhee, Homedale or call 337-4611 for application. Closing date: 7/19/02 or until filled. CNA's/NA's needed in-home care. For info call 337-5343.

PERSONAL

SHAKEN-BABY SYNDROME and other "abuse" actually linked to immunization. Innocent people are being charged. See www.freeyurko.bizland.com. Call 455-0062 for information.

Over 22 acres all in first year alfalfa. Private lane, ideal location for home. Make good stock farm, etc. \$80,000.

5 acres on bluff overlooking Snake River. Breathtaking view. Need to see this property. Asking \$55,000.

4.8 acres in alfalfa approx. 500 feet from Snake River frontage. Has access. Very comfortable location. \$46,000 terms.

Beginning contractor, Marsing, 11 lots in private subdivision. could sell as sub-division or acreage. \$25,000 down, balance TBA.

Nova Realty

896-4195
Darryl 459-0991
Ruby 454-2482
John 286-9509
Walt 459-2075

SERVICES

M & S Repair—light remodeling, plumbing, remodeling trailer houses and fencing. Call 337-5041.

JJ Excavation and Hauling, TOP SOIL, and gravel delivery, excavator and trucks for hire. Road building, dozer, water truck and road grader. Free estimate. 208-337-4822 or 573-5700.

Daycare, 2 FT openings. WICAP approved, meals provided. Call Donna 337-6180

Wee Friends Preschool registration will be held Tuesday, July 9th, from 5:30-7:00 p.m. at Friends Community Church in Homedale (301 W. Montana Ave.). Openings for children turning 3 or 4 by 9/1/02. Call Shannon at 337-4198.

YARD SALE

Sat., July 6, 226 E. Colorado, 8:00-? Fabric, craft supplies, lots of good, clean household items, no junk.

Big yard sale new and used items. 18131 Batt Corner Rd, Wilder. 9:00 a.m.-? July 6, Sat.

Moving sale. 215 1st St. Wilder. 9-5:00, Fri and Sat, July 5 and 6. Refrig/freezer, kitchen items, blankets, bed spreads, furniture, clothing.

FOR RENT

At Pioneer Mobile Home Park, large lot in country park 2 miles from Homedale. Home must be 1990 or newer. Trash/water/septic tank paid. \$165/mo + \$165/ deposit. Space also has a dog kennel. 208-337-4589

Small 2 bdrm, 2 bath house w/ basement. Very nice. Suitable for 2-3 people. Near Homedale High School. \$500/mo + deposit. Ref. required. 208-344-6429

For rent or lease. Applications being accepted: Older 2 (cld be 3) bdrm, 1 bath home in nice neighborhood. Full basement, refrig/range included. W/D hookup. \$425/mo or \$400/mo w/ 12 mo lease discount. Security deposit \$300. References will be checked. Available July 5. For more info call 337-3857.

2 and 3 bdrm houses South of Wilder on Highway 19 and 95. Rent is \$300 for 2 bdrm and \$325 for 3 bdrm + \$250 deposit. Includes water, sewer, trash and lawn care. Call 208-482-7750 or write WHA PO Box 685, Wilder ID 83676. We do business in accordance with fair housing law.

1 Bdrm, 1 bath apt. for rent. W/ S/T paid. \$325/mo + \$325 deposit. 455-6290

VEHICLES

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<p>HANDYMAN HEAVEN This 2BR/13/4BA Modular Home features a large SHOP and a 3 bay 30'X36' GARAGE/SHOP. The property sits on about 1/2 Acre within city limits and is in immaculate condition. All this for only \$80,000.</p>	<p>NEW CARPETS & ALL APPLIANCES stay in this 4BR/1BA home. Owners motivated. Call for appointment. \$80,500</p>
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 **89¢**
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ea.

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 56 oz. Package
\$2.99
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Small Salad Tomatoes

 **7 for \$1**

Red Ripe Watermelon

 **17¢**
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Boneless Pork Country Style Ribs **\$1.59** lb.
Hi-Grade Link Sausage **\$1.99** lb.
19.76 oz. Johnsonville Bratwurst **\$3.59**

12 oz. Western Family Hot Dogs **69¢**
John Morrell Bologna **\$1.29**
Slab Style Pork Spareribs **\$1.99** lb.

Fresh Sweet Corn **3 for \$1**
16 oz. Baby Carrots **99¢**
Honeydew Melons **39¢** lb.

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5.75 oz. Early California Stuffed Manzilla Olives **\$1.29**
6 oz. Asst'd. Jell-O Gelatin **79¢**
28 oz. Bush's Baked Beans **\$1.19**
200' Western Family Plastic Wrap **2 for \$3**

200' Western Family Giant Foil **\$4.39**
24 ct. Western Family Heavyweight Cutlery **2 for \$1**
20 oz. Western Family Mustard **79¢**
8 oz. Birds Eye Cool Whip **99¢**
Gallon Darigold Fruit Drink **\$1.19**

12.25 oz. Lay's Potato Chips **\$1.49**
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