

Take a break at B&B **Page 10A** 



Hill ready to lead Homedale boys basketball team



Jarbidge grazing suit settled



The Ownhee Avalanche

Established 1865

**VOLUME 21, NUMBER 40** 

HOMEDALE, OWYHEE COUNTY, IDAHO

**SEVENTY-FIVE CENTS** 



# Owyhee luau

Pacific Rhythm, a Treasure Valley-based entertainment group, performed during the third annual Aloha from the Owyhees on Saturday night. Dances included dance from the islands of Hawaii, Tahiti, Samoa and the Maori people of New Zealand. Troupe members recruited volunteers from the audience for hula dances. For more on the Owyhee County Historical Society museum fund-raiser, see **Page 8A**.

# Some cities can't meet EPA water standard

Marsing, GV must ask for extension; Homedale, Murphy able to comply with lower arsenic levels easily

Water officials in Homedale and Murphy are not too concerned with meeting a deadline of January 2006 for lower arsenic standards, but Marsing and Grand View will have to ask for an extension from the Idaho Department of Environmental Quality to bring their public water systems to the new guidelines.

In 2001, the Environmental Protection Agency lowered the arsenic maximum contaminant level from 50 parts per billion to 10 ppb. The new standards become effective Jan. 23, 2006.

Cities had until Oct. 1 to request an extension of the deadline, and Marsing and Grand View both filed for extensions.

"We have to ask for an extension," Grand View Mayor Paul Spang said last week. "My council has ignored the deadline, and now it is sneaking up on them. We don't know what we will do to meet it. This is my second year in the term, and now I am faced with it."

Spang said Grand View's

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'It has been a good season'

Irrigation season comes to an end throughout Owyhee

# Grazing can continue — for now

Jarbidge ranchers' grazing area slashed as BLM conducts comprehensive study

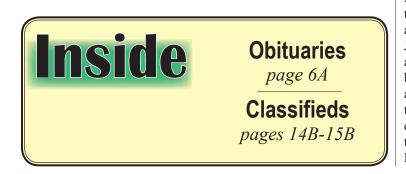
grouse and their habitat on the Jarbidge area is a high priority. The livestock producers can seek no legislative remedies over grazing in the Jarbidge while the interim plan is in effect. Even if a legislative rider is passed for the Jarbidge, the ranchers will adhere to the agreement. Western Watersheds has agreed that it will not file new lawsuits over the Jarbidge allotments involved in the agreement nor will the group encourage other environmental organizations to do so until the end of the 2009 grazing season. The ranchers also agreed not to pursue further litigation in the case during the same time frame.

The Joint Committee will shut off the water supply to the local irrigation districts on Oct. 14, bringing an end to what is being called a "good" irrigation season.

South Board of Control Manager Rex Barrie said last week that final water levels in Owyhee Reservoir should promise a near normal irrigation season next year.

In 2003, the reservoir carried over only 26,000 acre-feet of water for the 2004 irrigation season, which resulted in users receiving only about half of their

— to page 5A



Friday evening, livestock producers, federal agency officials and an environmentalist group came to a tough agreement on a lawsuit that could have put an end to livestock grazing on 800,000 acres of federal ground in the Jarbidge area.

The environmental group, Hailey-based Western Watersheds, the Bureau of Land Management, and affected ranchers, including J.R. Simplot, signed a settlement agreement on a suit filed in April by the environmental group. If approved by a district court judge, the settlement allows grazing to continue, at reduced levels, over the next four to five years while the BLM conducts a comprehensive study of the ecological health of the sagebrush landscape.

The settlement outlines an eight-year process that includes developing a new management plan and environmental impact statement and issuing new grazing permits.

BLM will now prepare a revised Jarbidge Resource Management Plan and an accompanying Environmental Impact Statement. The agency will issue site-specific grazing permits based on the management plan.

The parties anticipate completion of the EIS by Sept. 30, 2009.

The BLM acknowledges that protecting and restoring sage

In July, District Court Judge B. Lynn Winmill agreed with Western

— to page 5A

# Only one city council incumbent files to seek re-election in Homedale

# No candidates step forward for Grand View council seats

Elections will be held in Homedale and Marsing for open council seats, but the City of Grand View may have to rely on the mayor or the governor to fill its two open positions.

The deadline to file a declaration of candidacy was Friday at 5 p.m. and just before the deadline, several candidates filed their petitions in Homedale and Marsing.

The incumbents, Rob Howarth and Tony Purtell in Marsing did not file for another term, but LeRoy H. Peck, Ellen Boatman, Soila Contreras, Teresa Martinat and Rick Sherrow will campaign for two four year seats.

In Homedale, Councilpersons Dave Downum, Cindy Sims and Kevin Barlow's positions are up for election with Downum being the only incumbent to file. Tim Downing and Aaron Tines will also campaign for one of the city's two four-year terms. Bill Page is the only candidate for the twoyear term.

As of 5 p.m. Friday afternoon, no candidates declared candidacy in Grand View and if no one declares as a write-in candidate, the mayor or the governor may have to make the appointments.

The deadline to file as a write-in candidate it Oct. 14. The last day to pre-register to vote with the county clerk's office is 5 p.m. on Oct. 14. The election will be held on Nov. 8.

<sup>—</sup> CAB



# New wheels

The City of Homedale purchased a 2004 Ford Explorer for the police department, and it arrived last week. The vehicle was picked up in Salt Lake City, and the decals were placed on it Friday.

# officer to fill new SRO post

A Jordan Valley, Ore., woman has been hired by the Homedale Police Department to fill the position of school resource officer.

Michelle Babcock grew up in Jordan Valley and graduated from Jordan Valley High School.

Babcock said she applied as a patrol officer when the SRO position opened. She said she is very pleased to have been hired.

Babcock has been an emergency medical technician and firefighter for Middleton and said she likes to help people. But she said being an EMT and firefighter limited her to those professions, and she wanted something more.

"I felt I could help people more as an officer," Babcock said.

She has two small children and attended the University of Idaho and Boise State University, where she majored in secondary education and social sciences.

"I am looking forward to



Michelle Babcock

working with the Homedale department and meeting the people and kids," Babcock said.

The new officer was introduced to the schools Monday and may attend POST later this month. Officer Mike Flores will be SRO during her absence, Homedale Police Chief Jeff Eidemiller said. -CAB

# Homedale P.D. hires female | F&G: Deer season looks promising

Ed Mitchell from the Idaho Department of Fish and Game says this year's deer hunting season looks promising and hunters should have a good success rate, if their shot is good. General deer season opens in most areas next week. Check Fish and Game regulations for dates and locations.

"By all indications, deer hunting should be first rate," said Brad Compton, Fish & Game big game manager. "Most years, about 45 to 50 percent of the fawns make it through the winter. This year we're looking at 73 percent survival statewide, which is remarkable. And we saw some of the highest over-winter survival rates in fawns that we've seen in eight years. Those fawns carry on into this fall as two-points, and two-points make up a large bulk of the harvest."

Adult bucks also benefited from the mild winter. Compton says the energy they would normally devote to rebuilding body reserves went into antler growth. "And also the wet spring produced some of the best forage conditions for not only overall body conditions, but also antler development."

In addition, overall forage conditions for mule deer should keep improving. Under the umbrella of Fish & Game's Mule Deer Initiative, more than seventyfive thousand bitterbrush plants were put into the ground this spring in southeast Idaho alone. That's three times the number planted in past years.

"More mule deer could be out there if we can improve the food source," said Dean Rose, Southeast Regional habitat biologist, "so this is our way of getting at that problem, going into these areas, enhancing the winter ranges and providing more food so deer can survive."

Last year hunters in Idaho

took more than 47 thousand deer. Wildlife managers believe that number will be matched again this year. One change, however, will be a later season. Early season hunters complained of hot dry weather, so the Fish & Game Commission moved the opening day from October 5th to October 10th this year.

"It still doesn't get too late where we're worried about vulnerability of bucks during the rut and migration," said Compton. "It's a compromise between when hunting conditions are cooler and more enjoyable for folks and what deer populations can sustain."

In addition to the ongoing research on mule deer fawn survival, Fish & Game has radio collared more than nine hundred deer, elk and moose this past year to learn more about what causes populations to fluctuate.

"We've restructured our research program and taken more of a statewide approach in looking at what our deer and elk populations are doing," said Compton. "It just started this winter so the results right now are just starting to come in, but we're real excited about it."

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# District 23 rep resigns to take job in Hawaii

Filer Republican Doug Jones, who holds Seat B for District 23 in the state House of Representatives, is quitting the Idaho Legislature this month to take a farm management job in Hawaii.

District 23 encompasses western Twin Fallsy County and Owyhee County.

Jones, 56, has served as an Idaho lawmaker for 20 years. He said he's resigning from his post as a representative for District 23 by the end of the month. In doing so, Jones will vacate the chairmanship of the House Agricultural Affairs Committee. He has held the position since 1996, when he was appointed by then-Idaho House Speaker Mike Simpson.

Jones is a self-described

moderate who wrote the nation's first state law regulating dairy odors.

Jones and his wife, Mary Liz, are moving to Hawaii, where he will begin managing farm operations for HC&S, Hawaiian Commercial & Sugar Co.

Jones, who partners with his father and brother in running a 1,000-acre farm on the Salmon Tract, will oversee the operations for 37,000 acres of sugar cane.

During the 2005 session, Jones introduced three pieces of legislation targeting poor manure-handling practices. The legislation was withdrawn after the Idaho Dairymen's Association signed an agreement to educate their members on how to cooperate with the neighbors by using better practices to minimize flies and odor.

In addition to chairing the Ag Committee, Jones sat on the House Education Committee for all but the final year of his time in the Legislature. He was the most senior member when he was passed over for chairmanship two years ago. He said he is so committed to education that he would have given up the Ag chairmanship to take over education.

The precinct chairmen for western Twin Falls County and Owyhee County, the region covered by District 23, will meet within 20 days of Jones' resignation to compile the names of three prospective successors to make a recommendation to Gov. Dirk Kempthorne for appointment.

# Some of Jones' accomplishments

2002 to present: National Conference of State Legislatures, chairman of National Meeting of State Agricultural Committee Chairs.

2001 to present: Council of State Governments Agricultural Policy Task Force, co-chairman.

2001 to present: Council of State Governments, executive committee and governing board member.

2000 to 2001: Council of State Governments, task force on reauthorization of 2002 U.S. Farm Bill.

1995 to 1998: National Conference of State Legislatures, executive board of directors.

1996 to present: Idaho Rural Partnership, member of board of directors.

1984 to present: University of Idaho, College of Agriculture

Consulting Council, Dean's advisory board executive member.

1991 to 1998: Federal Head Start Transition Research Project, chairman of Idaho board of directors.

1994 to 2002: National Education Goals Panel.

#### Awards

\* 2003 Biotechnology Legislator of the Year.

\* Cesar Chavez-Delores Huerta Farmworkers Justice Award.

\* Listed in Who's Who in America.

\* The Golden Apple Award from the Idaho Education Association.

\* Terry Reilly Memorial Award for dedication to young children with disabilities.

\* 2001 Salute to Education Leaders from the College Board.



### New location

Star Phelps carries an arrangement of flowers to the car for delivery at the new location of Homedale Floral at 2 W. Owyhee Ave., in Homedale. The floral shop, owned and managed by Lynn Phelps, moved from its old location at 1½ E. Idaho Ave., on Aug. 1. Lynn Phelps, who has owned the business since 2001, said the move makes room for an expansion of Owyhee Auto Supply in the building the two businesses shared on East Idaho Avenue. Homedale Floral's hours are 9:30 a.m. to 4 p.m. Monday through Friday. But later this month, fall hours will begin, which are 9:30 a.m. to 5 p.m. Monday through Friday and 9:30 a.m. to noon on Saturdays. Call 337-4021 for more information. Introducing the only Loan that Pays *You* Back.

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Construction starts for new Basque community center

# P&Z official clarifies purpose of meeting

Planning and Zoning administrator Sylvia Bahem said she wants to clarify the intentions of the commission concerning a meeting held by three city council members and a county commissioner earlier this month.

Bahem said although expanding the city's impact area was discussed, the intention of the meeting was to renegotiate the impact agreement, not to discuss increasing the impact area size.

Bahem said that under a courtordered summary judgment in 1996, the "area of city impact agreement shall be reviewed by the City of Homedale and Owyhee County at least once every five years and shall be renegotiated at any time upon the request of either party thereto. Renegotiation shall begin 30 days after written request by either the City of the County and shall follow procedures for the original negotiation." Folks in Homedale have noticed some big changes taking place in an empty field off of Main Street as huge land levelers have been dozing dirt in preparation for a new Basque community building.

The building should be finished by the beginning of next year.

The Txoko Ona Basque Club purchased the 10-acre site for the new center last year. Club members and community members have gathered to clean the site and now construction is scheduled to begin.

Club board member Dan Uranga said last week that the club plans to build a 7,600-square-foot building that will have a kitchen, offices, a conference room and a banquet room with a capacity of about 250 people. Uranga said the money to build the center has come from members, fund-raisers and in-kind donations.

The club started with about 50 members several years ago but now boasts more than 100 members. Uranga said the building will be made available for public use, but it is a privately owned operation.

"To be a good neighbor, we hope the public will use the center," Uranga said. "When we went to get money for this building, we found out that if we were to use grants, but grants have



# Laying the groundwork

Heavy equipment is parked and ready for use on the site of the new Basque community building that the Txoko Ona Basque Club has planned for construction in Homedale.

restrictions. That is the reason we went to ourselves and said we would build it on our own."

Uranga said many people, both in the club and outside of the club, have come together to offer in-kind donations to make the project work. He said the club hopes to have its March dance in the building.

Txoko Ona means "good corner" in the Basque language.

The club is a social organization formed to preserve, promote

and enhance the Basque culture, language and history and to maintain and promote cultural, social and economic ties with the Basque country, its people, history, language and culture. — CAB

# Correction

The Owyhee Avalanche incorrectly reported in last week's edition that Marsing High School junior varsity football coach Rick Folwell is

-CAB

the husband of Homedale High School girls soccer coach Lesa Folwell. Rick is the brother of Jeff Folwell, who is Lesa's husband.





Published each week in Homedale, Idaho by Owyhee Avalanche, Inc. Entered as Periodical, paid at the Post Office at Homedale, ID under the Act of March 3, 1879. POSTMASTER: send address changes to THE OWYHEE AVALANCHE, P.O. 97, Homedale, ID 83628.

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### PAGE 5A

# From page 1

# Water

arsenic levels range anywhere from 16 ppb to 22 ppb most of the time. He said the city cannot continue to operate with the elevated levels, but other options have not been finalized.

Feedlots are frequently blamed for emitting large amounts of arsenic into the ground, and J R Simplot Co., constructed what is called its largest holding capable lot near Grand View. The lot has a one-time capacity of 150,000 head of cattle. Spang said he does not feel the lot has any effect on the water system because the lot is not near the city's water source.

"We have our engineer working on a survey, which the council was not happy about doing," Spang said. "We have not reached the stage of trying for a bond because we really don't know what needs to be done yet. The engineer won't know either until the engineering study is done. We need to see that before we can do anything.'

Spang said the city council seems to want to know the full cost of what needs to be done before the study is done. He said the city plans to apply for grants to help with whatever needs to be done, but he is not confident Grand View will be able to get any financial help.

"Past administrations have kept the water fees so low that now we don't meet state guidelines, which could put us out of the running for any grants," Spang said. "We raised the water fees 3 percent and 5 percent, so we are closer. But we have had such cheap water

for so many years I don't think it is enough. We have some money for the study, which will cost us \$27,000, but it will cost \$42,000 total. It was tough to even get the council to approve the study."

Spang said the community has been very supportive, and the opposition to water fee increases has been minimal.

Marsing has passed a bond, which Mayor Don Osterhoudt said will help with a new well and hopefully bring the city's water supply down to the acceptable levels. He said the city runs about 13 ppb, but only from one of the city's two wells. He said the well in the city does not fight arsenic.

"The water I am drinking at my home is probably higher in arsenic than some in the city because we use two wells and they blend together," Osterhoudt said. "It is something that the council has not addressed as of now for what we are going to do. I don't know if we have asked for an extension, but I am sure that we will. We will have to."

Osterhoudt said the bond passed by the city will replace one of the city's two wells, eliminating the well with which the city has problems. He said the new well is designed to be close to the existing well in the city, near the water tower. The city will not know what the contaminants are with the new well until it is drilled, he said.

We have a provision in the bond that gives us a dollar amount for a filtration system if we need it," Osterhoudt said. "We won't know how extensive that will be until we get the two waters together and see what they are. The infrastructure across the river that supplies water

with problems will be abandoned completely. We have an arsenic issue with the well across the river, which pumps in about 30 gallons a minute, but it will go away with the new water system."

Homedale Public Works Director Larry Bauer said Homedale is already under the guidelines for the new standards and has been for some time. He said nothing would have to be done to the city's system.

The same is true of Murphy's water system, which only has to check for arsenics every two years. Murphy maintenance supervisor Mark Fuchs from Murphy said that several years ago the DEQ allowed the city to skip a year of testing because the levels remained low. He said Murphy's arsenic level is about 3 to 4 ppb.

-CAB

# Grazing

Watersheds' claims that the BLM prioritized increased grazing over the protection of habitat for sage grouse. The judge recognized the species as sensitive even though the U.S. Fish and Wildlife Service declined to list it for protection under the Endangered Species Act this year. Winmill also criticized the BLM for its "patchwork" approach to assessing the overall health of the Jarbidge area.

Winmill agreed with Western Watersheds' allegations that the BLM violated a number of federal policies and its own management plan. He granted the group's request to temporarily end grazing on 28 allotments.

Winmill previously gave the parties until Oct. 1 before livestock would need to be removed from the range.

# **Poison Creek Posse to throw** Halloween party

The Poison Creek Posse has planned a Halloween Party for 1 p.m. on Oct. 8 at the Owyhee County Fairgrounds. The group held a business meeting on Sept. 13 at the Extension Office. All horse 4-H groups are invited to attend the Halloween party. Group members can bring their horse or come alone. There will be a costume contest and games for horses and riders.

# $\sqrt{\mathbf{Irrigation}}$

normal water load. Going into this year's water season, the reservoir carried over only 78,000 acre-feet, but because of a wet spring, water users were able to receive their full 4 acre-feet of water. As of last week, the projected carryover into next year looks to be at 350,000 acre-feet, which Barrie said would pretty much guarantee a full irrigation season in 2006 no matter what the weather does.

In 2003, the district had an allotment of 2.75 acre-feet of water per acre on reservoir lands and the district shut down on Sept. 4 instead of in October.

"This year's wet spring and late spring snow storms brought us out of it," Barrie said. "What 350,000 does for us is almost guarantees a full allotment from the reservoir for 2006. The worst inflow in recorded history was approximately 150,000 acre-feet of inflow. So, if we parallel our worst year, it will give us around 450,000 to 500,000 so the guys will be able to plan for a full ration of water on the Owyhee, which we haven't been able to look forward to that for the last couple of years."

In the cities, Homedale Public



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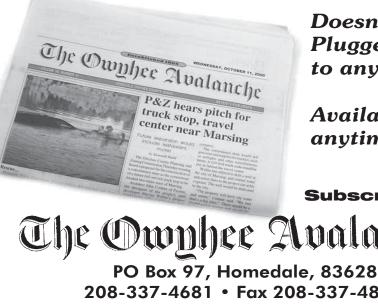
Party coordinators say there will be lots of food and fun.

For more information about the Halloween party or to join Poison Creek Posse, call Bruce and Terry Reuck at (541) 339-3019.

Works supervisor Larry Bauer said he would shut off irrigation water Friday. The City of Marsing plans to shut down on Oct. 14. -CAB

Weather								
	Η	L	Prec.					
Sept 27	72	28						
Sept 28	83	35						
Sept 29	79	28						
Sept 30	no	read						
Oct 01	no	read						
Oct 02	no	read						
Oct 03	88	34	.78					

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# news

# Centers present bazaars Saturday

The Homedale Senior Citizens Center and Rimrock Senior Citizens Center kick off the bazaar season Saturday with events in Homedale and Grand View.

Homedale's Senior Citizens Christmas Bazaar will take place from 9 a.m. to 3 p.m. Saturday at the center, 224 W. Idaho St.

Space for a big table is available for \$12, while space for a small table can be purchased for \$6. For more information on Homedale's bazaar, call (208) 337-3020.

The Rimrock bazaar, which runs from 10 a.m. to 4 p.m. at 525 Main St. in Grand View, will feature crafts, baked goods and produce. Admission is free.

Tables are available for \$10, and lunch will be available for \$3.50. For more information on the Rimrock bazaar, call (208) 834-2808.

# Schedules, menus

**Homedale Senior Center** Oct 5: Tap Enterprise tool sale,

11 a.m. to 7 p.m. Oct 6: Liver & onions, mashed potatoes, carrots, roll, milk.

Oct 8: Christmas Bazaar 9 a.m. to 3 p.m.

Oct 11: Birthday lunch. Roast beef, mashed potatoes and gravy, blended veggies, roll, milk. Board meeting.

Oct 12: Chili con carne, hot dog/bun, oven fries, milk.

# **Marsing Senior Center**

Oct 5: Hawaiian pork, rice, oriental veggies, soup, salad, dessert, beverage.

Oct 6: Baked chicken, au gratin potatoes, broccoli, carrot and onion, cabbage/raisin salad, soup, dessert, beverage.

Oct 10: Salmon or ham and cheese tray, spinach, potato, fruit, soup, dessert, beverage. Oct 11: Chicken and noodles, broccoli, beets, salad, soup, dessert, beverage.

# **Senior Anniversary** Kubosumis celebrate 50 years of marriage

William and Cleo Kubosumi of Homedale are celebrating their 50<sup>th</sup> wedding anniversary this week.

The couple married Oct. 6, 1955, in Washington state.

They have two sons. Kim and family live in Mesquite, Texas. Kris lives in Whitten, Iowa.

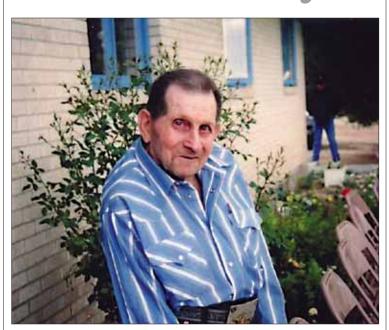
The Kubosumis have seven grandchildren.

The family is taking William and Cleo out to dinner to celebrate their milestone.



Cleo and William Kubosumi

# **Obituary**



# Charles W. Burghardt

Charles W. Burghardt, 74, of Grand View, passed away September 29, 2005, at Mercy Medical Center in Nampa. Graveside service was held at 11a. m. Monday, October 3, 2005, at the Riverside Cemetery in Grand View. Services under direction of Rost Funeral Home, McMurtrey Chapel, Mountain Home.

He was born March 9, 1931, in Grand View, Idaho, the son of William and Lulu Burghardt. Charles graduated from Grand View High School in 1949 and then moved to Chicago in 1952, where he worked in a factory and lived with the Horton family for one and a half years. After Chicago, he moved to California for about two years and lived with the Vanderford family and worked on freeways around the Hayward area. Charles then moved back to Grand View to work the family

ranch. He managed the ranch until 1993 when he sold the ranch and retired.

Charles loved being in the Owyhee mountains tending the ranch and the cattle. He was a lifetime member of the Owyhee Cattlemen's Association.

He is survived by a sister, Willa and her husband George Hipwell of Grand View, a sister Althea Martel of Corvallis, Oregon, a brother, William Burghardt of Wilsonville, Oregon, a brother Edd Burghardt of Hamilton, Montana, and a brother Frank Burghardt of Barnesville, Georgia, along with numerous nieces and nephews. Charles was preceded in death by both parents. Memorial contributions can be made to the Grand View Ambulance C/O Donna Bennett, 573 No. Bennett Road, Grand View, Idaho 83624.

# Wedding

# Wirth, Marien married in waterside ceremony

Julie Catherine Wirth and Greg John Marien were united in marriage Aug. 6, 2005, at The Dana on Mission Bay in San Diego.

The bride is a Marsing High School graduate who works as an inventory specialist at Road Runner Sports in San Diego.

The groom, a graduate of South St. Paul High School in Minnesota, is employed as an aerospace engineer by Northrup Grumman in Rancho Bernardo, Calif.

Parents of the bride are Georgia Wirth of Marsing and the late Daniel Wirth of San Diego. The groom's parents are John Marien and the late Lorraine Marien of South St. Paul, Minn.

The bride was given in marriage by longtime schoolmate, Jason Dugger, of Caldwell. The Rev. Katie Estes-Collins of the First Presbyterian Church of South St. Paul, Minn., officiated at the double-ring ceremony on the water's edge at sunset.

Bridal attendants were Vanessa Jerrell of Ramona, Calif., Christina Cargill of Lewiston



Julie Wirth and Greg Marien

and Deborah Correa of Lake Forest, Calif. Grooms attendants included Doug Marien of Dallas, Neil Bissonnette of Vista, Calif., and Andrew Bechtel of San Diego.

The wedding was followed by a cocktail hour, dinner-reception with dancing at Mission Bay Ballroom and fireworks.

The newlyweds honeymooned on the South Pacific island of Bora Bora and will make their home in Santee, Calif.

# **School menus**

Oct. 6 - 12

# Homedale Elementary

Oct 6-7: No school.

Oct 10: Early release. Sloppy Joe or hot dog, fries/tots, chocolate pudding, fruit bar, milk.

Oct 11: Turkey and noodles or tuna sandwich, peas, oatmeal cookie, fruit bar, milk.

Oct 12: Chili or beef taco pie, roll, veggie choice, fruit bar, milk.

### **Homedale Middle**

Oct 6-7: No school.

Oct 10: Early release. Chicken patty or rib-b-que, tots, fruit bar, cookie, milk.

Oct 11: Fish nuggets or corn dog, rice, fruit and veggie bar, brownie, milk.

Oct 12: Crispito or toasted cheese sandwich, taco salad, fruit bar, milk.

# **Homedale High**

Oct 6-7: No school.

Oct 10: Early release. Pizza or hot pocket, salad, fruit and veggie

Oct 12: Roast beef, potatoes, mixed veggies, pea salad, soup, dessert, beverage.

# Church seeks

# bazaar vendors

Vendor space is available for local crafters at the Mountain View Church of the Nazarene community bazaar, which will be held on Nov. 5.

Vendor spaces are \$25 if prepaid or \$30 at the door. All vendors must pre-register by calling Janice Holton at 340-5864.

bar, dessert, milk.

Oct 11: Beef nuggets or corn dog bites, mashed potatoes and gravy, roll, fruit and veggie bar, milk.

Oct 12: Lasagna or burrito, French bread, fruit and veggie bar, milk.

# Marsing

Oct 6-7: No school.

Oct 10: Lasagna, salad, fruit, milk, chicken sandwich, salad bar 4<sup>th</sup>-12<sup>th</sup>, roll.

Oct 11: Hamburger, potato wedges, fruit, milk, soup and sandwiches, salad bar 4<sup>th</sup>-12<sup>th</sup>, roll.

Oct 12: Shepard's pie, veggies, fruit, milk, Red Baron pizza, salad bar 4<sup>th</sup>-12<sup>th</sup>, roll.

### Bruneau

Oct 6: Corn dog, tots, fresh veggies, fresh fruit, milk.

Oct 7: Stromboli, tossed salad, fresh fruit, milk, cake.

Oct 10: Roast beef/bun, potato wedges, veggie sticks, apples, milk, cookie.

Oct 11: Taco, chips/salsa, corn, pears, milk.

Oct 12: Turkey and noodles, salad/croutons, roll/butter, fruit cobbler, milk

# (G BUSINESS SAU OLD WEST DOLLAR STORE AND MORE STORE: (f Ĵ **(EXCLUDES BALLOONS & FOOD 337 E. IDAHO AVENUE • HOMEDALE**

# Your finances **Dave \$ays**

# Check out hospital bill before paying for a wasp sting that really stung

Readers: Today we debut a new feature for The Owyhee Avalanche with the "Dave \$ays" financial advice column. The personal finance advice column is written by Dave Ramsey, a popular radio personality and best-selling author.

-Ed.

### Dear Dave,

I recently went to the hospital because of a wasp sting. I didn't think the treatment would be costly, but the bill was \$1,850. I don't have insurance, and I'm not eligible for any financial assistance. Also, I'm only 19 years old and don't want to take a chance on messing up my credit record. What should I do?

### — Glenn via e-mail Dear Glenn,

Nearly \$2,000 for a wasp sting? You've got to be kidding! Well, I guess if you go to the emergency room it's POSSIBLE that level of care was provided, but I think somebody's got some explaining to do. Sticker shock doesn't even begin to cover this. Some people are allergic to wasp stings, and I don't mean to make light of that, but you'll probably be tempted to try a little baking soda next time instead.

I would call the hospital and ask for a meeting with someone in the business office. Tell them you're 19 years old and you don't have that kind of money. Also, tell them you simply cannot conceive of \$1,850 for treatment of a wasp sting. But most of all you need to let them know that you're sincere about trying to pay what they say you owe.

Hopefully, you can get it reduced based on the fact that you don't have insurance, you don't have any assistance AND that \$1,850 is a little ridiculous for a wasp sting.

— Dave



# DAVE RAMSEY

### Dear Dave,

We have a '97 Taurus that we bought on a whim, and it came with a high interest rate because we fell behind on some medical payments before we bought the car. Right now, we owe about \$1,700 on it. We've also got an SUV that needs repairs to make it drivable, and we still owe money on that one, too. I know you can refinance a loan on a house, but can you do the same thing with a car? — Cheryl

### Dear Cheryl,

You can if you're able to find someone who'll give you the loan. It's not going to make any difference if you haven't cleaned up your credit since then, but if you have and you've got a credit union or someone who is willing to give you a lower rate, I'd go for it.

But let's get ourselves into high gear and get both of these vehicles paid off. Get the necessary repairs made to the SUV and sell it. It's sitting there in the driveway, you can't drive it and you're still making payments on the thing.

Get in attack mode and clean up this mess. It won't take long, Cheryl. You just need to take action. And next time you get car fever don't go to a car lot — take a cold shower instead. — Dave

### Dear Dave,

In the last 18 months, I've cleared up all my debt except for half of what's owed on my house. I have one credit card that I want to keep, though, because I get sky miles with it and I'd pay it off at the end of each month. Is that a bad idea?

— Mitch in Salt Lake City, Utah

### Dear Mitch,

Yes, it's a bad idea. Many debit cards now have airline miles associated with them, so there's no reason to take a chance with credit cards.

You've done a really great job of managing your finances lately, but the reality is that 78 percent of Americans don't pay off the balance on their credit cards at the end of the month. Another thing, Mitch, is that studies show people spend about 12 to 18 percent more with credit cards than when they use cash.

Personal finance is 80 percent behavior, so this means that living on less than you make is a matter of controlling yourself, not a matter of math. Visualize this, Mitch. You've got a \$50 bill and a credit card lying on the table in front of you. If you look at these two items, the \$50 bill is a more emotional thing and it will hurt more to turn it loose.

Do you see where I'm going with this? If it hurts more to let go of the cash, then you're not going to spend as much. If you don't spend as much, you'll be able to save more and build wealth! — Dave

Have a question for Dave? Send correspondence to syndication@daveramsey.com or write to Dave \$ays, 1749 Mallory Lane, Brentwood, TN 37027

# **PUC OKs Intermountain Gas** rate increase to recover costs

The Idaho Public Utilities Commission recently approved an average 27.6 percent increase for Intermountain Gas, allowing the company to recover costs it incurred from buying gas on the wholesale market to serve its customers. The new rate went into effect Saturday.

Intermountain Gas stated the \$67.6 million revenue increase was needed because of the higher prices it must pay to acquire natural gas for customers. The commission uses a vearly mechanism, called the Purchased Gas Cost Adjustment (PGA) that allows the company to adjust rates to reflect changes in the costs for purchases of gas from the Williams Northwest Pipeline and other suppliers. State statutes require that regulated utilities be allowed to recover costs that are prudently incurred. Part of the commission's responsibility is to determine if the company used a reasonable approach in purchasing gas for its customers.

The PGA, unlike a general rate case, does not affect company profits. "The company's earnings are not to be increased from changes in prices and revenues resulting from the annual PGA," the commission said. "The PGA mechanism is designed to pass through prudently incurred commodity costs in a timely fashion."

The commission noted that wholesale natural gas prices have continued to fluctuate dramatically. "The volatile natural gas market has seen forecasts of future costs at record levels, and resulted in increased uncertainty about when and where prices will stabilize."

The portion of a customer's bill that reflects costs of gas increases from 55.5 cents per therm to 73.2 cents with the order. The total average price per therm for a residential customer, including the base rate and cost of gas is about \$1.14 per therm. The company has not filed for a base rate increase since 1985. The commission ordered the company to "promptly seek" a decrease in the PGA portion of rates if commodity prices decrease by 5 percent or more.

The commission's staff of auditors assured the commission that Intermountain Gas is not overearning or price-gouging customers. "Staff looks closely at all of the company's records and assures that the company is making efforts to keep costs down and making prudent decisions," the commission said. The next audit of the company is planned for spring of 2006.

Commissioners said there are federal and local low-income and weatherization assistance programs available. Call (800) 432-0369 for more information.

AARP Idaho and the Community Action Partnership Association of Idaho (CAPAI) were involved in the case. AARP urged the commission to protect the interests of customers on low and fixed incomes and closely examine the company's gas procurement process. CAPAI asked the commission to open a separate case to assess the company's attempts to address the needs of low-income customers through programs such as home weatherization.

The order, along with other related documents, are available on the commission's Web site at www.puc. idaho.gov. Click on "File Room," then "Gas Cases" and scroll down to Case No. INT-G-05-02.

Interested parties may petition the commission for reconsideration by no later than Oct. 21. Petitions for reconsideration must set forth specifically why the petitioner contends that the order is unreasonable, unlawful or erroneous. Petitions should include a statement of the nature and quantity of evidence the petitioner will offer if reconsideration is granted.

Petitions can be delivered to the commission at 472 W. Washington St. in Boise, mailed to P.O. Box 83720, Boise, ID, 83720-0074, or faxed to (208) 334-3762.



# Calendar

# This week

Jordan Valley High School homecoming activities continue Rimrock High School homecoming activities continue

# Saturday

Rimrock Senior Center bazaar, featuring crafts, baked goods and produce. 10 a.m. to 4 p.m. 525 Main St., Grand View. Free admission. Vendors can buy a table for \$10. Lunch, \$3.50. Call (208) 834-2808

Homedale Senior Center Christmas Bazaar, 9 a.m. to 3p.m., 224 W. Idaho St., Homedale. Free admission. Vendors can buy big table space for \$12 or small table space for \$6. Call (208) 337-3020 Submit information on upcoming fund-raisers, reunions or community events to The Owyhee Avalanche by noon Fridays for inclusion in the calendar. Drop off press releases off at the Avalanche office at 19 E. Idaho Ave., Homedale or mail them to P.O. Box 97, Homedale, ID 83628 or fax them to (208) 337-4867 or e-mail them to either jbrowneditor@cableone.net or cherylbeeson@cableone.net. For more information on submissions, call (208) 337-4861.



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# Aloha from the Owyhees

# County museum benefit sets mark for attendance

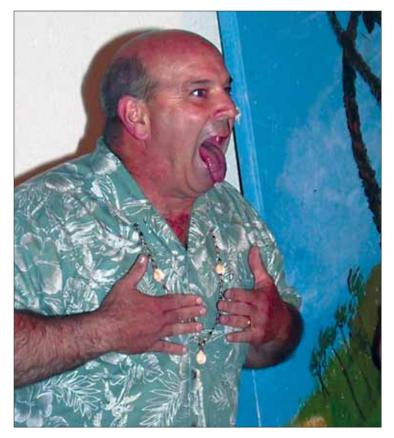
The third annual Aloha from the Owyhees drew in record-breaking crowds Saturday night as more than 150 people attended the event in Murphy.

More than \$5,000 was raise for the Owyhee County Historical Society and the county museum.

The authentic Polynesian-style luau is held each year as a way of helping people reconnect with the origins of the county's name. The event offered a glimpse of life in the islands of the South Pacific while raising money for the museum's building fund. A pig was roasted in-ground in accordance with Polynesian custom, and entertainment from the islands by Pacific Rhythm was performed. Members of the audience also were brought on stage for a bit of entertainment.

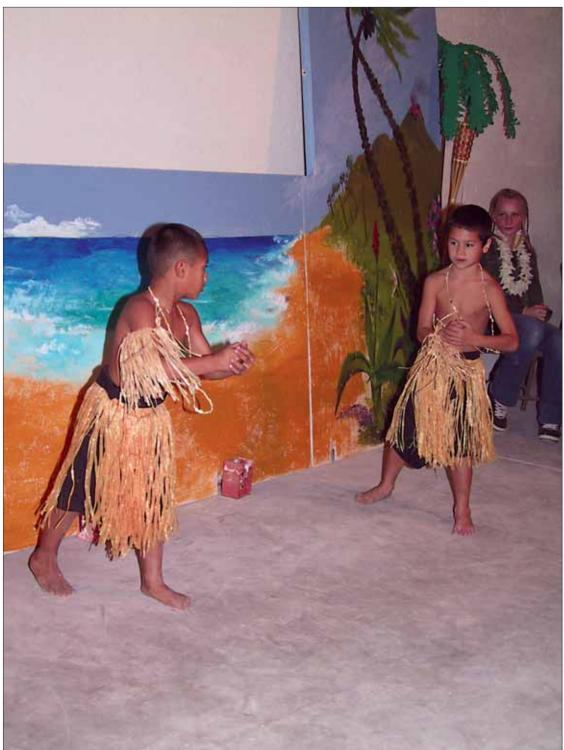
Pacific Rhythm is a Treasure-Valley based. The performance included dances from the islands of Hawaii, Tahiti, Samoa and the Maori people of New Zealand. Troupe members recruited volunteers from the audience for hula dances.

-CAB



Let's party Bureau of Land Management Bruneau Field Office Manager Mitch Jaurena gets into the fun as he is taught how to display native Hawaiian expressions with his hands and his face.





# A night at the luau

Young warriors perform from the islands of Hawaii. Pacific Rhythm displayed the heritage of the South Pacific with dance and song at the third annual Aloha from the Owyhees fund-raiser Saturday at the Owyhee County Historical Museum in Murphy.



# Young dancers

The youngest of Pacific Rhythm's dancers perform for more than 150 people during the luau in the new Owyhee County Historical Museum complex.

# Cultural exchange

Pacific Rhythm performers entertained the audience with a variety of South Pacific dances, which often included props from the region's culture. Dances performed were drawn from Hawaii, Tahiti, Samoa and the Maori people of New Zealand.

# The Owyhee Avalanche

# Homedale girl needs just one shot to bring down buck

When Laurien Mavey tells hunting stories, she can hold her head high and say she's got one over on her dad.

Laurien, a sixth-grader at Homedale Middle School, didn't waste much time in her first big game hunt Wednesday morning. She aimed her Remington 6mm rifle and, with the first shot she ever took as a big game hunter, claimed an antelope.

"She shot one time and hit it right through the shoulder at 234 yards," Laurien's father, Don Mavey, said.

"It's an old antelope with a non-typical antler formation," Laurien's father said.

Don Mavey was still a proud papa, even if he got an antelope tag for the first time this season after years of trying. His daughter was drawn for a tag in her first try, and then the 12-year-old goes out and gets an antelope buck in her first hunt.

Don said only 15 youth antelope tags for Unit 32 were drawn in all of Idaho this year, making Laurien's feat all the more spectacular.

"Awesome," Laurien said of shooting her first antelope. She used her own rifle to bring down the buck in a special youth hunt near Crane Creek in Unit 32.

It was actually Laurien's second chance at the same antelope in four days. She and her father spotted the buck Sunday, Sept. 25, but she couldn't get a shot off.

"We found the antelope Sunday and snuck up on it," Don said. "She got 'buck fever' and couldn't shoot. She started shaking.

"She said her heart was pounding so hard that she thought it was going to come out (of her chest)."

But father and daughter were able to find the same antelope Wednesday, and Laurien didn't get the shakes again.

"We were lucky, I guess," Don said. "They cover a lot of country."

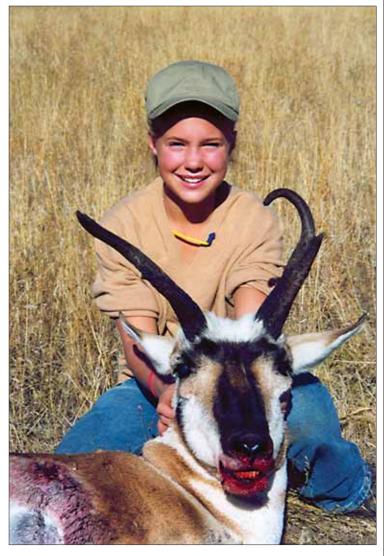
Laurien, who has been hunting birds for two years, didn't have much of chance to brag about her hunt to her classmates. Many students saw the buck in back the Maveys' truck from their school bus windows when father and daughter came back into town Wednesday.

But there still is more learning for Laurien with this antelope. Don said Dan Aberasturi of Owyhee Desert Taxidermy will mount the animal for her, and she'll help with the process.

And Laurien's hunting is over for the season, either.

Laurien and her father also will hunt elk and deer later this year.

— JB



### Good shot

Laurien Mavey, a 12-year-old sixth-grader at Homedale Middle School, poses with the antelope buck she shot last Wednesday near Crane Creek. Mavey needed just one shot to kill the antelope. It was her first big game hunt, and she drew an antelope tag on her first try. Her father, Don, had tried for years before pulling an antelope tag for this year's hunt.

# Watershed council plans meeting

The Owyhee Watershed Council will meet at 7:30 p.m. next Wednesday at the University of Idaho Owyhee County Extension Office. This will be a joint meeting between the Mid Snake Succor Water Advisory Group and the Owyhee Watershed Council.

Speakers for the meeting will be Pat Clark and Mark Shumar. They will discuss shading and water temperature studies and potential natural shade for temperature TMDL's. Watershed business is also on the agenda.

The executive meeting will begin at 6:30 p.m.

# Rubber Stamps

Made to order

The Owyhee Avalanche 337-4681

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If your organization has identified a one-time need that will benefit the citizens of Owyhee County, we would like to hear about it. Please forward your request to:

# 2004 GRANT REQUESTS NEEDED

US ECOLOGY IDAHO OWYHEE COUNTY FUND PO BOX 400 GRAND VIEW, ID 83624

# **REQUEST GUIDELINES**

- 1. Applicant must be a non-profit, tax-exempt association or corporation in Owyhee County.
- 2. Identified need must clearly describe and offer a direct benefit to Owyhee County residents.
- 3. Grants are awarded annually with no commitment for multi-year funding.
- 4. Preference is given to programs without existing or alternative funding.
- 5. Grant requests must be received no later than November 7, 2005.



# **Riverside inn offers bits of Owyhee history**



# The Silver City room

The Silver City quilt lights up the room on the king size bed in the Silver City room. The room is the largest of the three rooms at the Snake River Inn bed and breakfast. It features a private Jacuzzi and deck that overlooks the Snake River.



**On the homestead** *Two old-timers watch over the miner's camp on the grounds. Several outbuildings can be toured for a bit of history.* 





# Solitude

Arlene Hill stands on the deck that enters into a bed and breakfast on the banks of the Snake River. An open house Sunday will guarantee three visitors a free nights stay and the newly designed Snake River Log Bed and Breakfast. There is more than 3,000 square feet of space in the facility.

# Owners plan open house from 1 p.m. to 5 p.m. Sunday

Arlene Hill had a vision to be able to capture some of Owyhee County's beauty and share it with weary travelers, or the couple who just wants to get away. Hill has done just that by opening the Snake River Log Bed and Breakfast on the Snake River.

Arlene and her husband Dick live on the Snake River and can walk out on one of their huge decks and see the old Walter's Ferry Bridge. Arlene said she wanted to share that breathtaking view with others. about 20 miles south of Nampa and 1 mile from the junction of highways 78 and 45. Each room is decorated with a bit of Owyhee County history, from antiques to the handmade Silver City quilt Arlene won at Outpost Days last year. That quilt rests on the bed in the Silver City room.

"The bed is so massive that now I will have to fix a skirt to finish it," Arlene said. "It has a rug loom in the room, and I have turned this old ringer washer top into a table in the sitting area." Most of the inn's drapes and bedspreads are handmade by Arlene and friends. Each room has a private bath with a Jacuzzi tub, highspeed, wireless Internet, a private deck, fireplace, king-size bed and waterfront peace and quiet. leads to the upper levels.

A fish pond quietly sits in front of the entryway as well as a babbling water fountain that fills a pond filled with gold fish.

"Hotels and motels are so cold," Arlene stated. "This is like being at home, but better."

A full breakfast is cooked and served by Arlene, and special gift certificates for special occasions such as birthdays or anniversaries are available. Arlene said she plans to be open every day of the year, except for a special weekend near Christmas when her family visits. Deer, water fowl, osprey, quail, rabbits, squirrels, pheasants, doves, herons, pelicans, muskrats, ducks and geese can be seen on the grounds most mornings. To get there, take Highway 45 south 20 miles from Nampa to the Snake River. Cross the river and follow Highway 78 at the junction for one mile to mile post 20. Turn left on Snake River B&B Lane, a private road. Follow the lane to the river and the front door of the inn. During Sunday's open house, three drawings will be held for complimentary stays. The winners need not be present to win.

# Flowery path

Arlene Hill sits in the gazebo located in the middle of a flowery path on the nature walk.

"A long time ago, I thought if God wants me to do this, it would happen. It is happening," Arlene gleams from the deck of her more than 3,000-square-foot bed and breakfast addition. "It is beautiful out here. The river babbles here. We have deer in the yard all the time. I just wanted to share the happiness I have here with others."

An open house is planned from 1 p.m. to 5 p.m. Sunday.

The exquisite three-story log home offers three elegantly decorated suites — the Silver City Room, the Owyhee Room and the Snake River room — on 18 acres on the banks of the Snake River. The bed and breakfast is located "It is a perfect room for romance," Arlene said of the Silver City room. "We have a utility and laundry room with an icemaker, refrigerator and microwave."

A fire pit is being installed at the miners shack for evening hot dog roasts. For the adventurer, a pathway through the landscaped area has been built for evening strolls. A one-of-a-kind handrail lines the massive staircase that

-CAB

### WEDNESDAY, OCTOBER 5, 2005

# The Ownhee Avalanche

### PAGE 11A

# Small grants still available from IDEQ

The IDEQ Small Grant riparian conditions) Program is reopening grant applications and the new deadline is Oct. 31 as funding is still available.

The Owyhee Watershed Council in partnership with the Owyhee Soil Conservation District and the Idaho Department of Environmental Quality (IDEQ) are pleased to announce the opening of a new grant program for Owyhee County landowners and operators. The "Owyhee Restoration Incentive Program" is now taking applications for water quality restoration projects on private/public lands within the Upper Owyhee, Middle Owyhee, Mid-Snake Succor, and Jordan subbasins of Owyhee County.

The goals of the program are to provide technical and financial assistance to landowners for the implementation of on-theground restoration projects; to demonstrate feasible and effective solutions for addressing water quality concerns; to promote coordination between local, state, and federal agencies and organizations within Owyhee County; to increase public awareness of local water quality issues, as well as local actions being taken to address those issues; and to promote the implementation of specific Best Management Practices (BMPs) as a means of addressing water quality concerns.

The Owyhee Watershed Council received 319 funding in the amount of \$225,285 from IDEQ to accomplish these goals. \$200,000 of these funds will be allotted solely for the implementation of on-the-ground projects.

Program priorities are based on TMDL plans/implementation plans developed by the IDEQ and are designated by area as follows:

Priority 1 – Middle Owyhee Subbasin

Temperature (improve



Priority 2 – Upper Owyhee

Subbasin Temperature (improve

riparian conditions) Sediment (reduce sediment

inputs) Priority 2 – Mid-Snake Succor

Subbasin

Temperature (improve riparian conditions)

Sediment (reduce sediment inputs)

Bacteria (reduce animal waste contamination of waterways)

Nutrients (reduce nutrient inputs)

Streambank Erosion (reduce erosion)

Priority 3 – Jordan Subbasin Temperature (improve riparian conditions)

Sediment (reduce sediment inputs)

Bacteria (reduce animal waste contamination of waterways) Nutrients (reduce nutrient inputs)

Streambank Erosion (reduce erosion)

While the above is a list of program priorities, all projects proposing to improve water quality within any of the eligible subbasins will be seriously considered for funding. The Owyhee County Small Grant Team, made up of one local representative from each subbasin, will review / approve applications. Individual grant applications cannot exceed \$20,000 in requested funds. Applicants are required to provide a 40 percent match for their proposed projects. This match may be in the form of hard cash or in-kind services such as labor, equipment use, etc.

Grant applications are available at the Farm Service Agency Office in Marsing; at the Bruneau River Soil Conservation District office in Bruneau; from your local committee representative; or by contacting the Owyhee Watershed Council at (541) 889-2588 ext.117. The new deadline for application submission is October 31, 2005. Applications should be mailed to the following address by September 1, 2005 to be eligible for funding:

Owyhee Watershed Council



# Pennies to help

Homedale Elementary students, from left to right, second-graders Madison Fisher, Baylie Kesler, Joey Lopez, third-grader Quentin Thornton and second-grader Hunter Thornton proudly display some of the pennies that the entire school has collected this fall. The Thornton family lost their home to fire shortly before school started this year. The first penny drive at the school was initiated to help the Thorntons replace some of the belongings. In turn, the Thornton boys were concerned for the hurricane victims when Hurricane Katrina hit the Gulf states shortly after their house fire. A second penny drive was started, and — with pennies still remaining to be counted — the kids have contributed more than \$700 for the two causes. Photo by Randee Garrett.





Jeff Thatcher, Mike Conant, Ricardo Delgadillo and Jason Conant

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# The Ownhee Avalanche

## WEDNESDAY, OCTOBER 5, 2005



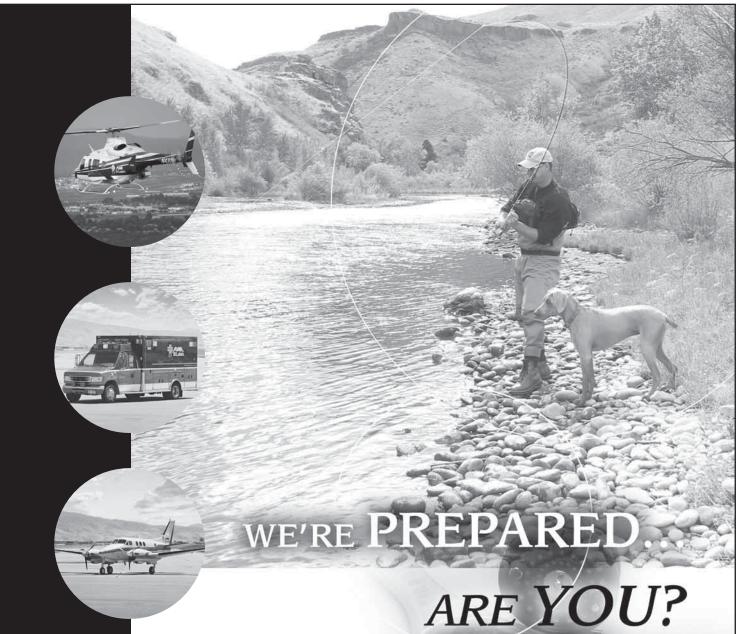
# Under the influence

A vehicle slammed into a power pole on Northside Boulevard on Saturday night. The driver of the car, Craig Kirkman, 54 of Homedale, was transported to West Valley Medical Center in Caldwell for treatment of lacerations to his head. The incident is still under investigation, but alcohol is suspected to have been a factor in the crash.



# **Hazardous** fire

Members of the Homedale Fire Department extinguish a fertilizer truck fire at the Tom Wilke ranch on Johnstone Road on Friday afternoon. The truck was carrying nitrogen granular fertilizer, but the fertilizer was not burned. The fire was contained to the cab of the truck, and there were no injuries.



# Snow falls in higher elevations

'Tis the season, and with the season comes snow. Although accumulations were not significant, higher elevations in Owyhee County received a dusting of snow when a cold front moved through the area last week.

The Natural Resources Conservation SNOTEL Web site reported at little more than 3 inches of snow fell on South Mountain on Sunday. The peak receive two-tenths of an inch Monday. Three-tenths of an inch was reported at Reynolds Creek and 1.3 inches was reported at Mud Flat during the weekend.

The National Weather Service is anticipating areas of frost for tonight with highs only reaching into the upper 50s. Lows are expected to range from 33 to 39 degrees throughout the rest of the week, and partly cloudy skies will continue through Monday. As the irrigation season winds down, Owyhee Reservoir reported 126 cubic feet per second of water entering the reservoir at Rome, Ore. The reservoir is reported to be at 52 percent of capacity with 369,894 acre-feet of water.

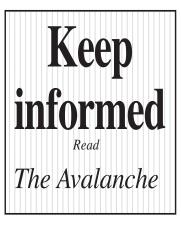
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Air St. Luke's is proud to be certified by the Commission on Accreditation of Medical Transport Systems (CAMTS).



Affairs Director Chad Hyslop has announced that the company's Owyhee Charitable Foundation is accepting applications from organizations in the county for worthwhile community projects.

The application deadline is Nov. 7.

"US Ecology Idaho is proud to be a part of Owyhee County and looks forward to making positive contributions to our community with this year's charitable grants," Hyslop said.

"Our Charitable Foundation Selection Committee is looking for projects that will provide the greatest benefit to Owyhee County citizens."

Since 1988, the Owyhee County Charitable Foundation has contributed to dozens of community improvement projects

# Studded snow tires now legal

Snowstorms may not be part of the immediate weather forecast, but has already begun to fall in many higher elevations. Saturday marked the date for legal use of studded snow tires in Idaho, the Idaho Transportation Department announced last week.

While it may be legal to use the tires, officials advise against it unless conditions warrant. Studded tires are snow tires with small metal cleats embedded in the tread, and may cause undue wear on bare roadways. Idaho's studded snow tire season continues through April 30.

Studded tire laws vary in neighboring states. In Montana the season runs from Oct. 1 to May 31, Nevada is the same as Idaho but in Utah, studded tires can not be used until Oct. 15 until April 15. In Orgeon, studded tires are legal from Nov. 1 to April 1, Washington from Nov. 1 to March 31 and in Wyoming, they are legal all year.

For weekly updates on highway construction projects in Idaho, call the Idaho Road Report at 1-888-IDA-ROAD (432-7623). For online updates, visit the transportation department's Web site at itd.idaho.gov and click on "Traveler Services." Daily reports on winter road conditions begin in November.

US Ecology Idaho External such as computers for Owyhee County schools, assistance to county senior citizen centers, veterans organizations, libraries and the Owyhee County Historical Museum.

> The Foundation is governed by a three-member selection

committee that includes Roy Herman of Marsing, Ray Meyers of Grand View, and Steve Romano, president and CEO of Boise-based American Ecology Corp., US Ecology Idaho's parent company.

The foundation welcomes

written requests from non-profit or tax-exempt organizations in Owyhee County. Projects must provide a direct benefit to Owyhee County citizens. Please see the advertisement in this issue of The Owyhee Avalanche newspaper for more details.

US Ecology Idaho is a hazardous waste treatment and disposal company with facilities located 10 miles northwest of Grand View. US Ecology Idaho is one of Owyhee County's largest employers with 60 full-time employees.

PAGE 13A



THE TEMPERATURE IS DROPPING. SO IS THE INTEREST RATE ON HOME EQUITY CREDIT LINES.



# **HOME EQUITY CREDIT LINE\*\***

Have a news tip? Call us! 337-4681

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MEMBER FDIC

If you're considering a few projects around the house—but thought you couldn't afford it now's the time and Zions Bank is the place. That's right, when you apply for a Home Equity Credit Line, you'll not only get a six month introductory interest rate that's a full 2.25% below our already low rate, but you'll also get a quick approval—generally within 24 hours. Of course, you can also use a Zions Bank home loan to finance college, consolidate debts or almost anything else you need it for right now. And we have great rates on all other home loans as well.

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\*Minimum limit of \$50,000 required to obtain advertised APR; other APRs available for lower credit limits. \*\*Offer ends 11/19/05, is available only on new Home Equity Lines of Credit of \$15,000 or more or increase of at least \$15,000 on existing line. Autopay from a Zions Bank account required to receive introductory rate. Credit approval required. Introductory rate fixed for first 6 billing cycles from account opening. Prime (currently 6.75% as of 9/21/05) minus 0.26% thereafter; rate is variable and subject to change monthly. The prime rate is the published commercial loan rate index held by any two (or the median rate if no two are alike) of the following banks: J.P. Morgan Chase and Company, Wells Fargo Bank NA and Bank of America, NA. Maximum APR 21%. \$15 charge for any check written less than \$500. Early closure fee up to \$250 may apply if plan is terminated within first three years. Property insurance required. Other restrictions may apply, see branch for details.

# **PUBLIC NOTICE OF INTENT #1** To Propose or Promulgate New or Changed Agency Rules (See Ad #2 also in this section)

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 – BOARD OF ACCOUNTANCY**

PO Box 83720, Boise, ID 83720-0002 01-0101-0501, Idaho Accountancy Rules. Updates incorporations by reference.

#### IDAPA 02 - DEPARTMENT OF AGRICULTURE PO Box 790, Boise, ID 83701-0790

**02-0303-0501, Rules Governing Pesticide and Chemigation Use and Application.** Increases fee for annual pesticide registration to \$160 to fund pesticide Container Recycling Program.

**02-0420-0501, Rules Governing Brucellosis.** Updates incorporations by reference; clarifies calfhood vaccination; updates vaccination protocol for imported adult cattle.

02-0421-0501, Rules Governing the Importation of Animals. Updates incorporations by reference; clarifies importation requirements for cattle not vaccinated for brucellosis; adds additional testing requirements for dairy cattle entering Idaho.

**02-0424-0501**, *Rules Governing Tuberculosis*. Updates incorporations by reference; clarifies identification requirements for tuberculosis reactors.

**\*\*02-0427-0501**, *Rules Governing Deleterious Exotic Animals*. Defines exotic hybrids; adds provisions for permit revocation, record keeping, annual inventories, and reporting; adds additional species to the list of deleterious exotic animals.

**\*\*02-0429-0501, Rules Governing Fur Farms**. New chapter sets requirements for classifying a facility as an agricultural fur farm; allows differentiation between agricultural fur farms and captive wildlife facilities or fur bearing animals kept as pets.

02-0617-0501, Rules Governing the Disposal of Cull Onions and Potatoes. Standardizes language relating to cull disposal methods.

02-0626-0501, Rules Governing Seed Potato Crop Management Areas. Defines geographical boundaries for a new Seed Potato Crop Management Area in Fremont County.

### IDAPA 07 – DIVISION OF BUILDING SAFETY 1090 E. Watertower St., Meridian, ID 83642

**07-0101-0501**, *Rules Governing Electrical Inspection Tags*. Clarifies that industrial accounts must designate a supervising master electrician.

07-0102-0501, Rules Governing Fees for Electrical Inspections. Establishes a \$10 "small-work" permit and inspection fee for jobs under \$200 with no change in service connection.

07-0103-0403, Rules of Electrical Licensing and Registration – General. Changes journeyman to master electrician and clarifies master electrician qualifications and duties.

#### 07.01.04 - Rules Governing Electrical Specialty Licensing.

**07-0104-0501**, Increases the number of effluent pumps that serve family installations that a licensee in the well driller/ pump installer category may install or work on under certain conditions.

07-0104-0502, Adds communications installations to the Limited Energy Electrical License.

**07-0104-0503**, Clarifies that specialty electrical contractors are required to have a supervising specialty journeyman to countersign while an electrical contractor must have a supervising master electrician.

### 07.03.01 - Rules of Building Safety – General. 07-0301-0501, Chapter repeal.

07-0301-0502, Chapter rewrite consolidates six existing building chapters (see below) and increases fees for processing and issuance of modular building insignia tags to out-of-state manufacturers to \$100.

*Ventilation, and Air Conditioning Systems*. Establishes criteria for issuance of a specialty journeyman certificate of competency to include approved educational programs and on-the-job experience.

### IDAPA 08 - DEPARTMENT OF EDUCATION PO Box 83720, Boise, ID 83720-0027

**\*\*08-0203-0506, Rules Governing Thoroughness.** Increases math and science credits requirement for high school graduation; establishes middle school requirements and requires a cumulative C average in required courses.

### IDAPA 11 – IDAHO STATE POLICE PO Box 700, Meridian, ID 83680-0700

11-1003-0501, Rules Governing the Sex Offender Registry. Adds required sections; authorizes link from the State's site to the National Sex Offender Registry Internet site; changes sex offender registration forms.

#### IDAPA 12 – DEPARTMENT OF FINANCE PO Box 83720 Boise, ID 83720-0031

**12-0108-0501, Rules Pursuant to the Uniform Securities Act.** Allows issuers with less than 1 year of operations to file reviewed financial statements until the end of the first fiscal year; conforms to disqualifications put forth by federal law; requires individuals to register as an issuer agent, unless exempt, if paid for certain activities; a broker-dealer or salesman, registered elsewhere, must register in Idaho; removes "by order" from renewal/application provision; administrator may defer effective date of registration of an investment adviser or his representative until 45<sup>th</sup> day after filing amendment to complete application.

#### IDAPA 13 – DEPARTMENT OF FISH AND GAME PO Box 25, Boise, ID 83707

13-0104-0501, Rules Governing Licensing. Broadens military rain check and refund rule to include all military deployments and removes reference to a specific year.

13-0108-0501, Rules Governing the Taking of Big Game. Increases eligibility for left-over moose permits; allows use of round ball or conical lead bullets in traditional muzzleloader hunts; requires applicants for outfitter allocated controlled hunts to have a written agreement before submitting a controlled hunt application; develops application and drawing criteria, and marketing procedures for controlled hunt tags; grants priority to military personnel returning from active duty for emergency depredation hunts.

13-0110-0501, Rules Governing the Importation, Possession, Release, Sale or Salvage of Wildlife. Addresses requirements and specifications for possessing or raising wildlife for medical research; standardizes terminology; clarifies requirement for an importation permit and updates allowed species importation list; sets bird disease and bird marking standards for shooting preserves.

13-0117-0501, Rules Governing the Use of Bait for Taking Big Game Animals. Allows bear baiting 1 week prior to season opening in several wilderness areas.

### IDAPA 16 – DEPT. OF HEALTH AND WELFARE PO Box 83720, Boise, ID 83720-0036

**\*\*16-0224-0501, Clandestine Drug Laboratory Cleanup.** New chapter implements new law by establishing processes and standards for clandestine drug laboratory cleanup.

16-0301-0501, Eligibility for Health Care Assistance for Families and Children. Removes asset transfer penalty for any Family Medicaid Program; changes self-employment income calculation; excludes Idaho Tribal TANF from Family Medicaid Program eligibility; changes time period to request a hearing; removes asset requirement and minimum income requirement for CHIP B and the Children's Access Card to allow more uninsured children to be eligible. 16-0304-0501, Rules Governing the Food Stamp Program in Idaho. Clarifies language and brings rule into compliance with federal law; extends certification period for families with no income to 6 months; excludes grants from HUD's Family Self Sufficiency Initiative per federal law. definitions and criteria; establishes guidelines for required Medicare Part D Prescription Drug Program for certain low income applicants.

16-0309-0503, Rules Governing the Medical Assistance Program. Requires annual review of reimbursement rates with Medicaid mental health and developmental disability providers; identifies how rate comparisons with other state Medicaid programs will be conducted, how costs of Medicaid service providers of mental health and developmental disabilities will be obtained and evaluated, current access to services, and methods used to compile an annual report.

### *16.03.19 - Rules Governing Certified Family Homes. \*\*16-0319-0501*, Chapter repeal.

**\*\*16-0319-0502**, Chapter rewrite conforms to statutory changes that makes rule more appropriate for a family home rather than a large facility.

# 16.03.22 - Rules for Licensed Residential or Assisted Living Facilities in Idaho.

\*\*16-0322-0501, Chapter repeal.

**\*\*16-0322-0502**, Chapter rewrite conforms to statutory changes and incorporates changes negotiated with the industry.

16-0503-0501, Rules Governing Contested Case Proceedings and Declaratory Rulings. Clarifies when an appeal is to be filed and that a hearing officer must dismiss an untimely appeal; and requires issuance of a proposed order of default if someone fails to appear for a hearing.

16-0602-0501, Rules Governing Standards for Child Care Licensing. Increases maximum length of time allowed between on-site licensing visit requirement to 12 months for foster homes, residential care facilities, children agencies and other programs; does not change other monitoring visits.

#### IDAPA 17 – IDAHO INDUSTRIAL COMMISSION PO Box 83720, Boise, ID 83720-0041

**\*\*17-0208-0501, Miscellaneous Provisions**. Proposes using the Resource-Based Relative Value Scale and the Relative Value Unit assigned for all medical services with a Physicians' Current Procedural Terminology code and a conversion factor for various categories of CPT coded services; deletes obsolete language. Comment by: 11/1/05.

#### IDAPA 20 – DEPARTMENT OF LANDS PO Box 83720, Boise, ID 83720-0050

**\*\*20-0302-0502, Rules Governing Exploration and Sur***face Mining in Idaho.* Establishes rules for permanent closure of cyanidation facilities and performance bond requirements for permanent closure plans; allows operators of cyanidation facilities to apply to file permanent closure bonds in phases; includes requirements for nonpoint source control and best management practices to protect groundwater and surface water; allows director to request a geotechnical analysis and report for pit walls; deletes statutory language and replaces it with citations to Idaho Code.

#### IDAPA 22 – BOARD OF MEDICINE PO Box 83720, Boise, ID 83720-0058

22-0101-0501, Rules of the Board of Medicine for Licensure to Practice Medicine and Surgery and Osteopathic Surgery in Idaho. Removes outdated language and references; removes language and time periods related to old state examinations; adds new volunteer, zero-fee license; adds and clarifies grounds for discipline; and eliminates outdated state examination fee.

The following five Rules chapters are repealed: 07-0302-0501, Rules of the Idaho Building Code Board. 07-0303-0501, Rules Governing Modular Buildings. 07-0305-0501, Rules Governing Manufactured Homes. 07-0306-0501, Rules Governing the Use of the International Building Code.

07-0308-0501, Rules Governing Commercial Coaches.

07-0501-0501, Rules of the Public Works Contractors License Board. Allows public works contractors to qualify for licensing class upgrades by demonstrating work experience; eliminates the use of indemnification by applicants to satisfy minimum financial requirements for licensure.

07-0701-0502, Rules Governing Installation of Heating,

# 16.03.05 - Rules Governing Eligibility for Aid to the Aged, Blind, and Disabled (AABD).

**16-0305-0502**, Explains uses and limitations of revocable trusts and clarifies the description of and consideration of annuities and life estates when determining eligibility.

16-0305-0503, Conforms to federal law changes on asset

22-0105-0501, Rules Governing Licensure of Physical Therapists and Physical Therapist Assistants. Conforms to statutory changes; provides for and defines "physical therapy licensure board"; removes language referencing advisory committee; adds continuing education requirements and requires proof of completion of CE requirements for renewal of active licenses.

22-0111-0501, Rules for the Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho. Updates and clarifies rules and allows for proration of licensure application or temporary permit fees.

Please refer to the Idaho Administrative Bulletin, **October 5**, **2005**, **Volume 05-10** for notices and text of all rulemakings, public hearing and meeting schedules, Governor's executive orders, and agency contact information.

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

To view the Bulletin or Code or for information on purchasing the Bulletin and other rules publications, visit our website at <u>www2.state.id.us/adm/adminrules</u> or call (208) 332-1820 or write the Dept. of Administration, Office of Administrative Rules, 650 W. State St., Room 100, Boise, ID 83720-0306.

# **PUBLIC NOTICE OF INTENT #2** To Propose or Promulgate New or Changed Agency Rules

(See Ad #1 also in this section)

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 24 – BUREAU OF OCCUPATIONAL LICENSES** 1109 Main St., Boise, ID 83702

24-0101-0501, Rules of the Idaho Board of Architectural Examiners. Updates incorporation by reference and contact information; clarifies examination process; requires exams to be completed within a 5-year period.

24-0301-0501, Rules of the State Board of Chiropractic Physicians. Updates contact information; defines and sets standard for athletic trainer; provides for supervision of athletic trainers; sets deadline for appeals on reviews conducted by peer review committee.

24-0501-0501, Rules of the Board of Drinking Water and Wastewater Professionals. Updates contact information; reduces endorsement, renewal, and original license fees; clarifies requirements for licensure, continuing education, and reinstatement or renewal of licenses for operator-in-training, backflow assembly tester, and wastewater land application.

24-0601-0501, Rules Governing the Idaho Board of Hearing Aid Dealers and Fitters. Chapter repeal.

24-0801-0501, Rules of the State Board of Morticians. Updates contact information; defines funeral establishment and resident trainee; changes meeting criteria and examination dates; includes funeral director in application process; defines standard for pre-need trust account; clarifies minimum standards for funeral establishments; expands and clarifies responsibilities for record keeping; corrects language in fee section.

24-1101-0501, Rules of the State Board of Podiatry. Updates incorporations by reference and board contact information; amends podiatric residency requirements; changes exam dates; requires official certification of exam for licensure by endorsement; adds scope of practice.

24-1401-0501, Rules of the State Board of Social Work Examiners. Updates contact information; changes requirements for group supervision and for social work supervisor registration

24-1501-0501, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists. Adds supervisory and continuing education requirements; increases number of supervisees; adds a deadline for application review; and adds an administrative fee for exam.

24-1801-0502, Rules of the Real Estate Appraiser Board. Updates incorporation by reference and board contact information; defines quorum for voting purposes; removes "certification" from licensing fee schedule; amends eligibility for exam and licensure requirements; adds registered trainee real estate appraiser classification; amends qualifications criteria for certified residential and certified general real estate appraisers.

24-1901-0501, Rules of the Board of Examiners of Residential Care Facility Administrators. Updates contact information; revises qualifications for licensure; changes educational and training and continuing education course approval process; and increases annual license renewal fee.

24-2101-0501, Rules Governing the Idaho State Contractors Board. New chapter includes contact information, definitions, board duties, application requirements, and registration and renewal fees.

24-2201-0501, Rules Governing the Idaho Liquefied Petroleum Gas Safety Board. New chapter includes contact information, board duties, definitions, application, licensure and exam requirements, license and renewal fees, required education and experience, facility licensure, and discipline.

24-2301-0501, Rules Governing the Idaho Board of Speec and Hearing Services. New chapter includes contact information, definitions, board duites, application requirements, licensure and renewal fees, exam and testing requirements, contracting, and continuing education requirements.

26-0137-0501, Rules Governing Test Procedures and Instruments for Noise Abatement of Off Highway Vehicles. Changes specifications that define "All Terrain Vehicle" (ATV).

#### **IDAPA 27 – BOARD OF PHARMACY** PO Box 83720, Boise, ID 83720-0067 27.01.01 - Rules of the Idaho Board of Pharmacy.

27-0101-0501, Clarifies requirements and outlines the types of positive identification that are required for delivery of controlled substances; adds requirement that pharmacy prescription record

reflect the means of positive identification used. 27-0101-0502, Eliminates reference to drug product selection for Medicaid patients to comply with Medicaid law.

### **IDAPA 31 - IDAHO PUBLIC UTILITIES COMMISSION** PO Box 83720, Boise, ID 83720-0074

31-1101-0501, Safety and Accident Reporting Rules for Public Utilities Regulated by the Idaho Public Utilities Commission. Updates CFR incorporation by reference.

\*\*31-2101-0402, Customer Relations Rules for Gas, Electric and Water Public Utilities Regulated by the Idaho Public Utilities Commission. Changes contents of notices given to customers by utilities before terminating service during winter moratorium; amends eligibility requirements and operation of the winter moratorium; expands moratorium eligibility to households receiving financial assistance through LIHEAP; prohibits disconnection on weekends or holidays or any day immediately preceding a holiday and moves termination threshold on Friday to 12 noon; lists required contents of the annual summary of rules and requires PUC to provide utilities with a "model" of the annual summary of rules including a Spanish language model.

31-7103-0501, Railroad Safety/Sanitation Rules. Incorporates by reference new amendments to the federal hazardous materials regulations regarding transport of the materials.

#### **IDAPA 33 – REAL ESTATE COMMISSION** PO Box 83720, Boise, ID 83720

33.01.01 - Rules of the Idaho Real Estate Commission. \*\*33-0101-0501, Removes rule text that is now in statute. \*\*33-0101-0502, Reduces licensing fees for licensed individuals and business entities per licensing period.

### **IDAPA 35 – STATE TAX COMMISSION** PO Box 36, Boise, ID 83722-0410

35.01.01 - Income Tax Administrative Rules.

35-0101-0501, Updates incorporation by reference; clarifies LLCs and members will be treated according to federal classification; adds table for 2005 income tax brackets and rates; adds new addback for state and local taxes deducted by individuals as itemized deductions; allows deduction for taxpayers who restore income under the federal claim of right and claimed the federal credit; changes how nonresident reports gain or loss from the sale or disposition of a partnership interest or stock in an S corporation; clarifies that unity can be established under any one of the judicially acceptable tests; provides exceptions that income producing activity for purposes of the sales factor does not include transactions and activities performed on behalf of the taxpayer; establishes exception that alternative apportionment may be required to represent the extent of the taxpayer's business activity in Idaho; changes due date for paying withholding for employers who are farmers.

35-0101-0502, Addresses qualifying entities and what investment in securities and activities incident thereto includes.

35-0101-0503, Adds to the list of priority of credits; adds

35-0103-0503, Updates incorporations by reference; clarifies assessment of land for the rural speculative homesite exemption; improves equalization of manufactured homes; requires submission of exempt land values; clarifies exemption of homes on jointly owned land and exempt status of personal property; excludes new construction in annexed areas from the annexation value; modifies date for county clerks to submit notices of compliance.

35-0105-0501, Idaho Motor Fuels Tax Administrative Rules. Defines "Indian-owned retail outlet"; adds "delivered to an Indian-owned retail outlet tax not collected" to disbursements list and limits deduction to 10% of the total volume; only taxable and nontaxable fuel sales can be included in calculation of fuels tax bad debt when partial payments are made and sets statute of limitations for fuels tax bad debt claims; requires licensed fuel distributors using credit card receipts as sales invoices to comply with invoice documentation requirements; removes "federal government" from updated list of consumers who can use lowsulfur dyed diesel fuel; adds language for standard power takeoff (PTO) and auxiliary engine allowance for concrete pumping trucks; corrects Idaho Code references and terminology.

35-0110-0501, Idaho Cigarette and Tobacco Products Tax Administrative Rules. Prohibits distribution of free or below cost tobacco products to sellers; taxes must be reported on the return for the month in which the stamps are affixed; first distributor is liable for tax and must indicate the tax was paid on the invoice.

35-0111-0501, Idaho Unclaimed Property Administrative Rules. Updates contact information; requires holders to report and remit total dividends and stock certificate or its electronic equivalent if under \$50; adds claimant has burden of proof to establish claim and must contact persons and search out documents relating to the claim.

35-0201-0501, Tax Commission Rules Governing Administration and Enforcement. Defines pay, paid, payable or payment and excludes drafts made on foreign banks; allows Commission to reject certain types of payments; establishes formula for calculating the yearly interest rate applied to deficiencies of tax and refunds; changes deposit requirement when appealing a decision; allows Commission to exchange information related to public works contracts with Division of Building Safety Administrator.

#### **IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT** PO Box 7129, Boise, ID 83707-1129

39-0402-0501, Rules Governing Marking of Obstructions to Air Flight. Redefines "airport hazard" to be consistent with Federal Code; increases structure height considered a hazard to safe airflight to 200 feet and requires notice of construction of such structure; reduces minimum size for marker balls to 36 inches.

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

\*\*58-0101-0508, Rules for the Control of Air Pollution in Idaho. Addresses process for permitting air quality minor sources. Comment by: 11/4/05.

# IDAPA 59 – PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO PO Box 83720, Boise, ID 83720-0078

59-0106-0501, Retirement Rules of the Public Employee Retirement System of Idaho (PERSI). Increases contribution rates for funding the unused sick leave account for public school employees; clarifies the retirement election requirements; and changes terminology to more accurately describe the effect of reemployment on retirement benefits.

#### Scheduled Negotiated Rulemaking Public Meeting: of Environmental Quality

#### **IDAPA 26 – DEPT. OF PARKS AND RECREATION** PO Box 83720, Boise, ID 83720-0065

26-0120-0501, Rules Governing Administration of Park and Recreation Areas and Facilities. Adds and expands definitions; changes campsite and facility fees; clarifies park and facility operational provisions.

26-0131-0501, Rules Governing Administration of Idaho Department of Parks and Recreation State and Federal Grant Funds. Clarifies existing terminologies; removes outdated definitions; eliminates obsolete references.

rules to implement the Idaho Corporate Headquarters Incentive Act of 2005 and the Idaho Small Employer Incentive Act.

#### 35.01.02 - Idaho Sales and Use Tax Administrative Rules.

35-0102-0501, Changes sales tax rate back to 5%; reduces amusement device fee to \$35.

35-0102-0502, Changes conform to federal law; sales of rafting trips aren't taxable if they occur on navigable waters unless courts find differently; changes sales tax rate back to 5%.

35-0102-0503, Allows for issuance of temporary sales tax permits; adds rule for construction equipment.

#### 35.01.03 - Idaho Property Tax Administrative Rules.

35-0103-0501, Updates procedures for calculation of the county weighted average forestland levy.

58-0112-0501, Rules for Administration of Water Pollution Control Loans

#### **Scheduled Public Hearings on Proclamations:** Dept of Fish and Game

13-0108-0501P, Rules Governing the Taking of Big Game Animals in the State of Idaho

13-0109-0501P, Rules Governing the Taking of Game Birds in the State of Idaho

The Deadline For Submitting Written Comments For These Rulemakings Is October 26, 2005, Unless Otherwise Listed.

\*\*Rulemakings with Scheduled Public Hearings.

Please refer to the Idaho Administrative Bulletin, October 5, 2005, Volume 05-10 for notices and text of all rulemakings, public hearing and meeting schedules, Governor's executive orders, and agency contact information.

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