



**Trojans shine  
at Rollie Lane  
Sports, 1B**

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Marsing mayor  
looks ahead to  
city's path in '06

**Page 4A**

Tickets on  
sale for big  
fund-raisers

**Wednesday, January 11, 2006**

**Established 1865**

# The Owyhee Avalanche

**VOLUME 22, NUMBER 2**

**HOMEDALE, OWYHEE COUNTY, IDAHO**

**SEVENTY-FIVE CENTS**

## Mobile home park owners sue Homedale

The owners of a mobile home park to which the City of Homedale threatened to end water service have filed suit against the city.

Only days after the announce-

ment that the city planned to terminate water services to the Sunset Village Mobile Home Park, owners Robert and Jane Sevieri filed a complaint against Homedale alleging defamation,

negligence, emotional distress and violation of their civil rights. Homedale Mayor Paul Fink said last week that he canceled a City Council decision to shut off the water to the mobile home park

because he feels the city and the Sevieris "can work it out."

Fink refused to comment further on the lawsuit, but said the issue will be addressed during tonight's City Council meeting.

The meeting begins at 6 p.m. at City Hall.

During a meeting last month, the City Council approved shut-

— to page 5A



### Busted

Owyhee County Sheriff's Deputy Jim Bish takes Jacob Frans of Nampa to an awaiting sheriff's vehicle Friday afternoon after Frans was arrested on drug charges. Frans and Homedale resident Mark Richter were arrested after a drug investigation.

## Deputies make drug arrests in Homedale

This year has not started out very well for a Homedale man after he lost his home to a fire on Jan. 3 and found himself facing drug charges after an arrest three days later.

Soon after Owyhee County Sheriff's deputies arrested Mark Richter for felony delivery of a controlled substance Friday, Jacob Frans of Nampa met the same fate when he tried to deliver drugs to Richter at his burnt-out home on West Oregon Avenue.

Owyhee County Deputy Jim Bish said Monday that Richter had been under investigation

for suspicion of a controlled substance for some time, but on Friday authorities were able to make a felony stop on him on River Road in Homedale.

When an undercover Idaho State Police Trooper took Richter's vehicle back to his home on Main Street, Frans walked up to the home, apparently to deliver more drugs.

Bish said that Frans allegedly was attempting to deliver methamphetamine to Richter. But they found that the "drug"

— to page 5A

## County initiates flood recovery

Early estimate  
puts damage  
at \$3.5 million

In the aftermath of declaring Owyhee County a disaster area because of widespread flooding triggered by recent heavy rains and run-off, Owyhee County is left with assessing the damage and beginning repairs.

County commissioners, the sheriff's office and county highway district hashed out early de-

### INSIDE

*Vehicles stranded on Silver City Road to be removed soon.*

— Page 3A

tails off the recovery in a Jan. 3 meeting.

Early estimates put the price tag at more than \$3 million.

Flood warnings in southwest Idaho have expired and meteorologists say the worst is over, but work on the mess left behind

is just beginning.

Commissioners touched on the issues during a Jan. 3 meeting. The gathering in Murphy was attended by the heads of many departments, who must assess the costs of fixing the damage caused by the two-day disaster. The commissioners passed several resolutions, including the appointment of county sheriff Gary Aman as Emergency Services Coordinator and declaring the county a disaster area. Another resolution asks

— to page 5A



### Washout

Oreana Loop Road is one of the many roads shattered by raging flood waters in the aftermath of heavy New Year's rains.



State of the city: Marsing

Mayor says Marsing future looking bright for small town

Residents can expect better overall service

As Marsing Mayor Don Osterhoudt enters his second year in office, he said the city's future is looking bright and residents can expect to see big improvements to the city's water system.

Last year, voters passed a \$1.7 million water bond, which the mayor says will allow the city to utilize and incorporate parts of the existing system.

"It will probably be about October before we get a well punched," Osterhoudt said. "By the time we get the total funding and grant money to do that, it put us back about a year. But we are looking ahead, not behind."

Osterhoudt said during the last year, new management issues also have been addressed, and he is pleased with the end results. He said the people of Marsing can expect prompt actions to their problems.

"We have done some staffing realignment," Osterhoudt said. "With that in mind, we now are able to address resolving issues that need to be resolved. My job is to macro-manage, not micro-manage, the city."

"There are issues that need to be addressed at the staffing level,



Don Osterhoudt

and we didn't have any controls in place to make sure that what the council wanted done got done. In addition to that, when people call in with problems, we need a timely solution to those problems."

Osterhoudt said the changes have enabled the city to be proactive to resolve issues before they become critical.

The mayor said he is also pleased with the Bureau of Land Management building, which he looks forward to developing into the new city hall in the future. He said the building has brought in much needed funds to the city.

In 2004, the city funded a temporary building on city property for the governmental

office. BLM signed a seven-year contract with the city to lease the premises temporarily.

Osterhoudt said after the BLM moves out and into a permanent location, the city plans to move city hall to the site on First Avenue West.

"We are down to six years before having a new city hall," Osterhoudt said. "Not that we want BLM to go away, but they have planned to build something permanent at that time as well."

Last year, the city finished a sewer improvement project that lasted several years. Now, Osterhoudt said he is looking forward to starting the water project.

During tonight's City Council meeting, two new council members will be sworn in. Soila Contreras and Bud Peck both were elected to office in November, and Osterhoudt said he looks forward to new ideas they will offer.

"I am looking forward to working with the new council," Osterhoudt said. "We have had some very interested community members attending our meetings, and we continue to try to make our meetings more guest-friendly and hope the community will continue to attend."

Marsing City Council meets the second Wednesday of each month at 7 p.m.

— CAB

Homedale, Marsing council members start terms tonight

The City of Homedale and the City of Marsing will swear in new councilpersons tonight during regular council meetings in both towns.

Marsing City Council will welcome in LeRoy Peck and swear in Soila Contreras, who has been sitting on the council for several months.

Contreras replaced Rob Howarth, who moved from the area in November. Marsing's council meeting will begin at 7 p.m. at City Hall.

In Homedale, three council members will be sworn into office as longtime councilman Kevin Barlow and two-year councilperson Cindy Sims exit.

Dave Downum will be sworn in for his first elected term, after serving about two years on the board as an appointed official.

Tim Downing will replace Barlow on the panel, and Bill Page will replace Sims in a two-year term. Sims decided not to run for another term, and Barlow recently moved from the city.

Homedale's council meeting will begin at 6 p.m. at city hall.



Soila Contreras



LeRoy Peck



Tim Downing



Dave Downum



Bill Page

Plenty of business on tap for Marsing council

New Marsing City Council members LeRoy Peck and Soila Contrera will jump right into the task of running the city with a busy agenda at tonight's meeting.

The City Council meets at City Hall at 7.

A variety of topics will be discussed after the swearing in of the newly elected council.

Owyhee County Sheriff's Deputy Gary Olson will give a monthly report and discuss a skateboard ordinance.

In old business, the city engineer plans to give a monthly report, and the city attorney will discuss the skateboard ordinance.

In new business, Dennis Achey from the Bayer Corporation

Science is scheduled to speak to the council, as is a representative from Idaho Sand and Gravel on the Canyon County wells, Joe Weatherby on clarification of engineer's letter and Weatherby is scheduled to discuss natural gas for the city.

Reports will follow new business.

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## Post office snafu delays delivery of Avalanche

Subscribers to The Owyhee Avalanche who live in Murphy received the Jan. 4 edition of the newspaper a day late last week.

Delivery was delayed until Thursday because the papers were held up in the United States Postal Service sorting center in Boise.

The Avalanche apologizes for the delay in delivery.

Subscribers are urged to call the Avalanche office at (208) 337-4681 whenever their newspaper doesn't arrive on a Wednesday.

## ISP: Crash that killed Marsing men accidental

A vehicle crash on Highway 55 near Marsing on Nov. 21 that took the lives of two Marsing residents has been ruled accidental after an investigation by Idaho State Police.

No citations will be issued.

A report obtained by The Owyhee Avalanche states that Ben Panzeri and Eugene Jayo were traveling south on Highway 55 near Sunny Slope Road in Canyon County when the deadly accident occurred.

The report says that Panzeri was pulling a trailer with a full-size farm tractor on it when he slowed for an oncoming vehicle. The report says the quick slow down caused the trailer to start whipping.

"This whipping caused the vehicle to lose control," the narrative states. "The vehicle lost control and ran off the right shoulder of the roadway."

"The vehicle and trailer struck a wood pole fence and jack-knifed before overturning."

— CAB

## Weather

	H	L	Prec.
Jan 3	50	28	.68
Jan 4	47	25	
Jan 5	50	24	
Jan 6	47	23	
Jan 7	no	read	
Jan 8	no	read	
Jan 9	48	20	.04

# Repairing flood-ravaged roads in county could take months

## FEMA, others may help pay for Silver City vehicle removal

Owyhee County officials say it could take months for some roads damaged by recent flooding to be open to the public.

But the removal of six vehicles stranded on Silver City Road should be finished sometime this week.

Early last week, Aman and Owyhee County commissioners reported that the vehicles left on the road may not be removed until near summer.

But after traveling the area, the sheriff said that — with the help of the Federal Emergency Management Agency, Idaho Transportation Department, Homeland Security and the Army Corps of Engineers — three vehicles were to be removed Monday and the remaining three would be taken out either today or Thursday.

"Saturday, they made a decision that they would go in and make a temporary road to remove all of the vehicles," Aman said Monday morning. "That work started on Sunday."

Aman said that originally the county felt the owners of the vehicles, whom officials claim crossed road closed signs, would have to pay for the removal of their vehicles. But on Monday, Aman said the state and FEMA are looking at funding to pay for that removal.

Friday, Gov. Dirk Kempthorne declared Owyhee County a disaster emergency and approved aid of \$25,000. Aman said during the weekend, he made requests for \$150,000 in additional funding.

"We hope for \$50,000 for the county for what has already been done and to finish what we need to do," Aman said.

"The rest is for additional help. They will put out the contracts to completely rebuild Silver City Road. It will take months. We will have to redo at least 6 miles and about 3 miles on the Jordan Creek Road."

Aman said currently, the Oreana Cut Off Road, Bachman Grade and Reynolds Creek roads



### Scotch Bob Road damage

Owyhee County Sheriff Gary Aman (left, at top of roadbed) took a group of interested people, including a state engineer, up the Scotch Bob Road on Saturday to get a first-hand look at some of the damage caused by the recent rains and snow-melt. This washout is about 3½ miles above Sinker Creek. Photo by K.C. Nettleton

"Where we had roads,  
we now have creeks."

— Gary Aman  
Owyhee County Sheriff

have been temporarily repaired and re-opened. But the Jordan Creek Road, Thompson Road, Silver City Road and the Oreana Loop Road remain closed and will for some time.

"Where we had roads, we now have creeks," Aman said.

A temporary bridge is scheduled to be placed on Browns Creek on the Oreana Loop Road. Aman said the Army Corps of Engineers would begin placing the temporary bridge early this week. He said it would take about 24 hours to place it, then the road would open to one lane traffic.

"It is a temporary bridge until the county can get culverts installed," Aman continued. "It is a temporary fix mainly for the school buses and emergency services."

— CAB



### 'Where we had roads ...'

Roads throughout parts of Owyhee County have eroded away in the wake of flooding. The price tag is estimated at \$3.5 million

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# Tickets available for big fund-raisers

New Year means Marsing Disaster Auction, Homedale's Smorgasbord are near

Two major fundraising events will be held next month in Homedale and in Marsing and now tickets for those events are available.

The 45<sup>th</sup> annual International Smorgasbord will be held in Homedale on Feb. 11 from 11 a.m. until 7 p.m. at the Homedale Elementary School and the Marsing Disaster Auction will be held at the community center at 10:13 a.m. on Feb. 4.

Dirk and Robin Tolmie will chair this year's smorgasbord. Jeff and Kelley Hansen are this year's co-chairmen. The sixth grade middle school students are selling tickets to the event and competing between classes for the top seller position.

Last week, \$393 in meal tickets was sold with Casey Christoffersen leading the contest by selling \$164.

Tickets are available from sixth grade students and will also be available at the door. Prices this year are \$28 for a family of two adults and kids with a limit of eight per family, \$7 for adults, \$5 for seniors, \$4 for children in grades 1-2 and \$2 for pre-school children.



### First week winners

Winners of the first week of dinner ticket sales for the next month's International Smorgasbord were (in front from left to right): Nicolas Stewart, \$37, DD Gardner, \$38, Casey Christoffersen, \$164 and Laurien Mavey, \$21. In the back row, from left to right, event co-chairman Kelley Hansen and coordinators Dirk and Robin Tolmie stand behind the students. Each student received a large Hershey candy bar from Paul's Markets, free bowling at Owyhee Lanes and 10 dozen Krispy Kreme doughnuts.

Proceeds from the event over the years have purchased over \$230,000 of instructional materials and equipment for the students in Homedale schools.

For more information contact Dirk or Robin at 337-4155.

The disaster auction has raised nearly \$500,000 in the past 10

years and coordinators say each year the event gets bigger and bigger. Proceeds have gone to help hundreds of people who have been victims of disaster. Last year a record \$70 thousand was raised in the event, but this year's coordinator Ryan Dines says he will break that record.

Several hundred people gather for the event, which includes an auction, raffle items and home cooked food booths. Thousands of dollars in \$1 and \$10 tickets are sold every year and are now available from Marsing Middle School students.

The auction is an annual event,

which has gathered people from around the United States in Marsing who hope to have their chance at being the highest bidder on annual auction items like home canned pickles, sour cream and raisin pies and a beautiful selection of handmade quilts only to name a few items. Sixth, seventh and eighth grade middle school students will begin selling raffle tickets for a variety of new items after the first of the year.

One-dollar raffle items include, 1/2 beef (cut and wrapped), \$250 shopping spree, Boise get-a-way hotel and dinner show, and a whole pig cut and wrapped.

Ten-dollar raffle items include, a Ruger 22-250 rifle with scope, a gun-security safe, a spa and lunch leisure day package and a 12-foot by 15-foot canvas sheep herders tent and frame.

Food booths will offer a variety of lunch items including chili, coffee, and homemade pies.

To donate items for the auction or to volunteer contact Dines at 941-1878 or 989-2063, or cochairman Cindy Floyd at 830-5560 or any member of the Marsing Fire Department or ambulance service.

— CAB

## The Owyhee Avalanche

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Monday noon the week of publication

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Friday noon the week prior to publication

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## From page 1

### ✓ Flood

Gov. Dirk Kempthorne also to declare the county a disaster area so more funding can be secured for the cleanup and rebuild.

County Advisor Fred Grant and Prosecutor Matthew Faulks agreed that the creation of Aman's new post was crucial because the county needs someone to make quick decisions about the status of the emergency and outline the steps needed to recover funds, equipment and other services necessary to alleviate costs and speed the county's response to the emergency. Grant and Faulks also concurred that Aman needs to keep the commissioners advised of the situation.

The board authorized commission chairman Hal Tolmie to activate any requests recommended by the sheriff, and the board was scheduled to ratify the requests during its regular board meeting last Monday.

"This will allow us to get what we need, when we need it, without waiting for the commissioners to meet and approve it," Aman said last week.

"Equipment needs to be rented, funds need to be sought, there is a whole list of things to do. We need to get it started and get it started now."

Aman said Tolmie will be kept "in the loop" at all times as the decisions are made.

"Gary will be in charge of the situation, and when he needs something he will contact me

and we will ratify it at the next meeting," Tolmie said. "Someone in the middle of this work needs to be in control of what is happening."

As 2005 came to a close and the new year began, emergency crews spent nearly three days from one end of the county to the other helping stranded recreationalists, watching rising creeks and keeping culverts free of debris. In the past few weeks, Idaho's warm, wet weather prompted ski resorts to close, made rivers and normally dry creek bottoms swell and made some roads completely impassable. One person was hurt during the holiday weekend when a roadway completely collapsed into Jump Creek on Thompson Road near Homedale.

The commissioners reported Jan. 3 that an early estimate of \$3.5 million could be needed to fix the damage throughout the county. But commissioners said the numbers are preliminary, and they may not have final amounts for several weeks.

"We need to get a helicopter and fly the entire county to see exactly what damage we have," Tolmie told the commissioners. "We don't know what we have for sure in the back country. We only really know what we have on highly traveled roads."

During the holiday weekend, washouts were reported on the Silver City Road, Oreana Loop Road and Upper Reynolds Creek Road. All three roads remain closed to the public. In the Homedale Highway District, Thompson Road remained closed

as of Monday.

According to a resolution requesting the governor's declaration of a disaster, vehicles have been damaged and have been rendered immobile because of washouts.

The exact extent of damage to federal grazing lands, Bureau of Land Management (BLM) roads, BLM property, private lands and state lands and property interests is unknown.

Air surveillance of the back country damage began last Wednesday.

Aman reported that 8 miles of the Silver City Road would have to be re-engineered and rebuilt before vehicles can travel it. Culverts and bridges will have to be replaced on the Silver City Road, Upper Reynolds Creek and Oreana Loop Roads. School buses have been rerouted to pick up children who live on the Upper Reynolds Creek and the Oreana Loop roads.

The request to the governor states that severe economic losses to property will continue to occur unless supplementary state assistance is received.

"Owyhee County does not have the heavy equipment of specialized-enough nature to perform all the clearing and rebuilding necessary," Tolmie said at the meeting. "The county does not have the financial resources to finance the efforts necessary to restore the road system and to restore public property damaged by the flooding."

— CAB

## Kempthorne signs disaster declaration

Idaho Gov. Dirk Kempthorne on Friday declared a disaster emergency in Owyhee County after many rural roads in the western portion of the county were damaged by flooding caused by rapid snow melt and heavy rains.

Owyhee County Sheriff Gary Aman said Friday that the governor signed the proclamation at 11:15 a.m. Friday, and the Federal Emergency Management Agency also was involved in the phone conference.

Kempthorne said "damage to these roads constitutes a threat to residents seeking access to property and inhibits the ability of emergency responders to respond to an emergency in the remote areas of Owyhee County, including the community of Silver

City, Idaho."

The "extreme peril to public safety and property" is "likely to be beyond the control of the services of Owyhee County," Kempthorne said in the declaration.

The members of the Owyhee County Commission requested the declaration during their meeting last week.

The county is now eligible for Disaster Emergency Account funds up to \$25,000.

The state also may make an amended Disaster Commitment Threshold after the completion of damage assessment.

The state of emergency will exist for a period of 30 days unless it is either terminated or extended.

— CAB



James Jacob Frans



Mark Henry Richter

### ✓ Arrests

Frans was delivering wasn't meth; it was a veterinarian medicine packaged to look like meth.

"Frans was going to deliver meth to Richter, but what he delivered was a horse vitamin which was processed to appear as

crystal meth," Bish said.

Frans also faces charges from the Nampa Police Department and Canyon County Sheriff's Office on forgery warrants and from ISP for additional charges of attempted delivery of a controlled substance and misdemeanor delivery of simulated controlled substance.

— CAB

### ✓ Lawsuit

ting off the water to the entire trailer court, citing non-payment for services by the court's owners. But, on Dec. 30, the Sevieris' attorney, Susan Buxton, filed a complaint and demand for jury trial with the Owyhee County court system.

The council originally had approved the Jan. 2 hand delivery of notices to tenants to inform them that water service to the entire park would be shut off Jan. 11. Fink said he canceled the notification and the water shut-off.

The issue cropped up about a year ago when the current administration approved billing the owner of the property instead of the owners of the individual mobile homes — per an agreement by the former council — because city crews could not access the privately owned water meters.

Fink said the past administration entered into a memorandum of agreement with the Sevieris for water, sewer and trash services. He said the Sevieris reimbursed the city for the price of the new meters.

Fink told the council that Robert Sevieri had the meters installed and the city was to send each tenant an individual bill. But the city claims the placement of the meters makes easy access impossible, and the city's maintenance crews have been denied access to the private property.

The lawsuit, filed against the City of Homedale, Fink and city Public Works Supervisor Larry Bauer, states that the basis of the complaint is breach of contract, breach of covenant of good faith and fair dealing, defamation, negligent and intentional infliction of emotional distress, violation of state and federal procedural and substantive due process, viola-

tion of the Civil Rights Act and violation of the Equal Protection Clause of the Fourteenth Amendment.

The suit also states that a tort claim had been filed against the City on Feb. 6, 2004, for greater than \$25,000.

In the tort, the Sevieris ask for reimbursement of all costs incurred in the installation of separate water meters at the park in the sum of \$8,945.08, together with loss of income, estimated at \$9,366.77 annually. Homedale City Attorney Chris Nye could not be reached for comment Friday.

The complaint filed Dec. 30 asks for compensatory damages of more than \$25,000 and emotional distress in the amount of \$500,000. It also states that the Sevieris seek an injunction to keep the city from shutting off the water or other utility services to the park.

— CAB

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# Owyhee Cattlemen schedule winter meeting in Oreana for next month

This year’s winter Owyhee Cattlemen’s Association meeting is planned for Feb. 4 with registration beginning at noon and the meeting scheduled to begin at 1 p.m.

Although the actual agenda is not finalized, some subjects on the tentative itinerary include a

visit from Idaho Attorney General Lawrence Wasden or someone from his office, a report from George Reed on the patrol books regarding rewards for conviction for crimes, a report on the Owyhee Initiative and a tribute to retired Bureau of Land Management State Director K Lynn Bennett.

A social, potluck and a dance will follow the meeting.

University of Idaho Owyhee County Extension Educator Scott Jensen said the schedule is very tentative, and more details would be released after a Thursday meeting.

— CAB

## Calendar

- Today**

Homedale City Council meeting, 6 p.m. at 31 East Wyoming.

Marsing City Council meeting, 7 p.m. at 425 S. Main St.
- Monday, Jan. 16**

Martin Luther King Jr. Day

Homedale School District teachers in-service, no school.
- Tuesday, Jan. 17**

Foot clinic, Homedale Senior Citizens Center, 224 W. Idaho Ave. (208) 337-3020 to get on list

Bingo, 1 p.m., Homedale Senior Citizens Center, 224 W. Idaho Ave. (208) 337-3020

AA meeting, 8 p.m., Homedale
- Thursday, Jan. 12**

AA meeting, 8 p.m., Homedale Senior Citizens Center, 224 W. Idaho Ave.

Homedale Chamber of Commerce meeting, noon at Owyhee Restaurant.

- Senior Citizens Center, 224 W. Idaho Ave.
- Jordan Valley Cooperative Weed Management area meeting, 10 a.m., Lion’s Den, Highway 95, Jordan Valley, Or.
- Thursday, Jan. 19**
- AA meeting, 8 p.m., Homedale Senior Citizens Center, 224 W. Idaho Ave.

- Friday, Jan. 20**
- Winter Beef School, lunch at noon, meeting from 1-4:30 p.m., Lion’s Den, U.S. 95, Jordan Valley, Ore.
- Monday, Jan. 23**
- Winter Beef School, lunch at noon, meeting from 1-4:30 p.m., Bruneau American Legion Hall.

- Tuesday, Jan. 24**
- Bingo, 1 p.m., Homedale Senior Citizens Center, 224 W. Idaho Ave. (208) 337-3020
- AA meeting, 8 p.m., Homedale Senior Citizens Center
- Wednesday, Jan. 25**
- Financial Aid Night, Jim Wright from Boise State University will provided information on all types of aid, grants and loans, for parents of Homedale High School seniors, 6:30 p.m., Homedale High School library. (208) 337-4933

- Thursday, Jan. 26**
- AA meeting, 8 p.m., Homedale Senior Citizens Center

*Submit information on community events to The Owyhee Avalanche by noon Fridays for inclusion in the calendar. Drop off press releases at the Avalanche office at 19 E. Idaho Ave., Homedale, mail them to P.O. Box 97, Homedale, ID 83628, 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.*

# Anniversary



Joyce and Ray Heidt, in 1956 (left) and today

## Joyce, Roy Heidt wed 50 years ago this month

Ray and Joyce (Aston) Heidt of Marsing celebrated their 50<sup>th</sup> wedding anniversary on Dec. 29, 2005, with an open house at the Sandbar Restaurant in Marsing.

The couple was married on Jan. 17, 1956, in the Idaho Falls LDS Temple.

The event was hosted by their children: Ruth and Mark Belanger of Redondo Beach, Calif.; Elizabeth and Jared Friend of Frisco, Texas; Stephen and Alexandra Heidt of Marsing; and Joseph and Vicky Heidt of Nampa. In attendance were all their children, their spouses, 18 grandchildren and one great grandchild. Also in attendance were Joyce’s brother, Jim Aston of Hyrum, Utah, and her sister, Doris Ryall, and husband Dick Ryall, of Twin Falls, along with other friends and family.

Ray attended Idaho State University and graduated from the University of Utah with a Ph.D in Organizational Communication. He recently retired from government service for the State of Idaho as an adjudicator. He is active in church work,

having served as a scoutmaster and a bishop, and presently is a cubmaster.

Joyce attended the University of Utah, majoring in art and music, and for many years was active in real estate. Active in church work, she presently serves as chairman of the Ward Music Committee and as the Ward Relief Society pianist.

The couple served two missions each for the church. Ray served in the Finance Division of the Department of Administration as well as in the Welfare Square Service Center in Salt Lake City. Joyce served in the Archives and Records Division as well as the Welfare Square Service Center.

They met at Fort Ord, Calif., where Joyce was a dental assistant and Ray was a sergeant in the Army. They married and went to Europe, traveling throughout Germany, Switzerland, Italy, Monaco, Spain and France. They like to say that they honeymooned in Europe as guests of the U.S. Army.

They plan to spend their retirement serving in causes that are important to them.

## Masonic Lodge elects 2006 officers

Officers for the Silver City Masonic Lodge No. 13 AF and AM were elected recently. Tyler William Shaw said the members wanted to wish the officers and the lodge a great year.

Silver City Lodge No. 13 has a scholarship program for students who attend Parma, Wilder, Homedale and Marsing schools. Shaw said the lodge is also active in the community.

New officers include, Worshipful Master, Robert Troxel, Senior Warden, Bob Troyer, Junior Warden, Phil Drew, Treasurer, Dave Smith, Secretary, Randy King, Senior Deacon, Bret Elumbaugh, Junior Deacon, Van Case, Senior Stewart, Mike Smith, Junior Stewart, Ned McCandless, Marshall, Ernie Roberson, Chaplin Harold Biggs and Tyler, Shaw.

### Life’s milestones

*The Owyhee Avalanche welcomes any news of engagements, weddings and births or announcements of significant birthdays or anniversaries. Photos are accepted, too. Announcements must be received by 5 p.m. Friday the week before publication.*

There are numerous ways to get your information to the Avalanche:

**Mail** — P.O. Box 97, Homedale, ID 83628

**Fax** — (208) 337-4867

**E-mail** — jbrowneditor@cableone.net

**Drop off** — 19 E. Idaho Ave., Homedale

Call (208) 337-4681 for more information on guidelines, including e-mailed photos.

## The Owyhee Avalanche

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owyheeavalanche@cableone.net

**Fax**  
(208) 337-4867

**Mail**  
P.O. Box 97, Homedale, ID 83628



# Your finances

## Money help from family is tricky

**Dear Dave,**

We have \$21,000 in credit card debt and ongoing medical expenses for our special-needs child. My husband works very hard, brings in about \$25,000 a year and we're living in a 30-year-old trailer. My dad is willing to help us pay off some of the debt and get us moved into a house if we'll get financial counseling. Is there a better way out this situation?

— Sheryl in Dallas

**Dear Sheryl,**

If you're going to have to make payments to your dad, in other words, if the money is going to be a loan, don't do it. The borrower is always slave to the lender. If you really want to ruin family events, have debt to your parents. It twists you up inside, makes the food taste funny and it'll be especially hard on your husband.

Now, if this is going to be a gift and there are no expectations of re-payment being made, that's a little different. But if you were my child and I wrote you a \$21,000 check, I'd expect you to go into financial counseling and start saving money for your child's future and for yours. That's only reasonable. You guys obviously aren't wasteful yuppies spending money right and left, but having a family and raising kids in the Dallas-Fort Worth area on \$25,000 a year is tough — even without the credit card bills you're talking about.

Another thing I'd advise, Sheryl, is that your husband get on a five-year game plan to improve his earning potential. Sit down with him, hold hands and let him know that he can be anything he wants to be. Then, help him decide what he wants to be in five years, what he wants to be making five years down the road and the steps he's going to take educationally or training-wise to achieve that goal.

He's a hard-working man, but today's culture doesn't always reward just hard work. You've got to engage the gray matter a little and boost your brain power, too. You make more money when you PLAN to make more money.

— Dave

**Dear Dave,**

Should a family tithe when it would leave them needing a miracle to make it through the rest of the month, or should we get our debt under control and then tithe?

— Ted via e-mail



DAVE RAMSEY

**Dear Ted,**

A tithe is a tenth of your income, which is a Christian mandate. But there's no place in scripture that says not tithing will send you to hell.

The real question is, what's the best thing to do and why does God have us to tithe? God doesn't need our money. He tells us to tithe because of what it does to us on the inside. It keeps us from being so stinking self-centered and believing the world revolves around us. By being less selfish, we're better humans. We're also a little more Christ-like when we're giving.

Should you tithe on your income if you need a miracle to get through the rest of the month? Well, Ted, I think you're being melodramatic. A tithe is 10 percent, so what are you doing with the other 90 percent? If you can't live on 90 percent, you probably can't live on 100 percent.

If you sit down and do a monthly, written budget, you can probably find a way to tithe if it's that important to you. But don't get stressed out about it. You do it because you love God, not because you're freaked out and afraid Big Daddy's going to come down and thump you on the head. God is crazy about you, and He wants good things for you.

But I think He does smile when you follow His ways, which means you trust Him more than you trust yourself.

I'll tell you the truth; a few years ago I tithed all the way into bankruptcy court and all the way out. It didn't save me, but it did make me a God-truster.

— Dave

— Dave Ramsey is the best-selling author of *The Total Money Makeover*. You can find tools to help with finances or previous columns at [Davesays.org](http://Davesays.org). Have a question for Dave? Send correspondence to [syndication@daveramsey.com](mailto:syndication@daveramsey.com) or write Dave Says, 1749 Mallory Lane, Brentwood, TN 37027

Read all about it  
in the Avalanche!

# School menus

- Jan. 12-18**
- Homedale Elementary**
- Jan. 12: Chicken or beef nuggets, broccoli, cinnamon roll, fruit & veggie bar, milk.
- Jan. 13: Pizza of popcorn chicken, salad, cookie, fruit & veggie bar, milk.
- Jan. 16: No school.
- Jan. 17: Chicken tenders or CF beef steak, potatoes/gravy, roll, fruit & veggie bar, milk.
- Jan. 18: Crispito or tst cheese sandwich, taco salad, churro, fruit & veggie bar, milk.
- Homedale Middle**
- Jan. 12: Chicken tenders or CF beef steak, potatoes/gravy, roll, fruit bar, milk.
- Jan. 13: Lasagna or hot pocket, French bread, fruit & veggie bar, milk.
- Jan. 16: No school.
- Jan. 17: Rice bowl w/chicken or egg rolls, veggies, fruit bar, fortune cookies, milk.
- Jan. 18: Burrito or fish patty, corn, fruit & veggie bar, turnover, milk.
- Homedale High**
- Jan. 12: Chicken patty or hamburger/bun, potato wedges, fruit & veggie bar, dessert, milk.
- Jan. 13: Chicken taco or French dip sandwich, corn, fruit & veggie bar, milk.
- Jan. 16: No school.
- Jan. 17: Chicken nuggets or hot dog, rice, green beans, fruit & veggie bar, milk.
- Jan. 18: Idaho haystack or hot pocket, fruit & veggie bar, cinnamon roll, milk.
- Marsing**
- Jan. 12: Beef nuggets, potatoes, fruit, milk, chicken patty/bun, salad bar 4<sup>th</sup>-12<sup>th</sup>, roll.
- Jan. 13: Hot dogs, veggies, fruit, milk, sub sandwiches, salad bar 4<sup>th</sup>-12<sup>th</sup>, roll.
- Jan. 16: No school.
- Jan. 17: Chicken nuggets, fruit, veggies, milk, tostada delight, salad bar 4<sup>th</sup>-12<sup>th</sup>, cinnamon twists.
- Jan. 18: Corn dogs, veggies, chocolate pudding, milk, soft tacos, salad bar 4<sup>th</sup>-12<sup>th</sup>, roll.

- Bruneau**
- Jan. 12: Pizza, tossed salad/croutons, corn, pineapple, milk.
- Jan. 13: Hamburger/bun, fries, veggies, fruit, cookie, milk.
- Jan. 16: Lasagna, tossed salad, garlic bread, peaches, milk.
- Jan. 17: Turkey sandwich, tots, veggies, cake, fruited jello, milk.
- Jan. 18: Ham, potatoes/gravy, veggie, fruit, roll/butter, milk.



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# Senior news


- Marsing Senior Center**
- Jan. 12: Roast beef, potatoes/gravy, mixed veggies, coleslaw, soup, dessert, drink.
- Jan. 16: Roast pork, potatoes/gravy, corn, green beans, carrot salad, soup, dessert, drink.
- Jan. 17: Fish, mac & cheese, broccoli, cauliflower, salad, pea soup, dessert, drink.
- Jan. 18: Roast beef, potatoes/gravy, spinach, cabbage salad, soup, dessert, drink.

- Homedale Senior Center**
- Jan. 12: Spaghetti & sausage, salad, roll, milk.
- Jan. 17: Oven fried chicken, potatoes/gravy, beets, roll, milk. Foot clinic, call 337-3020 to get your name on the list.
- Jan. 18: Chili, ham & cheese/bun, macaroni salad, milk.

Have a news tip?

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**LaDon's Corner**

**January's Birth Stone: Garnet**

Did you know it is often times mistakenly thought that all garnet stones are red?

That's because the red garnets are the most common when, in fact, this beautiful stone comes in a wide variety of colors ranging from black, green, clear and numerous shades of red. The variety of colors is due to metal impurities such as iron, aluminum and manganese, and a few look as if they have a star in their center when tiny fibers of metal impurities form within the garnet. Green garnets are the most rare and therefore highly prized. Emerald green and colorless garnet are next rarest, followed by pure red garnets.

The name "garnet" is derived from the Latin word "granatum" meaning pomegranate because the crystals resemble the red color and seed-like form of this fruit.

Use of garnet goes back very far into history - with garnet necklaces found in the graves of wealthy Bronze age Czechoslovakians, and even older is garnet jewelry from Egypt and Sumeria dating as far back as 3100 BC. Garnet jewelry was intensely popular during third and fourth century Rome. If you wish to see this stone please come to my store, and please visit my web site at [www.Ladonsfinejewelry.com](http://www.Ladonsfinejewelry.com)

**LaDon Reames, owner of LaDon's Fine Jewelry** in the WinCo/ShopKo Center has been a Nampa jeweler for thirty-three years. She is a certified diamondologist and gemologist. She can be reached at **208-461-0677**. On the web @ [www.Ladonsfinejewelry.com](http://www.Ladonsfinejewelry.com)



# Wilkes drop their appeal on Johnstone Road issue

Tom and Jenine Wilke of Homedale have dropped their appeal of a ruling regarding ownership of access at the south end of Johnstone Road, the couple’s attorney, Christopher Meyer, said last week.

“The parties are just trying to work things out on a more informal basis,” Meyer said on Thursday. “I think they have achieved a sufficient understanding and they have common objectives to maintain public safety on that road. They are trying to work together to achieve those things without further litigation.”

The battle began more than a year ago when the county removed its gate from the roadway, allowing access to the foothills south of Homedale across what the Wilkes claimed was private property.

After a series of hearings involving the Wilkes and the Homedale Highway District, a hearing officer determined that the roadway was a public access and planned to remove the gate installed by Wilkes.

But when the highway district was informed that the Wilkes

*“I think (the Wilkes and highway district) have achieved a sufficient understanding and they have common objectives to maintain public safety on that road. They are trying to work together to achieve those things wihtout further litigation.”*

— Christopher Meyer  
Attorney for Tom and Jenine Wilke

had appealed the decision, stakes were set and a chain was wrapped around the gate keeping it open per an agreement between the highway district and the Wilkes.

During the hearing, Dan Grober, the highway district’s attorney, said that he agreed to delay “the tearing down of the gate pending the outcome of the appeal.” He said he felt the judge would rule that the gate not be torn down pending the appeal, so it would remain open.

Grober said Friday that as far as he is concerned, “our position has always been that (the Homedale Highway District’s) decision stands and the only approach (the Wilkes) had to attack it was through an appeal. The appeal has been dismissed.

“We don’t have any sort of agreement or acknowledgement. The appeal was their only way to attack (the) decision that it was a public road.”

“Our position is, it is a public road and it remains a public road,” Grober went on to say.

“A public road is a public road, and even the highway district could not or should not try to change that,” Grober said. “I wasn’t present by agreement, but the board informed me that Mr. Wilke attended the December meeting and asked to have the gate shut in the night-time hours.

“My understanding is the board informed him that they do not have the authority to say you can close a road at any time.”

— CAB

# Arrests near C.J. lead to Boise drug discovery

The arrest of two Boise men at C.J. Strike Reservoir last week led to more than just impersonating outfitters.

Jason Timmins, 31, and Sean Budd, 35, also face charges of manufacturing marijuana after Boise Police officers found a substantial amount of the illegal drug growing in their homes.

Idaho Fish and Game officials were investigating Timmins and Budd in connection with an illegal outfitting venture when they tipped Boise Police to the pot-growing operation. Boise officers seized 137 live marijuana plants and 950 grams of pot from Budd’s home on the 2000 block of Manitou Avenue and 60 grams of drying pot, \$5,100 in cash and six guns from Timmins home on Broadmore Drive. Police estimate the value of the marijuana at about \$30,000.

Idaho Department of Fish and Game officers arrested Timmins and Budd on the Snake River near C.J. Strike on Jan. 3 after an investigation into illegal fishing expeditions and the violation of Idaho’s sturgeon catch-and-release laws. Regional Conservation Officer Jeff Wolfe said Fish and Game received a tip that the pair had been charging individuals for fishing trips and possible waterfowl hunting trips without a permit or license from the state outfitters board. Fish and Game and the Idaho Outfitters and Guides Association conducted the joint investigation, Wolfe said.

Boise Police charged Timmins with possession of marijuana with intent to deliver, and Budd was charged with manufacturing marijuana. Fish and Game officials slapped the pair with misdemeanor charges of guiding and outfitting without a license and possession of drug paraphernalia.

“As we understood it at the time,

the quota for permits the board would issue for the Snake River below Strike dam were full, so basically they were operating in conflict with properly licensed outfitters,” Wolfe said. “Basically we confronted them on the river (on Jan. 3) and actually arrested them on the river.”

Wolfe said the pair was fishing with other people when arrested, and his department feels they were guiding at the time of their arrest. He said the additional people were not charged because, most times, those using an illegal guide service don’t know the service is working without specific licensing.

“They were charging clients to go out fishing,” Wolfe said. “Routinely we work with outfitters and guides because obviously when they are guiding illegally ... a lot of times they are doing other things illegally, and this is a good example of that.”

The Idaho Outfitters and Guides Association keeps records of who is licensed for what activity and in what location. Outdoorsmen can go to the association’s Web site, [www.ioga.org](http://www.ioga.org), to make sure an outfitter is licensed or to find a licensed guide for the area they want to hunt or fish.

Wolfe said the case is still under investigation and further citations could be pending. The maximum penalty anyone would face is a misdemeanor that could carry six months in jail and a fine of up to \$1,000, Wolfe said.

Outfitters — people who are paid to lead hunting or fishing expeditions — must be licensed with the Idaho Outfitters and Guides Licensing Board, which requires guides to have experience, expert knowledge of game and rules in the specific areas they want to work, first-aid training and insurance and other requirements.

— CAB



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# COSSA offers adult courses for welding, computers, more

The Canyon-Owyhee School Service Agency's Southwest Idaho Technical Academy is offering several adult classes that begin in the coming weeks.

The Industrial Welding Technology Building at 230 W. Wyoming St. in Homedale is the site for all three welding classes.

On Thursday, a three-week class on Tig welding will begin in Homedale and be held from 6 p.m. to 9 p.m. The cost is \$95.

An advanced welding class begins Tuesday in Homedale and runs from 6 p.m. to 9 p.m. for five Tuesdays. The cost is \$125.

An introduction to welding class will be held for five Thursdays beginning Feb. 2 in Homedale. Course cost is \$125.

Tuesday marks the start of courses covering medical terminology, medical transcription, conversational Spanish and introduction to computers.

The medical terminology and medical transcription classes will be held Tuesdays from 5:30 p.m. to 8:30 p.m. on Tuesdays at the COSSA office at 20567 Whittier Drive in Greenleaf. Cost for each 13-week course is \$120, with an optional \$50 fee for books.

The introduction to computers course is scheduled to run Tuesdays from 4:30 p.m. to 6:30 p.m. and the cost is \$75. A location for the six-week course hasn't been determined.

The Spanish class goes from 6 p.m. to 8 p.m. on Tuesdays at Centerpoint High School at 21985 Dixie River Road in Caldwell. Cost for the five-week course is \$35.

For more information on the classes, call COSSA at (208) 454-2087 or e-mail mark@cossa-sitech.org.



**Winning spirit**  
The junior class at Jordan Valley High School won the spirit week poster contest with this creation last week.

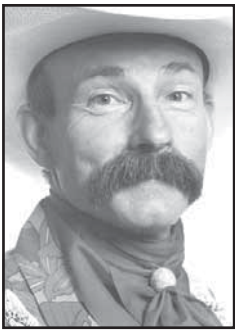
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# Commentary

Baxter Black, DVM



## On the edge of common sense

### Calving misdiagnosis

It is the bad dream of the rancher’s wife during calving season. Not as bad as a blizzard or machinery wreck but worse than having to go to Kingfisher for parts.

Hubby’s been gone overnight, so Shirla saddles up to go check the new calves in the calving lot. It’s cold enough to freeze the muddy spots, but it’s a sunny morning. She spots a heifer on her side, her abdomen is tight and she’s straining. Dismounting, Shirla approaches the beast for a closer look. No feet sticking out.

A call on her cell phone to Father-in-law down the road proves fruitless, no one answers. So back to the house she rides to get her teenage daughter.

“I’m gonna need yer help,” Mom says.

“Ma-Um,” whines the daughter in two syllables, “I’ve just done my hair, I’ve got on my school clothes!”

“Pull on yer coveralls, grab some boots. I can’t do it alone!”

Ten minutes later, the two of them return to the pen. Shirla is carrying a length of rope and some O.B. chains. The cow is in even more trouble, breathing in gasps, grossly distended abdomen, yet still no sign of the calf.

They put a loop around the cow’s hind legs. Shirla instructs her daughter, “I’ll hold the rope, you stick your hand in there and find the calf — your hands are smaller!”

“No way!” said daughter in an exaggerated tone, as if she’d been asked to jump in a barrel of soft-boiled eggs or wear something decent! “I’ve just done my nails!”

“There’s no time to lose!” said Shirla, handing the rope to her daughter. Shirla got her arm inside the cow past her wrist and could feel nothing.

“Are you sure you’re in the right hole?” asked the daughter.

“Of course!” she said, shoving on in up to the elbow.

The cow was pushing back, grunting and struggling to get upright.

“Pull on that rope!” Shirla shouted and forced her arm in up to the shoulder. “It’s so tight,” she said, “but I still can’t find the calf!”

“That might be him up there by her head,” said a voice she recognized as her father-in-law’s.

“What?” asked Shirla, looking up to see a calf curled like a cat contentedly sleeping 10 feet away. She looked down at her arm and at the cow, who for one brief moment raised her head high enough to look back at her torturer.

“Well, “ she stammered, “what’s the matter with — ”

“Bloat,” he answered, “I’ll go get the hose.”

Wayne Cornell

## Not important ... *but possibly of interest*



I woke up at 7:20 a.m. on Saturday, New Years Eve Day. On Saturday morning, I usually go to coffee at Gary’s house, 10 miles away, at about 8 a.m. I was running late.

I thought I was the only one up. Then I noticed a light in the small bathroom off the utility room. The door was open slightly, so I peeked in ...

Gracie, our 2½-year-old granddaughter was in the bathroom. She was wearing her pajama top, her overnight diaper and a large backpack she had received for Christmas. One arm was wrapped around one of her favorite dolls. She was using her free hand to try to arrange her little potty chair so she could use it as a step to get to the big potty. She looked up as I stuck my head in the room.

“Grandpa,” she said. “I have to poop.” There was a certain amount of urgency in her voice.

It has been at least 25 years since I was personally involved in assisting a youngster in going to the bathroom. During the panic attack that followed Gracie’s pronouncement, I thought about running from the room and waking up Gracie’s mom and dad, or my partner in life. But then I thought to myself, “Hey, I can handle this.”

The first item of business was to get rid of the backpack. If Gracie had tried to hang her derriere over the seat of the big potty — a difficult balancing act under the best of circumstances — the pack would have pulled her over backwards into the porcelain abyss. That would have not been the best way to start the last day of the year.

Next, I had to remove the overnight diaper. Being from the cloth diaper and safety pin generation, it took a moment

to get the modern tape fasteners loose. It was obvious from the look on Gracie’s face and her antics that there was some need for haste. When the diaper came off, I marveled at its design because although it was dry on the outside, its weight suggested it contained at least a quart of water.

Free of the pack and the waterlogged diaper, Gracie hopped up on the big potty. She hadn’t been there more than 30 seconds when she proudly yelled, “I DID IT!” Indeed she had. I was astounded, however, that someone that tiny could “do” something that large.

After tidying up, it was time to find something to replace the soggy diaper. I rummaged around Gracie’s room without much luck until she came in and showed me which drawer contained her “big girl” panties. Thus attired, she raced off down the hall, opened the door to her parents’ darkened bedroom and disappeared inside. As I passed the door, I could hear her yelling “MAMA, I DID IT!!” Figuring Gracie now was under adult supervision, I headed off for coffee.

When I returned home later in the morning, Gracie’s mom noted that she was somewhat disoriented when suddenly awakened by the “I DID IT!” statement. Eventually, her daughter explained, “Grandpa helped.” Her mother observed that I probably had a “deer in the headlights” look in my eyes when confronted with the situation.

Probably the same sort of look Gracie will have when she’s 21 years old and someone shows her a copy of this column.

## From Washington

### Being charitable is deductible — and admirable

by Sen. Mike Crapo

When Alexis de Tocqueville, in his quest to learn more about our new country, toured the United States in the early part of the 19th century, he noted in his diary that Americans were ready and willing givers to charity — something he considered rather unique. He said that when Americans saw a need, for a school, a hospital or a church, or any other kind of service, they formed an association and began to work on raising private funds to help. No one had to prompt them, and there was no government involvement.

This is a tradition that has been a continuing part of the American way of life. And today, in the early part of the 21st century, 175 years after de Tocqueville toured our country, Americans contribute more to charity than ever before. Nationwide, donations to charity are estimated to be as high as \$175 billion. What’s more, and just as impressive, nearly 100 million Americans volunteer their time to work in charitable enterprises.

Here in Idaho, we set the standard in our willingness to give to worthy charities. According to a nationwide study of charitable giving, based on a percentage of income, Idaho ranks as one of the top 10 states in America when it comes to donations to charity. This is impressive and reflects a lot about who we are, the values we consider important, and our willingness to help others in need. This desire to lend a helping hand to others is part of our pioneer spirit.



Sen. Mike Crapo

It’s remarkable just how many charities and opportunities for charitable giving there are nationwide and right here in Idaho. According to the Internal Revenue Service, there are some 3,000 charitable organizations in our state. These include local church assistance programs, community mental health programs, charities to aid at-risk children, or support for medical research. The list and opportunities for giving is very long. But most of all, giving to these organizations is a decision Idahoans make without coercion or force of law.

Right now, as never before, Americans are once again proving their commitment and willingness to help their fellow citizens. Following the devastation of Hurricane Katrina, donations to relief organizations poured in. Assistance to storm victims, provided by a host of organizations, has included emergency food relief, resettlement assistance and aid in reconstruction. The number of worthy aid organizations providing relief in the wake of this disaster is too large

to list, but contributions to the American Red Cross, for example, one of the largest charities providing help to storm victims, were in the hundreds of millions of dollars.

Giving to charity and volunteering for charity work is a long-standing part of what it means to be American. It’s something Idahoans take very seriously. We give, often quietly, and it makes a meaningful difference in the life of our communities and our country.

— Mike Crapo is a U.S. senator from Idaho.



# Commentary

## Letters to the editor

### Homedale's generosity shows true Christmas spirit

Recently upon reading how much food was collected in the latest food drive and all the gifts purchased to be handed out to all the less fortunate families, it just goes to show how many people still have the true Christmas spirit.

As a teenager, growing up and seeing these kind acts has made me realize when I have kids, I want to make sure that I pass on this true meaning of the Christmas season to my children.

I want to thank all of you who thought of others and made sure that their kind act will give these other families the hope of brighter days in their times of need.

Debra Babcock  
Homedale High School senior

### Lawsuit to remove soda pop machines from schools wise

I have communicated the thought to my school board trustees that I would like to have the soda pop machines removed from our schools. This thought has been ignored.

I have read recently in The Wall Street Journal that a lawsuit is pending against the soda pop industry to have the vending machines removed from all the public schools in America.

Hallelujah!  
Steve Richards  
Homedale

### Thanks to those who helped in Silver City evacuation

We would like to thank everyone who helped my family and friends out of Silver City on Saturday, Dec. 31.

When we found ourselves stuck with no road to drive out on, we called Jim Hyslop and the Owyhee County road department.

Thank you to Uncle Jim, Brian and the great guys who got us across the washout. The kids had a great ride in the bucket of a front-end loader.

Julie Schuler, Emmett  
Lynn Hyslop Jr., Emmett

William Pendley Perry

## Summary Judgment



### GOP panders on race as much as Dems

In 1993, Clinton nominated his Yale Law pal, Lani Guinier, as Assistant Attorney General for the Justice Department's Civil Rights Division. Seth Lipsky, in The Jewish Forward, questioned her views; others did likewise. One critic wrote, she "does not believe that the U[.]S[.] Constitution, with its system of representative democracy, adequately defends the rights of minorities. Therefore, she proposes adoption of schemes like cumulative voting, geared towards allowing the losing minority to win actual representation regardless of their election loss."

Clinton dumped her, whining, "Had I read [her writings] before I nominated her, I would not have done so."

In time, Clinton nominated NAACP Legal Defense and Educational Fund attorney Bill Lann Lee, whose radical views prevented his confirmation. Nonetheless, Clinton named Lee to the post from whence Lee filed lawsuits against local governments for alleged violations of the 1982 amendments to Section 2 of the Voting Rights Act.

In November 1999, Lee sued Blaine County, Montana, asserting that the sparsely populated rural county had violated that law because no American Indian had been elected commissioner. A similar lawsuit two years later against sparsely populated, rural Alamosa County, Colorado, claimed Hispanics could not elect their "candidates of choice." Alamosa County won when a Colorado federal district court ruled that voting there was not racially polarized and that, "to be elected in Alamosa County, a candidate must appeal to both Anglo and Hispanic voters. ... Subtle or overt ethnic appeals ... have resulted in failure at the polls."

Blaine County, however, lost even though there was no evidence American Indians had been denied the ability to register, vote or run for office. In fact, an American Indian had been elected county sheriff and Justice of the Peace.

The U.S. Court of Appeals for the Ninth Circuit upheld that ruling holding that, to prevail in Section 2 litigation, the Justice Department need not prove that: (1) American Indians had been denied an equal opportunity to participate in elections and to elect their candidates of choice; (2) non-Indians had voted as a bloc out of racial

animus and a desire to prevent election of American Indian candidates; and (3) American Indians had identified distinct political issues that could be addressed by the county commission.

American Indians had run for office and lost; that was enough under Section 2, declared the Ninth Circuit.

Lawsuits like those filed by Clinton's officials, and supported by Bush lawyers, and decisions like the Ninth Circuit's ruling are why Roger Clegg, Center for Equal Opportunity General Counsel, urges revision of the Voting Rights Act.

"[T]he act should be changed back to its pre-1982 language, to require a showing of actual racial discrimination — that people are being treated differently because of race; the law should be amended to make clear that there is no requirement that districts be drawn with the racial bottom line in mind — and, indeed, that such racial gerrymandering is in fact illegal; the act should be amended to make clear that it guarantees nothing for one racial group that it does not guarantee for all racial groups."

Fortunately, the Rehnquist Court, in a series of decisions beginning in 1997, set forth what one appellate court called "an entirely new framework" for evaluating the authority of Congress to enact legislation such as its 1982 Voting Rights Act amendments. Four Justices made it clear that those amendments may indeed be unconstitutional!

Nonetheless, with the Voting Rights Act up for reauthorization in 2007, Republican leaders appear eager not only to keep intact the 1982 amendments that led to lawsuits against rural western counties, but also to go further.

Representative James Sensenbrenner (R-Wis.), House Judiciary Committee Chairman, promised the NAACP quick action on the law "as is" and Senate Majority Leader Bill Frist (R-Tenn.) is "fired up" for quick reauthorization; both have Republican National Committee Chairman Ken Mailman's support.

No wonder only 34 percent of Americans approve of the job Congress is doing!

— William Perry Pendley is president and chief legal officer of the Mountain States Legal Foundation.



Something on your mind?

We welcome

letters to the editor

The Owyhee Avalanche

P.O. Box 97 • Homedale ID 83628  
owyheeavalanche@cableone.net

## Letters to the editor policy

The Owyhee Avalanche welcomes letters to the editor.

Our policy is that locally written letters receive priority. We do not publish mass-produced letters. The length must be limited to 300 words; the letters must be signed and include the writer's address and a daytime phone number where the writer can be reached for verification.

Letters can be e-mailed to [owyheeavalanche@cableone.net](mailto:owyheeavalanche@cableone.net) or faxed to (208) 337-4867 or mailed to P.O. Box 97, Homedale ID, 83628.

The deadline for submitting letters to the editor is noon on Friday. For more information, call (208) 337-4681.

The Owyhee Avalanche



# Looking back...

*from the files of The Owyhee Avalanche and Owyhee Chronicle*

## 25 years ago

### January 15, 1981

#### Search for suspect, body continues

The search for trapper Claude L. Dallas, Jr., the suspect in the killing of two Fish and Game officers on Monday, Jan. 5, is continuing this week, according to word from Owyhee County Sheriff Tim Nettleton.

The two officers, Wilson “Conley” Elms, 34, and William H. “Bill” Pogue, 50 were shot to death at Dallas’ camp on the South Fork of the Owyhee River. The site is in the extreme southwest corner of Owyhee County.

Elms and Pogue had gone to the area to investigate fish and game violations. The body of Elms was located last Wednesday about a quarter-mile below Dallas’ camp. The search continue for the body of Pogue.

The Humboldt (Nevada) County Sheriff’s office first learned of the shooting Tuesday afternoon (Jan. 6), the day after the shooting, when a Winnemucca-area farmer, Jim Stevens, said he saw Dallas shoot two F&G officer Monday afternoon at Dallas’ camp in southwestern Owyhee County.

Stevens said he saw Dallas shoot Pogue and Elms when the officers approached the camp to investigate an illegal trapping compliant.

Early this week, Idaho and Nevada sheriff’s officers and FBI agents were interviewing person who knew Dallas. The search for the fugitive is centered in Northern Nevada where Dallas was reported to have headed for the mountains on foot.

Stevens said that following the shootings, he helped Dallas load Pogue’s body into Stevens’ vehicle, then drove Dallas and the body to Paradise Hill, about 4 miles from the camp. At Paradise Hill, Dallas transferred the body into a vehicle owned by George Nielsen, and left along with the body and Nielsen’s vehicle. Authorities said Dallas was gone about two hours. He retuned without Pogue’s body.

#### Hydroelectric plant planned at Owyhee Dam

The Owyhee Irrigation District is seeking a preliminary permit to build hydroelectric power plants at Owyhee Dam and the tunnels going out of the dam, according to an article in the Nyssa Gate City Journal. Should things proceed according to plan, the hydroelectric plants would be in operation within three years.

According to the article, projects are for a hydroelectric plant at the Dam that produces anywhere between five and 20 megawatts of hydro-electricity. The projected power from the tunnels would be seven-eight megawatts of electricity. The Irrigation District would receive a minimum of two mills per kilowatt hour of electricity. The Irrigation District and its members would be receiving money from the hydroelectric plant as soon as the power is being produced. No indebtedness would accrue to the farmers, as the plants could be built with funds generated from revenue bonds.

It remains to be seen if the hydroelectric plant is to be built by the Irrigation District. Two private power companies are seeking a preliminary permit for the right to build the plants at the Owyhee Dam and at the tunnels.

#### Girls defeat New Plymouth 61-34

Julie Uranga led the Homedale Girls’ Basketball team past New Plymouth 61-34 in Western Idaho Conference action Thursday, Jan. 8.

Uranga shot 56% and brought down 5 rebounds. Cindy Breshears was the second high scorer with 11 points and Sayers and Suzanna Drum, both put in their share with 9 points each.

Homedale had only 13 personal fouls compared to new Plymouth’s 21 fouls. As a major team effort the Trojan girls shot 43% from the field and 52% from the line. New Plymouth only shot 27% from the field and 33% from the line. New Plymouth had the Trojans on the boards with 34 rebounds to Homedale’s 29.

## 138 years ago

### January 11, 1868

ALMOST A FIRE. On last Tuesday morning, about nine o’clock, huge puffs of smoke and jets of flame were seen to issue from the roof of Col. Webb’s dwelling. Immediately was raised the alarming cry of “fire!” A frightened community rushed to the scene, and by a lively application of water and snow soon succeeded in extinguishing the flames. It was found to have originated in the roof, in consequence of the hole through which the stove pipe passed not being large enough. Carpenters and people generally are much to blame for carelessness in such matters – criminal carelessness, we may say, which endangers the safety of the whole town. The wood round a stove-pipe should not be any nearer than at least three inches – nearer than which a red-hot stove-pipe will ignite dry, pitchy, fir lumber. Be careful, neighbors, we don’t like the idea of being turned out of door this time of year.

WINDY. A week ago last night there raged over our mountains the most terrific storm of wind and snow combined that has ever been the lot of the “oldest inhabitant” so experience. The miners at the Poorman, which is situated near the summit of War Eagle, went to the boarding house for supper and were compelled to remain all night, being unable to make their way to the sleeping rooms about one hundred and fifty or two hundred yards distant – so great was the violence of the storm.

A WATCHMAKER and Jeweler has arrived. We understand he intends to locate permanently in Silver City.

POST OFFICE AT FLINT. Postmaster Clemmens informs us that John K. Maxwell is appointed Postmaster for Oro, Flint District. The necessary documents, &c., are expected in a day or two. We congratulate our Flint neighbors upon having obtained a post office, the want of which has hitherto subjected them to considerable annoyance. The indefatigable Mose Lyons carries the mail across the mountains to and from Flint, on snow-shoes, three times a week.

HANDSOME PRESENT. Master Gus. Taylor dropped in to see us the other day. He was dress from top to toe in the best made and neatest looking of “boys clothing” that we have seen in the country. Upon inquiring we found that it was a present from Mrs. Geo. Cowles, who makes to order all kinds of ladies and gentlemen’s clothing in the newest style.

COOPER RESTAURANT. We call attention this week to Mrs. M. H. Cooper’s new advertisement. She has fitted up her restaurant in the tidiest, coziest, and most inviting style imaginable. Regular board unsurpassed in the territory. Hot & cold lunches, oyster stew &c., at all hours day or night. Give the Cooper Restaurant a trial.

JOHN A. POST has just made a large addition to this stock of liquors. He keeps on hand the best quality of wines, brandies, whiskies, &c., which he sells by the barrel or quart. Saloon keepers will find it to their advantage to give him a call at Webb & Myrick’s fire-proof cellar.

WE LEARN that J. S. Hall goes to Boise City today where he proposes to give a series of Dramatic Readings. Mr. Hall is a reader of much more than average ability and his performances both in tragedy and comedy, are well worth hearing.

INDIAN AFFAIRS. Day before yesterday we had a friendly call from Dave Fickett the celebrated mountaineer and Indian scout from Camp Lyon. He and Sonora Hicks, scout from Fort Boise, with eleven Indians had been on a scouting expedition down the Owyhee River. On the evening of January 3d between thirty and forty miles below Rinehart Springs on this side of the Owyhee, they

discovered a camp of Indians situated at the mouth of a rocky canon. Unobserved by the enemy, the scouts remained quiet till morning, when they crept into the rocks near the camp and fired a volley killing one buck. The remainder then ran up the canon through a narrow cliff, with high perpendicular walls of rock on both sides and sheltered themselves in a kind of grotto. Over head a shelving rock shelter them and on either side the perpendicular walls afforded them protection, while a tall column of sandstone jutted out from the side of the defile and completely concealed them from view in front. The pass was so narrow that not more than one man could go through at once; therefore it would have been madness to have attempted to charge through the defile in order to take the stronghold by storm. A consultation was held. The scouts had no provisions, having been out several days over their time. They had subsisted between two and three days on boiled barley and had but little left: consequently, starving the enemy out was out of the question, besides it was very cold and snowing at the same time which to hungry men was extremely disagreeable. Taking all the circumstances into consideration it was thought best to have a talk with the savages and if possible induce them to surrender. Accordingly an old Indian who could talk English was sent to talk with them. The spokesman of the enemy said they surrender providing their lives were spared. The interpreter told them that the soldiers did not want to kill them that they wanted to prevent them from killing white men. The party continued for nearly three hours and finally the Indians said they were tired of fighting and agreed to surrender on condition of being allowed to go on the reservation at Boise City and not be put in the guard-house of which they had a perfect horror and said they would rather die than be thus confined. The agreement being made an old lame Indian first appeared who looked like a veritable imp from Pandemonium. He had on the late Seg’t. Denoile’s fatigue jacket with the stripes on the arms, and also a pair of pantaloons with the legs ripped open and sewed to the tails of the jacket being. He was crippled in one knee and put himself in such ludicrous shapes looking first over one shoulder then the other as he hobbled down the canon to where five of the scouts were stationed below, that in spite of snow-storm and hunger the boys laughed outright. Perceiving that he was not like the others sallied forth sixteen in number – in bucks, five squaws and five papooses. The leader of the band inquiring which of the white men was chief, was informed that Picket was. He then stepped forward and persecuted his arms consisting of a splendid half-stocked rifle six shooter and bow and arrows. The pistol was known to have belonged to Serg’t Denoile, whose cap this chief had on. The others delivered up their arms likewise. They had plenty of bullets and caps but powder was scarce. They had nothing to eat except a few roots and rose-berries that they had procured along the river. A number of articles of clothing belonging to Mrs. Denoile was found with them – two dresses, a waterfall, a thimble, scissors, a new towel, a pair of new silk stockings and a pair somewhat worn, also a woman’s chemise. They had only one horse for the crippled old gentleman to ride. They were brought into Camp Lyon where they are at present and deny having participated in the murder of Denoile and say they procured the articles found with them from some Indians belonging to old Potigo’s band. It is thought that if Mrs. Denoile be alive that she is with the latter band somewhere in the north end of Steen’s Mountain.

The captured wretches say that the Indians throughout the country are tire of fighting and would gladly come in and make peace were they not afraid of being killed. We understand that a movement is on foot for sending out the scouts, accompanied by a number of captives to do the talking in order to induce all the Indians they can find to come in and give themselves up. Taking different views of the subject we are of the opinion that if Gov. Ballard and the Commander of the District would sanction this mode of proceedings that it would be the quickest easiest and least expensive way of bringing our Indian warfare to a close.



# Public notices

**OWYHEE COUNTY COMMISSIONERS MINUTES**  
**DECEMBER 27<sup>TH</sup>, 2005**

Present were Commissioner’s Tolmie, Reynolds, Clerk Sherburn, Assessor Endicott, Prosecuting Attorney Faulks, Fred Grant and Jim Desmond.

The Board approved the beer and wine license for the Cowboy Up Saloon in Homedale.

The Board approved the weed agreement with the Idaho Transportation Dept for 2006.

The Board disapproved the weed agreement in the Jarbidge area, as the weed department does not have the manpower to abide by the contract that had been submitted.

The Board approved the request from the Assessor to upgrade the ArcView mapping system in the Assessor’s office.

The Board approved the certificate of residency application’s for students attending CSI.

The Board approved the minutes from the last meeting.

The Board approved the Prosecuting Attorney’s request for a grant for the Advocates Against Family Violence program.

The complete minutes can be viewed in the Clerk’s office.

s.s/Harold Tolmie  
Attest: s.s/Charlotte Sherburn  
1/11/06

**NOTICE OF PUBLIC HEARING**

Please be advised that a public hearing will be held before the Planning and Zoning Commission of the City of Homedale on the 16<sup>th</sup> day of January, 2006, at 7:00 p.m. at Homedale City Hall, 31 West Wyoming, Homedale, Idaho. The subject matter of the public hearing is the Application for Vacation of Public Right-of-Way filed by Total Options, LLC. Total Options, LLC is requesting to vacate the alley running north and south through Lots 25-32, Block 63, (120 South Main Street).

Sylvia L. Bahem,  
Administrator  
Planning & Zoning  
Commission  
City of Homedale  
1/4,11/06

**NOTICE OF PUBLIC HEARING AMENDMENT TO ORDINANCE A-56**  
**SUBDIVISION ORDINANCE**

THE PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING.

THE PURPOSE OF THE PUBLIC HEARING IS TO REVIEW PROPOSED CHANGES TO THE CITY OF MARSING’S SUBDIVISION ORDINANCE A-56. THERE ARE PROPOSED CHANGES TO ALL SECTIONS, INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

- PREPARATION APPROVAL AND RECORDING OF PLAT REQUIRED, SALE BY METES AND BOUNDS
- DEFINITIONS
- PROCEDURES FOR OBTAINING APPROVAL OF SUBDIVISIONS REQUIRING SUBMISSION OF FINAL PLATS
- IMPROVEMENTS REQUIRED; PERFORMANCE BOND PERMITTED IN LIEU OF ACTUAL CONSTRUCTION
- DIVISION OF COSTS OF IMPROVEMENTS
- DESIGN REQUIREMENTS

CITY OF HOMEDALE Quarterly Expenditure Report 1st Fiscal Quarter, FY2006 Oct, 2005 to Dec, 2005							
FUND	PERSONNEL	Overhead / Maintenance	CAP IMP	QTR TOTAL	Fiscal Year to Date Total	BUDGET AMOUNT	PERCENT of BUDGET USED
01 General	\$71,369.98	\$81,599.74	\$0.00	\$152,969.72	\$152,969.72	\$472,217.62	32.4%
02 Streets & Hwys	\$9,574.68	\$17,167.85	\$1,478.00	\$28,220.53	\$28,220.53	\$131,972.00	21.4%
03 Parks	\$5,199.67	\$4,682.74	\$0.00	\$9,882.41	\$9,882.41	\$78,515.00	12.6%
04 Library	\$6,540.39	\$2,422.82	\$130.00	\$9,093.21	\$9,093.21	\$50,082.02	18.2%
30 Airport	\$0.00	\$2,340.74	\$0.00	\$2,340.74	\$2,340.74	\$5,850.00	40.0%
60 Irrigation	\$9,701.17	\$26,360.64	\$0.00	\$36,061.81	\$36,061.81	\$86,880.00	41.5%
Special Funds Total	\$102,385.89	\$134,574.53	\$1,608.00	\$238,568.42	\$238,568.42	\$825,516.64	28.9%
25 Water	\$18,526.96	\$14,734.75	\$6,219.03	\$39,480.74	\$39,480.74	\$267,245.00	14.8%
26 Sewer	\$13,348.21	\$12,887.68	\$12,558.63	\$38,794.52	\$38,794.52	\$383,200.00	10.1%
27 Sanitation	\$0.00	\$17,380.92	\$0.00	\$17,380.92	\$17,380.92	\$76,100.00	22.8%
En. Funds Totals	\$31,875.17	\$45,003.35	\$18,777.66	\$95,656.18	\$95,656.18	\$726,545.00	13.2%
TOTAL(all funds)	\$134,261.06	\$179,577.88	\$20,385.66	\$334,224.60	\$334,224.60	\$1,552,061.64	21.5%

The General Public is invited to inspect all supporting documents for the above Fiancial Statement at City Hall during regular business hours.

Publish: January 12, 2010

Signed: Susan Mansisor  
City Clerk~Treasurer

· INSTRUCTIONS FOR SUBMISSION OF FINAL PLAT  
· FINAL INSPECTION AND RELEASE  
· ISSUANCE OF BUILDING AND OCCUPANCY PERMITS  
· AMENDED PLATS  
· SCHOOL SITES, PARKS, PLAYGROUNDS, ETC.  
· NO PERMIT OR LICENSE FOR USE IN VIOLATION OF THIS ORDINANCE  
· MONUMENTS  
· PENALTIES  
· VALIDITY OF ORDINANCE  
· REPEALER  
TIME: 6:30 PM  
PLACE: MARSING CITY HALL  
DATE: FEBRUARY 6, 2006  
A COPY OF THE FULL TEXT OF THIS AMENDMENT IS AVAILABLE AT MARSING CITY HALL, DURING BUSINESS HOURS.  
Christy Martinat, Secretary  
1/11,18/06

**NOTICE OF PUBLIC HEARING**

Please be advised that a public hearing will be held before the Marsing City Council on 8th day of February 2006, at 7:00 p.m. at Marsing City Hall, Idaho. The subject matter of the public hearing is to adopt new developmental fees and increase existing developmental fees for the purpose of covering current city cost. Copy of fee schedule available at city hall during regular business hours.

Janice C. Bicandi, City Clerk  
Treasurer  
1/11,18/06

**PUBLIC NOTICE: TO GRAND VIEW, IDAHO CITIZENS FOR PROPOSED ORDINANCE NUMBER 1 – 2006**  
**CITY OF GRAND VIEW, IDAHO**

Be it ordained by the Mayor and City Council of the City of Grand View, Idaho an Ordinance vacating that portion of Riverside Avenue, starting North of West Street and ending before Roosevelt Avenue or State Highway 67 legal right of way in the City of Grand View, Owyhee County, Idaho.

This property will then be donated to the Riverside Cemetery District located in Grand View, Idaho.

Helana Race  
Grand View City Clerk  
1/11,18/05

**NOTICE OF SALE NOTICE IS HEREBY GIVEN**

that the contents of the following storage unit will be disposed of by sealed bids on the 20<sup>th</sup> day of January, 2006. Unit Four (4), storage facility located at 600 W. Main Street, Marsing, Idaho. Organ, parts carts, oxygen & acetylene tanks, Shimano bicycle, 6.0 hp wet & dry vacuum, firewood stand, odds and ends.

Bruce Hampton, 9508 Jaca Ln., Givens Hot Springs, ID 83641.

Sealed bids will be accepted by Walt Smith at Nova Realty, 600 W. Main Street, Marsing, Idaho. Viewing of the contents and taking of bids will take place between 9:00am and 2:00pm on the 20<sup>th</sup> day of January, 2006, and bids will be opened and the sale made at 3:00pm on said date. Sale may be canceled without notice.  
1/11,18,06

**NOTICE OF STATE SURPLUS LAND SALE**

NOTICE IS HEREBY GIVEN that there will be a public hearing for the purpose of gathering comments regarding the following described property belonging to the State of Idaho Military Division, and proposed for sale to the City of Homedale to use for airport expansion purposes. The property is described as follows: A parcel of land being a portion of the NW¼, Section 10, Township 3 North, Range 5 West, B.M., Homedale, Idaho, Owyhee County, and more particularly described as follows: Commencing at the Northwest corner of NW¼, Section 10, Township 3 North, Range 5 West, B.M., thence South 88°42'27" East 1,580.45 feet, more or less, along the northerly boundary of said NW¼; thence South 28°12'13" West 103.36 feet; thence South 38°57'52" East 65.10 feet to a point on the Southeasterly right of way line of U.S. Highway No. 95, Federal Aid project No. F-3311(11), also said point being the TRUE POINT OF BEGINNING; thence South 38°57'52" East 470.28 feet; thence South 29°37'39" East 889.89 feet; thence North 52°14'26" West 1203.41 feet to a point on said Southeasterly right of way line; thence North 28°12'13" East 456.50 feet along said right of way line to the TRUE POINT OF BEGINNING, said parcel containing 7 acres, more or less.

All mineral rights are to be reserved to the State of Idaho in accordance with Idaho Code §47-701. The parcel is being sold for

\$23,100, along with the option to use City-owned property that would be suitable for development of a National Guard Armory. The purchaser will be required to pay the advertising costs, land sale certificate fee and deed fee on the day of sale.

The hearing will be held at the Homedale City Hall Courtroom located at 31 West Wyoming, Homedale, Idaho, on February 1, 2006 at 6:00 p.m.

Persons requiring special accommodation at the public hearing need to contact Perry Whittaker at the Idaho Department of Lands Office at (208-334-0233) at least one week prior to the public hearing date to make arrangements.

**BY ORDER OF THE STATE BOARD OF LAND COMMISSIONERS**

Winston A Wiggins, Director,  
Idaho Department of Lands  
1/ 11,18,25;2/1/06

**SUMMONS IN THE CIRCUIT OF THE STATE OF OREGON FOR DOUGLAS COUNTY**

In the Matter of Marriage of Blue Raine Burdine, Petitioner, and Donald Lee Burdine Jr., Respondent. Case No. 05 DO 1529DS

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and answer the Petition of Dissolution filed against you. Petitioner seeks a decree dissolving the marriage of the parties and for other equitable relief.

This Summons is published by Order of the Honorable Joan G. Seitz, Judge of the above Court, entered on the 17 day of October, 2005, directing publication of this Summons once a week for four consecutive weeks in the Owyhee Avalanche, a newspaper published in Owyhee County, Homedale, Idaho.

NOTICE TO RESPONDENT: READ THESE PAPERS CAREFULLY! You must “appear in this case or the other side will win automatically. To “appear” you must file with the court a legal paper called a “motion” or “answer.” The “motion” or “answer” must be given to the court clerk or administrator within thirty (30) days of the date of first publication specified herein, along with the required filing fee. It must be in proper form and have proof of service on the petitioner’s attorney or, if the petitioner does not have an attorney, proof of

service on the petitioner. IF YOU HAVE QUESTIONS, YOU SHOULD SEE AN ATTORNEY IMMEDIATELY. If you need help in finding an attorney, you may call the Oregon State Bar’s Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

/s/Blue Raine Burdine  
2174 NE Vine St. #G3  
Roseburg, OR 97470  
(541) 957-1112  
1/11,18,25;2/1/06

**REQUEST FOR PROPOSALS**

Sage Community Resources, as the designated Area Agency on Aging for Southwest Idaho, announces its intent to accept proposals from eligible and interested organizations for the following services to the elderly in Southwest Idaho. This includes Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, and Washington Counties. Proposers may bid on any one or more services in any or all counties. Contracts will be let up to two years with two annual year extensions with good performance.

Chore, Congregate Meals, Dental, Grandparents As Parents Counseling, Health Promotion, Home Delivered Meals, Homemaker, Legal Assistance, Outreach, Transportation

Potential proposers must submit Letters of Intent to Bid to SW Idaho AAA, P.O. Box 311, Weiser, ID 83672 by 5:00 p.m. on January 27, 2006. Only those submitting Letters of Intent will receive RFP materials and will be recognized proposers for the above services.

1/11,18/06

**PROPOSED CHANGE OF WATER RIGHT**

WILLIAM &/OR VICTORIA WOLFE of PO BOX 398, GRANDVIEW ID 83624 filed an Application for Transfer for a Snake River water right with a 1963 priority date totaling 4.38 cfs. The right, originally part of the Bell Rapids Mutual Irrigation system, provided irrigation for 260 acres. The right has been diverted west of Hagerman to irrigate 260 acres about 1 to 2 miles northeast of the intersection of Elmore, Owyhee and Twin Falls Counties. The purpose of the transfer is to retire 33 acres of irrigation and relocate that portion to 33 acres south of Hwy 78 about 1 mile west of Grandview. Water for the proposed change will be diverted from the river near River Road about 0.25 mile downstream from the bridge crossing the river near Grandview.

For specific details regarding the application, please contact the Idaho Department of Water Resources (IDWR) Western Region at 208-334-2190 or visit [www.idwr.idaho.gov](http://www.idwr.idaho.gov) to see a scanned copy of the application under water right no. 2-10283 (previously numbered 2-10224). Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before January 23, 2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director  
1/4,11/06



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**The following application(s) have been filed to appropriate the public waters of the State of Idaho: 55-13850**

UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657 Point(s) of Diversion SWNNW S25 T06S R04W OWYHEE County Source UNNAMED STREAM Tributary To DEER CREEK Use: STOCKWATER STORAGE 01/01 To 12/31 1 AFA Use: WILDLIFE STORAGE 01/01 To 12/31 1 AFA Total Diversion: 1 AFA Date Filed: 04/18/2005 Place Of Use: STOCKWATER STORAGE T06S R04W S25 NWNW Place Of Use: WILDLIFE STORAGE T06S R04W S25 NWNW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/23/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director 1/4,11/06

T12S R04W S34 NWSW Place Of Use: STOCKWATER STORAGE T12S R04W S34 NWSW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/23/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director 1/4,11/06

**The following application(s) have been filed to appropriate the public waters of the State of Idaho: 55-13853**

UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657 Point(s) of Diversion NWNWSE S28 T05S R05W OWYHEE County Source UNNAMED STREAM Tributary To TROUT CREEK Use: STOCKWATER STORAGE 01/01 To 12/31 1 AFA Use: WILDLIFE STORAGE 01/01 To 12/31 1 AFA Total Diversion: 1 AFA Date Filed: 04/18/2005 Place Of Use: STOCKWATER STORAGE T05S R05W S28 NWSE Place Of Use: WILDLIFE STORAGE T05S R05W S28 NWSE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/23/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director 1/4,11/06

**The following application(s) have been filed to appropriate the public waters of the State of Idaho: 55-13874**

US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT

1387 S VINNELL WAY BOISE ID 83709-1657 Point(s) of Diversion NESESW S29 T05S R03W OWYHEE County Source SPRING Tributary To MAMMOTH CREEK Use: STOCKWATER 01/01 To 12/31 0.02 CFS Use: WILDLIFE 01/01 To 12/31 0.02 CFS Total Diversion: 0.02 CFS Date Filed: 10/24/2005 Place Of Use: STOCKWATER T05S R03W S29 SESW Place Of Use: WILDLIFE T05S R03W S29 SESW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/23/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director 1/4,11/06

**The following application(s) have been filed to appropriate the public waters of the State of Idaho: 55-13873**

US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT 1387 S VINNELL WAY BOISE ID 83709-1657 Point(s) of Diversion NWNWNE S25 T05S R04W OWYHEE County Source SPRING Tributary To EAST CREEK Use: STOCKWATER 01/01 To 12/31 0.02 CFS Use: WILDLIFE 01/01 To 12/31 0.02 CFS Total Diversion: 0.02 CFS Date Filed: 10/24/2005 Place Of Use: STOCKWATER T05S R04W S25 NWNE Place Of Use: WILDLIFE T05S R04W S25 NWNE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/23/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director 1/4,11/06

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Note: Photos by Gregg Garrett available through him; submitted photos not for sale

# The Owyhee Avalanche

**The following application(s) have been filed to appropriate the public waters of the State of Idaho: 55-13851**

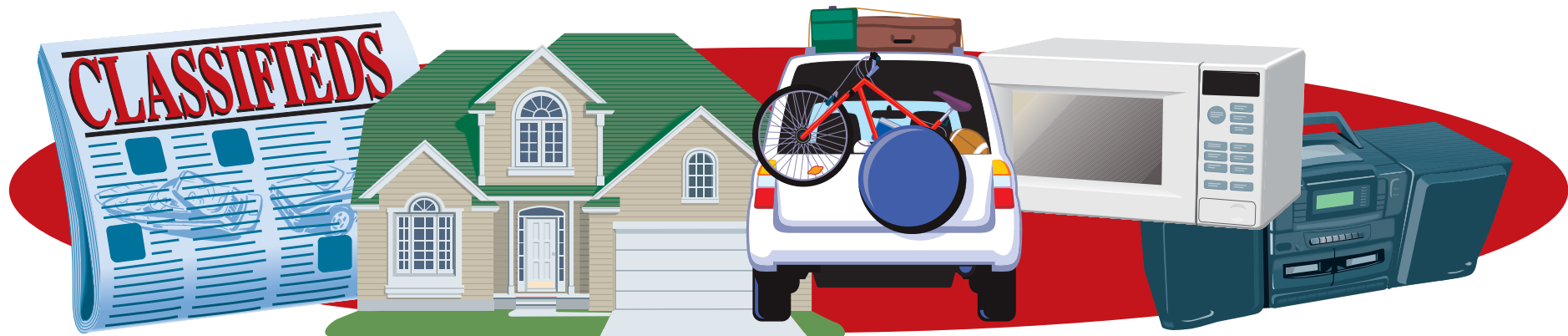
UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657 Point(s) of Diversion NWNWSW S34 T12S R04W OWYHEE County Source UNNAMED STREAM Tributary To RED BASIN CREEK Use: STOCKWATER STORAGE 01/01 To 12/31 1 AFA Use: WILDLIFE STORAGE 01/01 To 12/31 1 AFA Total Diversion: 1 AFA Date Filed: 04/18/2005 Place Of Use: WILDLIFE STORAGE

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*That's when the Owyhee Avalanche hits the news stands*





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**Note Buyer** if you are receiving payments for a real estate contract I will buy your payments for a lump sum. Mike Vance 1-866-389-9200

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• 320+/- ac. w/ 215+/- ac. wet. Reduced to \$285,000

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• Snake River + Mountain land 3,100 +/- deeded plus BLM & State. rated at 500 AU's \$3,000,000

**Marsing**  
• Snake River Ranch, 78 +/- ac. Canyon County side \$946,800  
**SOLD**  
• Snake River Farm 100 +/- Acres \$700,000 **SOLD**

**Murphy**  
• Alfalfa farm. Mostly pivots. 2 nice homes -- nice buildings. Fronts public lands \$2,600,000  
**UNDER CONTRACT - CONTINGENT**

**Homedale**  
• Snake River 94+/- Acres 1.25 +/- miles river  
**UNDER CONTRACT - PENDING**

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**4 - 10+ ACRE BUILDING SITES HIGHWAY 78 RIVER VIEW**  
\$150,000

**2 - 12 ACRE RIVERVIEW PROPERTIES** Splits Available.  
\$109,000 each. MLS 98191868 • MLS 98191874

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**Well Maintained home in Jordan Valley, Oregon**  
**3 bedroom, 2 bath. Reduced to \$105,900.**

**Older 3 bedroom home in Jordan Valley, nice pasture, shop and large trees. \$125,000.**

**FOR RENT**  
**3 bdrm 1 bth** MH on own lot, new carpet/paint, small garage \$450 mo. + \$300 dep. 585-6059  
**3 bdrm MH in country** close to town \$350 mo. + \$200 dep., no large dogs. 989-3954  
**Rent to own 3 bdrm** remodeled single-wide \$525 mo. 337-4887  
**Apartments for rent** in Homedale. Call Gary 337-3814  
**3 bdrm 2 bth** (1 yr. old) taking applications, avail. 1/15/06. Fenced yard, garage in Silver Sage Sub., Homedale \$825 mo. + \$500 dep. 573-1704  
**4 bdrm 2 bath split level** w/2 kitchens, 2 families ok, \$850 mo. + \$500 dep. 573-1704  
**(2) 2 bdrm apartments** in Homedale, includes W/S/T \$475 & \$425 mo. + \$300 dep. Avail. Jan. 1<sup>st</sup> 573-1704  
**Boat & RV Storage**, Marsing Storage 343-9855 or 867-2466

**VEHICLES**  
New **250cc 4-wheeler**, auto trans, liquid cooled engine, 6-month warranty \$2800. 482-7461  
**2006 ATV's** New 50cc, 110cc, 150cc, 250cc. Special prices!!! Call for details. DL#3024 208-896-5720

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**The Owyhee Avalanche**  
*337-4861*

**FOR SALE**  
**Mac G5 20" computer** wireless keyboard & mouse \$1000; HP Desk Jet scanner w/fax-printer \$40; office chair \$50; flat panel LCD monitor \$100; HP scanner never used \$50. Call 337-5576  
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**Roll ends:** Great for packing material, building fires, lining birdcages or for your kids to doodle on. The Owyhee Avalanche, Homedale  
**Bedroom set 7-piece cherry set.** Brand new in box. List \$2450. Must sell \$499. 208-888-1464  
**Bed-queen pillowtop mattress set.** Brand new, still in plastic. Must sell \$139. 208-921-6643  
**King-sized pillowtop mattress set.** New, in bag, with warranty. Must sell \$199. 208-921-6643  
**Cherry Sleigh bed.** Solid wood. New in box. Value \$899. Sacrifice \$249. 208-888-1464

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**Trees trimmed,** topped & removed. Clean up available. Fire wood for sale, dry & green. 337-4403 lve msg.  
**Money to Loan! TITLE LOANS.** Loans on Cars, Trucks, Boats, ATVs, Equipment & More! We offer local service! 800-410-0122.  
**M&S Repairs & Remodels.** All types of remodeling & construction, plumbing, fencing, roofing & add-ons. New homes & older homes. Call 337-5041 for estimate.  
**Dump Truck & Back hoe service,** ditch cleaning & demolition. Call Steve at 465-7708 or 371-4285.  
**Best price** for on-site computer cleaning and repair. Call Tom or Colette at 899-9419 or 896-4676, Technical Computer.  
**Tim's Small Engine Repair:** Complete servicing & repair available on lawnmowers, tillers, wheel-line motors, motorcycles, ATVs, all 2 & 4 cycle power equipment. Karcher pressure washer factory authorized repair center. 30916 Peckham Rd., 5 miles west of Wilder. 482-7461

**LOST**  
**Lost 870 Remington** shot gun one mile east of Hwy 95 on Sommercamp Rd. Reward for return. 338-9396

**HELP WANTED**  
**Patient Account Representative** Filing, answer multi phone lines, scheduled pt appointments, and collect pmts at time of service. 10-Key, computer and basic bookkeeping knowledge a must. Medical office exp preferred. Bilingual (English/Spanish) abilities reqd. Must be able to work evening/weekend. Send resume or apply at: Terry Reilly Health Services-Nampa Clinic-Attn: Ofc. Mgr, 211 16th Ave. N, POB 9, Nampa, ID, 83653. EOE.  
**LPN/MA FT** 1-yr medical office exp. Apply at or send resume to: Terry Reilly Health Services--Homedale Clinic, 108 E. Idaho, Homedale, ID 83628. EOE.  
**Coding Auditor** Audit chart notes & billing documents to ensure proper use of CPT & ICD-9 codes. Must have 3+ yrs coding and medical billing exp. CPC or equiv preferred. Send resume and cover letter to: Terry Reilly Health Services, Attn: CC Mgr, POB 9, Nampa, ID 83653. EOE.  
**Facilities Maintenance Specialist** Performs building and grounds maintenance duties involving multiple sites. Repair and maintenance duties include basic carpentry, plumbing, electrical, painting, and misc. Must be a hardworking, reliable, self-starter and able to work independently. Send resume to or apply at: Terry Reilly Health Services, Attn: PAS, 211 16<sup>th</sup> Ave N., POB 9, Nampa, ID 83653. EOE.

**HELP WANTED**  
**Idaho Sporting Clays** is now hiring for part-time help. Sat & Sun \$7/hr., must be at least 16 yrs. of age. Call 250-8982  
**Dairyland Seed Co., Inc.,** an Alfalfa and Clover seed company has an immediate full-time opening in the packaging dept. Candidate must have 2 or more years experience driving a forklift, be able to lift 70 pounds and be able to read and write English. Complete benefit package including 401k/profit sharing, health, dental and life insurance offered. Complete application at 504 W. Idaho Ave., Homedale, Idaho.  
**21st Century Grant Educational Assistant,** to be filled anytime after 1/18 . Associate degree or equivalency required or ability to meet State of Idaho requirements. Bilingual (Spanish) strongly preferred. Call Miren, Marsing School District, 896-4111 x197 for application.  
**LPN / MA FT-** Nampa. Prefer medical office exp and bilingual skills (English/Spanish). Send resume or apply at Terry Reilly Health Services, Attn Nursing Mgr, 211 16<sup>th</sup> Ave N, POB 9, Nampa, ID 83653 EOE  
**In-home care** for DD adult, male, in Marsing, Tues-Sat late afternoon (3.25 hrs. a day) \$8.55 per hr. DD experience helpful. Call 466-3196

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Boneless Beef  
**Rump Roast**



**\$1.99** lb.

Boneless Pork  
**Sirloin Chops**



**\$1.89** lb.

Fresh  
**Roma Tomatoes**



**99¢** lb.

Dole  
**Salad Mix**



**99¢** ea.

Petite  
**Sirloin Steak**



**\$3.49** lb.

Pork  
**Shoulder Roast**



**\$1.49** lb.

**Jalapeño Peppers**



**69¢** lb.

**Yellow Onions**



**19¢** lb.

Beef Stew Meat **\$2.29** lb.  
Market Pack  
Bacon **\$1.99** lb.  
Calidad 16 oz. **\$1.49** ea.  
Tortilla Chips

Boneless Beef **\$2.59** lb.  
Cube Steak  
Market Pack **\$1.59** lb.  
Pork Sausage  
Rosa's **39¢** ea.  
Deli Burritos

Navel Oranges **49¢** lb.  
Apples **79¢** lb.  
Avocados **89¢** ea.

Texas **3 for \$1**  
Grapefruit  
Cello Wrapped **79¢** ea.  
Lettuce  
10 lb. **\$1.69** ea.  
Potatoes

Western Family  
**Milk, 2%, 1%, Skim**



**\$2.29** ea.  
Gallon

Western Family 16 oz. **\$1.39** ea.  
Cottage Cheese

Kellogg's Cereals  
**Apple Jacks, Corn Pops, Raisin Bran, Fruit Loops**



**\$2.99** ea.  
10-20 oz.

Asst'd 13-16 oz. **\$2.99** ea.  
Post Cereals

**Coca Cola Products**



**\$3.99** ea.

12pk 12oz Cans

2 Liter **\$1.19** ea.  
Coca Cola Products

**Budweiser Beer**  
Regular/Light/Select



**\$11.99** ea.

18pk 12oz Cans

20pk 12oz Bottles **\$13.99** ea.  
MGD & Miller Lite Beer

Tony's **5 for \$10**  
Pizza  
15-17.6 oz.

Nabisco **\$1.69** ea.  
Saltine Crackers  
16 oz.

Prego **\$1.79** ea.  
Spaghetti Sauce  
26 oz.

Orville Redenbacher **3 for \$5**  
Microwave Popcorn  
3 ct.

Atta Boy **\$10.99** ea.  
Dog Food  
37.5 lb.

Atta Cat **\$7.49** ea.  
Cat Food  
19 lb.

Campbell's **3 for \$5**  
Select Soups  
19 oz.

Manchuran **3 for \$1**  
Cup Soup  
2.25 oz.

Folgers **\$6.99** ea.  
Coffee  
34.5-39 oz.

Western Family **99¢** ea.  
Orange Juice  
12 oz. Frozen

Ore Ida **2 for \$4**  
Frozen Potatoes  
20-32 oz.

Bounty **\$14.99** ea.  
Paper Towels  
15 ct.

Golden Grain **79¢** ea.  
Rice-A-Roni &  
Pasta Roni 4.3-7.2 oz.

Quaker Instant **\$2.29** ea.  
Hot Cereal  
10 ct. Box

Kellogg's **\$1.89** ea.  
Pop Tarts  
8 ct.

Western Family **\$1.59** ea.  
Hashbrowns-  
Southern Style 32 oz.

Taco Bell **\$1.89** ea.  
Salsa  
16 oz.

Shasta Soda **89¢** ea.  
2 Liter Bottle

Quaker Chewy **\$2.29** ea.  
Granola Bars  
6-10 ct. Box

Quaker Quick & **\$2.99** ea.  
Regular Oats  
42 oz.

Tostito's **2 for \$6**  
Tortilla Chips  
11-13.5 oz.

Lay's **2 for \$4**  
Potato Chips  
11-11.5 oz.

**Valentine Cards, Candies, Balloons & Flowers in stock. Don't forget your Valentine!**

**HOURS: Mon. - Sat. 6:00 a.m. to 10:00 p.m. - Sunday 7:00 a.m. to 9:00 p.m.**  
**Marsing, Idaho**

**WE RESERVE THE RIGHT TO LIMIT QUANTITIES AND CORRECT PRINTED ERRORS • PRICES EFFECTIVE 1/11/06 thru 1/17/06**