

**Weather Corner**



**The forecast**

**Tonight** — Partly cloudy with a low around 27. South wind around 10 mph becoming west.  
**Thursday** — Partly cloudy with a high near 56. Northwest wind between 10 and 15 mph.  
**Thursday night** — Partly cloudy with a low near 23. West wind between 5 and 10 mph.  
**Friday** — Partly cloudy with a high near 52. Northwest wind between 10 and 15 mph, with gusts as high as 30 mph.  
**Friday night** — Partly cloudy with a low around 21.  
**Saturday** — Mostly sunny with a high around 52.  
**Temperatures**  
 Tuesday's high, 64  
 Low this morning, 20  
 Records for this date, 70 in 1953, -21 in 1951  
 Precipitation past 24 hours to 8 a.m. today, 0.00  
 February's precipitation, 0.00  
 A recorded forecast updated throughout the day is available by calling (785) 899-7119. Current temperatures are available by calling 460-TEMP.

**Feds hearing arguments on juvenile sex law**

WICHITA (AP) — Requiring health care providers to report underage sex between consenting adolescents would have a chilling effect on youths seeking contraception or treatment for sexually transmitted disease — ultimately leading to more teen pregnancies, more abortions and more disease spreading, a public health care researcher said Monday.

The testimony by Dr. Robert Blum, a professor at Johns Hopkins Bloomberg School of Public Health, came on the first day of a federal civil rights case to determine the constitutionality of a Kansas sex abuse reporting law. The case is being heard by U.S. District Judge J. Thomas Marten without a jury.

In July 2003, Kline issued an opinion that said the state's 1982 reporting statute requires doctors, nurses, psychiatrists, social workers and others to report underage sex — even if it is consensual — to law enforcement officials or the Kansas Department of Social and Rehabilitation Services. He contended the reporting was required because such sex inherently involves abuse of a child.

The Center for Reproductive Rights, a New York advocacy group, sued in 2003, contending forced reporting discourages adolescents from seeking counseling or medical treatment.

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 Closed Sunday's

**Briefly**

**Puppies need a home**

The Colby Animal Clinic has male and female Terrier mix puppies, ranging from small to medium sizes, ready for adoption. The pupes are six to eight weeks old. The only cost for adoption is the animals current shots. For questions, call 460-8621 or stop by the facility, 810 E. 4th.

**Colby singles/couples dance Friday**

The Colby Singles and Couples Group is having its monthly dance from 8 p.m. to midnight, Friday, at the City Limits Convention Center. The group will also sponsor a line dance class before the main event at 7 p.m. Entertainment is provided by Jim Christiansen. Everyone is invited to attend. For questions, call Carolyn Miller, co-coordinator, 462-6896.

**'Daffodil Days' continues**

Colby is participating in the annual "Daffodil Days" sponsored by the American Cancer Society. This year's coordinator, Cathy Harrison, said all proceeds go to help the

society's mission in research and finding a cure. Daffodils are the first flowers of spring and a symbol of hope for a world free from cancer. With six different options available, people have many choices to fit their budgets. A bunch of daffodils is \$10; Cheer bokay with vase, \$15; Bear and A Bunch, \$25; 12 bunches, \$175; 25 bunches, \$250; and 50 bunches, \$350. For questions, call Harrison at 460-2501 (home); 462-2331 (office); fax 462-6242 or email: harrison@st-tel.net. Deadline for placing orders is Friday, Feb. 24.

**Irrigation conference planned**

The Central Plains Irrigation Conference and Exposition, sponsored by the association of the same name, will be held Feb. 21-22 at the Comfort Inn in Colby. Registration post-marked by Friday, Feb. 3 will have discounts and all fees include admittance to all sessions and the equipment exposition, a copy of the proceedings, two lunches, breaks and a social hour. Some of this year's topics include *Wastewater Utilization, Residue Management for Efficient Water Use* and *Limited Irrigation Crop Options*. For a registration form,

hotel accommodations, or for information, interested persons can go to [www.oznet.ksu.edu/sdi/REvents/cpia.html](http://www.oznet.ksu.edu/sdi/REvents/cpia.html). Registration forms and payments should be mailed to Donna Lamm at 760 N. Thompson, Colby, Kan. 67701.

**Tax help Wednesdays**

Pioneer Memorial Library, 375 W. 4th, will be the location on Wednesdays from 1 to 3 p.m. and until April 15 assisting with tax returns for the elderly or low to middle income families and individuals. For information, call 460-2645.

**Museum offers traveling exhibit**

"Playas: Gems of the Plains" has opened at the Prairie Museum of Art and History, 1905 S. Franklin Ave., Colby. The exhibit is by the Northwest Texas Museum Association and can be viewed during regular museum hours. The exhibit is on display until Tuesday, Feb. 28, from 9 a.m. to 5 p.m., Tuesday through Friday and 1 to 5 p.m., Saturday and Sunday.

**Prairie dog meeting in Oakley ends without resolution**

By Jan Katz Ackerman

Colby Free Press

A two hour meeting didn't bring parties of a prairie dog battle much closure on Tuesday.

Logan County Commissioners Doug Mackley, Carl Uhrich and Nick Scott met with three landowners and their attorney to find out whether the men plan to control prairie dogs on their land.

"Kansans don't like the government telling them what to do," Wichita attorney Randall Rathbun said. "My clients care a lot about the environment, but they care about their neighbors too."

Rathbun was retained by Larry Haverfield, Robert G. Barnhardt and Gene Bertrand to try and fend off the county telling them they had to control prairie dogs on their land.

Last August, the commissioners hosted a public meeting to inform Logan County residents starting Oct. 1 those landowners of which they received complaints about prairie dogs would be notified they had 15 days to comply with state law to control them.

Haverfield, Barnhardt and Bertrand were three of those who received notice to comply or the county would treat prairie dog holes on their land and charge for doing so.

Bantering back and forth about the terms control versus eradicate, one resident of the about 25 which attended the meeting spoke up.

"Prairie dogs and bind weed are on the same level," Harley Herschberger said as others laughed. "I wish the word eradicate would have never been invented."

Rathbun didn't say much different than what he told the commissioners in a letter he sent Logan County Attorney Andrea Wyrick in November.

That letter, dated Nov. 29, said Rathbun's clients would "avail themselves of any and all legal remedies they possess against the county and any individuals" who come on their property in an effort to eradicate prairie dogs.

Uhrich said during the August meeting an estimated 18,000 acres of land was infested. According to Mike Mitchner of the Kansas Wildlife and Parks in Pratt, Kansas has about 130,000 acres of land infested with prairie dogs.

The other major point of conten-



JAN KATZ ACKERMAN/Colby Free Press

Logan County landowners Robert G. Barnhardt (foreground), Gene Bertrand and their attorney, Randall Rathbun of Wichita, listened as county commissioners Doug Mackley, Carl Uhrich and Nick Scott, along with Logan County Attorney Andrea Wyrick told them to comply with state law about controlling prairie dogs on their land.

tion between the two sides is over the use of the chemical Rozol which is put into holes where the dogs live.

After Haverfield found a dead Red Tailed hawk in late November, it was sent to a forensic law to find out whether it died from secondary poisoning from Rozol.

According to Special Agent Kenny Kessler of the United States

Wildlife Service in Topeka, tests were inconclusive as to why the hawk died. Kessler sent the bird to Clark Bavin National Fish and Wildlife Forensic Lab in Ashland, Ore. after it was found by Haverfield and turned into wildlife officials in Colby.

"I've closed the investigation," Kessler said Tuesday morning.

"The lab couldn't determine why the bird died. It could have been a bird that died from poor health, but the results were inconclusive."

"There are "all kinds of liability problems I see hanging out there" Rathbun said as far as secondary poisoning and forcing landowners to comply.

"If we only had time to resolve

things and talk to their neighbors," Rathbun said asking the commissioners for 60 more days to comply.

Ted Bruesch, a representative of the Milwaukee, Wis. based company which makes Rozol, disagreed that Rozol created huge liabilities for the county.

"If the Environmental Protection Agency had intended for us to go out and actively search for dead animals the label would have said it and there's no language on the label to do that," Bruesch said.

Wyrick said the county has been asking landowners to comply for "several years," and they need to do so immediately.

"We aren't trying to step into private landowners' property and take control, we're trying to oversee the entire county and respond to the majority of the county and allow them to enjoy their land," Wyrick said.

"My suggestion is these guys ought to go home and apologize to their neighbors and control the prairie dogs," Uhrich said to which a resounding "Amen" shouted out by the audience.

"Well, we can see that's not going to happen, so what's our next plan?" Wyrick asked.

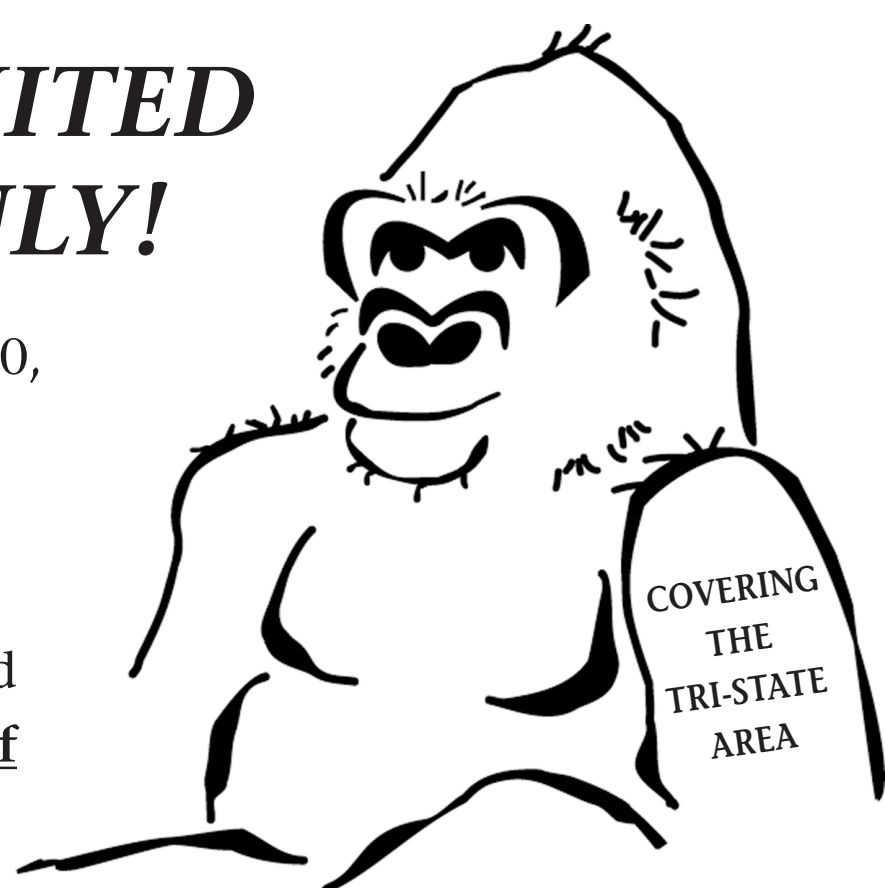
Rathbun again asked for a 60-day extension to try and work things out with his clients' neighbors. The board will meet again on Feb. 6.

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