

Governor names legislator acting secretary of agriculture

Gov. Mark Parkinson has named state Rep. Josh Svaty as the acting secretary of agriculture to replace Adrian Polansky, who left to head the Kansas state office of the U.S. Farm Service Agency.

“Farming is in Josh’s blood. He’s the fifth generation to farm in Ellsworth County,” the governor said. “He’s demonstrated tremendous leadership in the Kansas House of Representatives, and he’s going to do a great job leading the Department of Agriculture.

“I know that Josh has loved serving the people of the 108th District and is excited about now serving the entire state as a cabinet secretary.”

The Svaty farm is a diversi-

fied operation in the heart of the Smoky Hills that includes wheat, milo, soybeans, corn, sunflowers, a cow/calf heard and sheep.

Svaty, a Democrat who became one of the youngest elected legislators in 2003, has served most recently on the Energy and Utilities Committee, was the ranking minority member on Agriculture and Natural Resources; and is on the Joint Committee on Energy and Environmental Policy. Josh has testified before Congress on energy, agriculture and water policy and serves on the national advisory council for his alma mater, Sterling College.

The new secretary, his wife Kimberly and their baby son Jack-

son live in rural Ellsworth County.

His nomination is subject to authorization by the Senate Confirmation Oversight Committee, after which he may exercise the powers, duties and functions of office until the full Senate can consider the nomination. Svaty will assume all secretarial duties following Polansky’s last day on Friday.

“I’m glad that we’ll be able to continue working with Adrian Polansky over at the Kansas Farm Service Agency,” Parkinson said. “In today’s troubling economy, we rely on our bedrock industries like agriculture more than ever.”

Range fencing can spark disputes

GREAT BEND – The old adage “good fences make good neighbors” may be true, but fences can also spark disputes among neighbors.

Rick Snell, K-State Research and Extension agriculture and natural resources agent in Barton County, said he sees the upside as well as the ugly side of fence issues.

“Fences are one of those things that can cause disagreements and unfortunately, even lawsuits,” Snell said.

He provided information citing, in part, an Extension publication written by former agricultural law expert Roger McEowen, who now teaches at Iowa State University.

What is a legal fence? The definition has changed over time, but was clarified in 1986 by the Kansas Legislature. A legal fence can be made of different materials, from post and rails to stone or even a hedge, but barbed wire and electrical are the most common.

The minimum legal barbed wire fence is:

- Not less than three wires.
- The third wire from the ground not less than 44 inches nor more than 48 inches from the ground.
- The bottom wire not more than 24 nor less than 18 inches from the ground.
- The center wire an equal distance, or nearly so, between upper and lower wires.
- The wires to be well stretched and barbed.
- The barbed wire shall be composed of two wires not smaller than No. 13 or one wire not smaller than No. 9, or wires having not less than 950 pounds breaking strength.
- All wires to be securely fastened to post.
- Posts are not less than two rods apart.
- Posts are not less than 20 inches in the ground and set in a workmanlike manner.
- The posts may be not more than 48 feet apart, with slats placed perpendicularly, not more than 12 feet apart between the posts and fastened to the wires.

An electric fence must meet the following qualifications:

- An electrically charged wire.
- At least one 14-gauge wire or its equivalent.
- The wire not more than 48 inches from the ground.

“In general, the owners of adjoining lands are required to build and maintain in good repair all partition fences in equal shares, un-

less the parties agree otherwise,” Snell said. “In practice, however, many adjoining landowners adopt the right-hand or left-hand rule as they face each other at the midpoint of their fence and agree to build and/or maintain the portion of the fence to either their respective right or left.”

In Kansas, however, the law says that building and maintenance is to be in equal shares rather than in halves, he added.

“Fence laws vary greatly from state to state,” he said. “Kansas is a fence-in jurisdiction. That means that livestock owners are required to fence their animals in.”

The law requiring owners to share fence work and costs can cause some problems, he said, especially when a livestock owner shares a partition fence with a crop farmer or other landowner who does not graze livestock and, hence, has no need for a fence.

“In addition, if the adjacent nonlivestock owners do not participate in the maintenance of their share of the partition fence, and injury results to them because of the defective fence that they were required to maintain, they cannot recover for damages caused by the adjacent landowner’s stock,” Snell said.

Also, a nonlivestock owner will be held liable to others who are damaged by the neighbor’s livestock escaping through his defective partition fence, Snell added.

Kansas law provides that if nonlivestock owners do not want their land enclosed, they cannot be forced to build or pay for an equal

share of any partition fence.

“The statute states: ‘No person not wishing his land enclosed, and not occupying or using it otherwise than in common, shall be compelled to contribute to erect or maintain any fence dividing between his land and that of an adjacent owner; but when he encloses or uses his land otherwise than in common, he shall contribute to the partition fence,’” Snell said.

By its language, two conditions must be satisfied before the statute applies, he added. One party must not want their land enclosed, and the adjoining tracts must be used in common. Unfenced tracts are not used in common when they are used for different purposes, he said, such as crop raising and cattle grazing. Thus, when a crop farmer (or other nonlivestock owner) adjoins a livestock owner, both adjoining landowners must contribute an equal share to the building or maintaining of a partition fence because the tracts are not used in common.

“While this law has never been interpreted by an appellate court in Kansas, the Kansas attorney general has twice opined that the statute applies only to relieve a landowner from responsibility for sharing equally the cost of building and maintaining partition fences when the land is used in common and the complaining party does not want the fence,” Snell said.

“My best advice is to keep good fences and work hard to get along with your neighbors. Do more than your share and feel good about it.”

Wedding & Gift Registry

Kelsey Strickler and Russell Miller
Wedding: July 18th

Lori Ziegelmeier and Mike Neuberger
Wedding: July 25th

Whitney Adams and Parker McKee
Wedding: August 1st

Nicole Sommerfeld and Michael Brocklehurst
Wedding: August 1st

  185 W. 4th • 462-7136



Man charged 23 quadrillion

MANCHESTER, N.H. (AP) — A New Hampshire man says he swiped his debit card at a gas station to buy a pack of cigarettes and was charged over 23 quadrillion dollars.

Josh Muszynski (Moo-SIN’ski) checked his account online a few hours later and saw the 17-digit number — a stunning \$23,148,855,308,184,500 (twenty-three quadrillion, one hundred forty-eight trillion, eight hundred fifty-five billion, three hundred eight million, one hundred eighty-four thousand, five hundred dollars).

Muszynski says he spent two hours on the phone with Bank of America trying to sort out the string of numbers and the \$15 overdraft fee.

The bank corrected the error the next day.

Bank of America told WMUR-TV only the card issuer, Visa, could answer questions. Visa, in turn, referred questions to the bank.

Thomas County Community Foundation			
2009 2nd Quarter Grants Awarded April through June, 2009			
The following grants have made a difference in the lives of the good citizens in Thomas County.			
TCCF Directors Fund			
Senior Progress Center			\$409.00
City of Gem			\$1,000.00
	Total		\$1,409.00
KHF-LTC Children Endowed Fund			
Leadership Thomas County			\$2,413.58
KHF Leadership Endowed Fund			
Leadership Thomas County			\$3,310.34
Th. Co. Attorney Special Law Fund			
CCC Sports Medical Dept.			\$500.00
Kids Can Do! Fund			
Thomas County Academy			\$200.00
City Police Special Law Enforcement Fund			
Pioneer Memorial Library			\$400.00
Western Plains Arts Assoc.			\$700.00
CHS Forensics Team			\$500.00
Pioneer Memorial Library			\$500.00
NK Domestic & Sexual Violence			\$100.00
Colby Baseball Association			\$500.00
	Total		\$2,700.00
Total Awarded in 2nd Quarter			
			\$10,532.92
New Established Funds At TCCF			
Colby High School Alumni Fund			
Colby Public Schools Education Fund			
Jennings Family Fund			
Leroy & Joan Ziegler Fund			
St. Francis Community Services Fund			
The After School Program Fund			
The MAC Project Fund			

LOCAL TV LISTINGS

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Wednesday Evening										July 15, 2009	
	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	
KAKE/ABC	Wipeout		Japanese Game Show		Primetime: Crime		Local	Nightline	Jimmy Kimmel Live		
KBSL/CBS	Christine	Gary	Criminal Minds		CSI: NY		Local	Late Show-Letterman	Late Late		
KSNK/NBC	America's Got Talent		America's Got Talent		The Philanthropist		Local	Tonight Show	Late Nigh		
KSAS/FOX	You Can Dance				Local						
Cable Channels											
A & E	Dog	Dog	Bounty Hunter		Tattoo	Tattoo	Tattoo	Tattoo	Dog	Dog	
AMC	Jumanji				Dragonheart						
ANIM	Untamed and Uncut		Monsters Inside Me		I Shouldn't Be Alive		Monsters Inside Me		I Shouldn't Be Alive		
BRAVO	Top Chef Masters		Top Chef Masters		Top Chef Masters		Top Chef Masters		Top Chef Masters		
CMT	Extreme-Home		Cannonball Run II				Cannonball		Run II		
CNN	Campbell Brown		Larry King Live		Anderson Cooper 360				Larry King Live		
COMEDY	Daily	Colbert	Futurama	S. Park	S. Park	Michael	Daily	Colbert	Michael	S. Park	
DISC	Man vs. Wild		Extreme Loggers: Ice		Vermintors		Man vs. Wild		Extreme Loggers: Ice		
DISN	The Suite	Montana	Cory	Wizards	Wizards	Montana	The Suite	So Raven	Life With	Cory	
E!	Hollywood Tragedies				Richardson		Chelsea	E! News	Chelsea	Kendra	
ESPN	MLB Baseball		Series of Poker		Baseball Tonight		SportsCenter		NFL Live	Football	
ESPN2	NFL's Greatest Game		Madden		Minor Baseball						
FAM	Funniest Home Videos		Funniest Home Videos		Funniest Home Videos		The 700 Club		10 Things	Who?	
FOOD	Chopped		Flay	Flay			Good Eats	Unwrapped	Flay	Flay	
FX	The Transporter				The Transporter				'70s Show	'70s Show	
HGTV	Property	Property	House	Income	House	Renovatn	Amazing	My First	Property	Property	



We Celebrate Hometown Life

Stories from hometowns just like yours. Look for us each week in this paper.

HIST	MonsterQuest	MonsterQuest	Ice Road Truckers	Extreme Trains	MonsterQuest
LIFE	Reba	Reba	To Be Fat Like Me	Will	Frasier
MTV	True Life		The Real World	The Real World	Going Out
NICK	Malcolm	Malcolm	Lopez	Fresh Pr.	The Nanny
SCI	Ghost Hunters	Ghost Hunters	Ghost Hunters	Ghost Hunters	Scariest Places
SPIKE	CSI: Crime Scn	UFC Fight Night		UFC Unleashed	CSI: Crime Scn
TBS	Payne	Payne	Browns	Payne	Sex and t
TCM	The Quare Fellow		Johnny Got His Gun		The Wild North
TLC	Conjoined Twin	Pregnant	650-lb Virgin	Conjoined Twin	Pregnant
TNT	CSI: NY	Leverage	Dark Blue	Leverage	Dark Blue
TOON	BrainRush	Destroy	Outside	King-Hill	Fam. Guy
TRAV	Extreme Barhopping	Bar Food	Paradise	Man/Food	Beach Bars
TV LAND	Griffith	Griffith	Roseanne	She's Got the Look	Cosby
USA	NCIS	NCIS	NCIS	Warehouse 13	Cosby
VH1	The Great Debate	The Great Debate	Charm School	Wayne's World	Cosby
WGN	Coach	Coach	Becker	WGN News at Nine	Scrubs

Premium Channels

HBO	10,000	True Blood	Ted Williams	Real Time	Real Sex
MAX	Baby Mama	The Texas Chainsaw Massacre	Wanted		Cathouse
SHOW	Beowulf	Nurse	Weeds	The Kite Runner	Butler

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Thursday Evening										July 16, 2009	
	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	
KAKE/ABC	JK Rowling		Grey's Anatomy		Private Practice		Local	Nightline	Jimmy Kimmel Live		
KBSL/CBS	Big Brother 11		CSI: Crime Scn		The Mentalist		Local	Late Show-Letterman	Late Late		
KSNK/NBC	30 Rock	Office	Office	30 Rock	The Listener		Local	Tonight Show	Late Nigh		
KSAS/FOX	Bones		You Can Dance		Local						
Cable Channels											
A & E	The First 48		The First 48		Crime 360		Crime 360		The First 48		
AMC	Ghostbusters				Ghostbusters II						
ANIM	Yellowstone				Animal Cops		Yellowstone				
BRAVO	Housewives		The Fashion Show		The Fashion Show		Miami Social		Watch	Fashion	
CMT	Extreme-Home		Best Whorehse				Best Little Whorehouse				
CNN	Campbell Brown		Larry King Live		Anderson Cooper 360				Larry King Live		
COMEDY	Daily	Colbert	Bill Engvall		Tosh.0	Martin	Daily	Colbert	Tosh.0	Futurama	
DISC	Survivorman		Are We Alone?				Survivorman		Are We Alone?		
DISN	So Raven	The Suite	Montana	Phineas	Wizards	Montana	The Suite	So Raven	Life With	Cory	
E!	Object-Affect.				Keep Up	Keep Up	Chelsea	E! News	Chelsea	Kendra	
ESPN	Softball				Baseball Tonight		SportsCenter		Baseball	NFL Live	
ESPN2	FIVB Volleyball				MLL Lacrosse					NASCAR	
FAM	A Walk to Remember				Funniest Home Videos		The 700 Club		Whose?	Whose?	
FOOD	Iron Chef America		Next Food Star		Ace of Cakes		Good Eats	Unwrapped	Next Food Star		
FX	Primeval				Primeval				'70s Show	'70s Show	
HGTV	My First	My First	House	House	House	Estate	Property	My First	My First		
HIST	Modern Marvels		Gangland		Gangland		History of Sex		Modern Marvels		
LIFE	Reba	Reba	Derailed				Will	Will	Frasier	Frasier	
MTV	16 and Pregnant		16 and Pregnant		16 and Pregnant		16 and Pregnant		Going Out	DJ Fro	
NICK	Malcolm	Malcolm	Lopez	Lopez	Fresh Pr.	Fresh Pr.	The Nanny	The Nanny	Malcolm	Malcolm	
SCI	Final Destination 2		Lost World-Jurassic						K-PAX		
SPIKE	UFC Unleashed		TNA IMPACT!				Jesse James		MANswers	Game	
TBS	Friends	Friends	Friends	Friends	Men in Black				Sex and t	Sex and t	
TCM	Stanly-Livng				Beau Geste				Golden Boy		
TLC	Lottery Changed Life		LA Ink		LA Ink		LA Ink		LA Ink		
TNT	CSI: NY		CSI: NY		Braveheart						
TOON	Flapjack	Stoked	Total	6TEEN	King-Hill	King-Hill	Fam. Guy	Fam. Guy	Squidbill	Metal	
TRAV	Bizarre Foods		David Blaine		Harry Potter		Anthony Bourdain		Bizarre Foods		
TV LAND	Roseanne	Roseanne	She's Got the Look		She's Got the Look		Roseanne	Roseanne	She's Got the Look		
USA	House		Burn Notice		Royal Pains		In Plain Sight		Burn Notice		
VH1	Daisy of Love		Wayne's World				Wayne's World 2				
WGN	WWE Superstars		American Gladiators		WGN News at Nine		WWE Superstars		Scrubs	Scrubs	
Premium Channels											
HBO	Definitely, Maybe				Hung	Entourage	Cathouse		The Ruins		
MAX	The Thing				Showgirls				Alien Sex		
SHOW	Sling Blade				Penn	Penn	Weeds	Nurse	Live Nude	Urban Leg	

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Friday Evening										July 17, 2009	
	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	
KAKE/ABC	Surviving	Goode	Jim	Jim	20/20		Local	Nightline	Jimmy Kimmel Live		
KBSL/CBS	Ghost Whisperer		Flashpoint		NUMB3RS		Local	Late Show-Letterman	Late Late		
KSNK/NBC	The Chopping Block		Dateline NBC				Local	Tonight Show	Late Nigh		
KSAS/FOX	You Smarter?		Mental		Local						
Cable Channels											
A & E	CSI: Miami		CSI: Miami		CSI: Miami		Criminal Minds		CSI: Miami		
AMC	Out for Justice				Constantine					Return	
ANIM	Whale Wars		Whale Wars		River Monsters		Whale Wars		Whale Wars		
BRAVO	Grease				Grease						
CMT	Extreme-Home		Son-in-Law				Son-in-Law				
CNN	Campbell Brown		Larry King Live		Anderson Cooper 360				Larry King Live		
COMEDY	Blue Collar				Jim Gaffigan		Presents	Presents	Presents	Presents	
DISC	Alaskan Crab Fishing		Alaskan Crab Fishing		Deadliest Catch		Alaskan Crab Fishing		Alaskan Crab Fishing		
DISN	Wiz Deck	Wiz Deck	Wiz Deck	Montana	Wizards	Montana	The Suite	So Raven	The Suite	Cory	
E!	Richards	Jon Kate	Kendra	Kendra	The Soup	Wildest	Chelsea	E! News	Chelsea	The Soup	
ESPN	Softball				Baseball Tonight		SportsCenter		Baseball	NFL Live	
ESPN2	Golf		NASCAR Racing		Boxing				NASCAR	X Games	
FAM	Funniest Home Videos		Funniest Home Videos		Funniest Home Videos		The 700 Club		'70s Show	'70s Show	
FOOD	Unwrapped	Unwrapped	Diners	Diners	Sunny's Summer Eats		Good Eats	Rachael	Diners	Diners	
FX	Dr. Dolittle 2				'70s Show	'70s Show	Rescue Me		Flightplan		
HGTV	Property	Property	House	Buck	House	The Unsel	HGTV Showdown		Property	Property	



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HIST	UFO Files	Deep Sea Salvage	Deep Sea Salvage	Battle 360
LIFE	Reba	Reba		