

HARNEY COUNTY HISTORY PROJECT

AV-Oral History #196 - Sides A/B

Subject: Wild Horse Meeting

Place:

Date: February 1976

Interviewer:

...

BOB SMITH: ... on this occasion, and also of course I want to introduce to you, if you haven't met him before, Merl Storms who is the State Director of the Bureau of Land Management from Portland. Merl, stand up so they can see you. Merl is an old friend of mine from years ago when we were ... discussing some timber problems ... in the Medford area, and I've know Merl a long time. I appreciate very much his re-scheduling a very busy week to come over here and meet with us, and listen to what everybody recognizes as a crisis situation with respect to the Steens Mountain. Chris Vosler is also sitting here, and of course you know Chris who is the District Manager of the Bureau of Land Management here in Burns. Van Decker is our acting secretary. He is not the prettiest thing I could find, but he is the only one that volunteered. ... (Laughter) ... thank you for helping us out. I don't think it comes as any news to anybody that we are facing an emergency situation with respect to operating livestock on the Steens Mountains. Horses are multiplying like rabbits. They have no natural enemies. And of course, unless we remove, by the Bureau of Land Management statistics, at least 1,200 head of horses off the Steens Mountains, some 10,000 AUM's of livestock will be cut. Now it appears to me that there are very few alternatives, and those are some of the things that we want to talk about today. I thought it would be important to ask Mr. Storms to come here, in order that

he might see and visualize first had, the problem that we mutually have with respect to Steens Mountain. And he graciously consented to do so. I hope that this will not just be ... I hope that when we're through, and when we have an exchange, that we might find some kind of solution that we can unify behind and --- to help solve this problem. I would suggest that we begin something like this. I'd like for Chris Vosler to explain in detail the problem that we have on Steens Mountain with respect to horses and livestock. Following that, I would hope that we could have a question and answer period, by which any of you might ask Mr. Vosler, Mr. Storms, or any of the people in the BLM, questions technical in nature, if necessary, regarding this situation. And then hopefully we might unify in some kind of an answer that the BLM and all of us could support. So if that's agreeable, we'll begin. I'll ask Chris Vosler, first of all, to bring us up to date with respect to the problem that he sees from the public managers point of view. And ... Chris.

CHRIS VOSLER: Okay, Bob, I'm not going to talk very long today, I don't think my voice will last very long if I tried to. I do have Bill Bright and Bill Phillips with me that I'll let them explain the situation. I'm sure all of you are aware that we are in this situation because of the passage of the Public Law 92195, which put the management of wild horses in the Bureau's --- under the responsibility of the Secretaries of the Interior and Agriculture. We got the responsibility, but we didn't get the means to do them. ... With that, I think I will turn it over to Bill Phillips, and he can talk about the north end of the Steens, and then Bill Bright can explain the situation on the South End. Bill, do you want to take over?

BILL PHILLIPS: Okay, this is the Drewsey Resource Area. Of course I realize that ... won't be able to see this. But in the Drewsey Resource Area, we have five herd management areas. The first herd management area is this east Kiger allotment, which we've already dealt with, which is on the east of Kiger Creek. And the next area, is what we call the Smyth Creek allotment, which includes the Diamond Grade, and up to the

head of --- kind of up on Smyth Creek here. And then we have an area down here, which we call the Craters herd, and we have a small bunch of horses that kind of run in the seedings, and in the Crater.

The Riddle Mountain area includes an area from the highway up to about the Stonehouse, and back over towards the summit.

The Drewsey area is from Highway 20 to the top of Stinking-water Mountains, and back again where the Miller brothers run. Now that is all on the herd management area there.

Okay, the --- what has happened in these areas is as follows: and I'll start first with the east Kiger, since this is the herd that we have already dealt with. We started out with the first counts in there in 1972; we had 50 head of horses. And that was a fixed wing flight, so we really can't say that's an accurate count. In '73, we counted them again, and we only counted 25. This again was a fixed wing count, which shows the fallacy of fixed wing counting of horses in that type of country. Okay. Beginning in '74, we started using the helicopter. January 1974, we had 73 head. In May, I counted the horses in there on horseback, and of course this includes the 1974 colt crop, and we had 94 head of horses. In the fall of 1974, we removed 73 head of horses, and we had 21 head left in there. We counted them again in January, we still had 21. We counted them again in January --- in July of '75 and we had 26, which gives you 20% colt crop right here. Okay, we counted them this winter, and we had 27. We had one adult horse that either came out of the creek, or over the fence, or something. But this demonstrates, we know exactly the horses we have in here, and we know exactly what happens. So we do know that under this situation, that we did get 20% increase that we are talking about.

Over at Drewsey, '72, '73, we had fixed wing flights, which I don't consider really accurate. In '74, we had a helicopter count of a 132 head. Okay, now this is an area,

while it's not really a crisis situation at this time, it's building in that direction.

Okay. Diamond Craters, of course we have a small number of horses in there. This area I don't consider a crisis area at this time. However, these horses in these seedings down there do cause a lot of problems.

Okay, Smyth Creek, we started out in January of 1972, with a fixed wing flight and we counted 28 head. April of '73 we had a fixed wing flight with 44 head. January of 1974, we counted a 101 head with a helicopter. In the fall of 1974, we removed 17 head. January of '74, we had a 104 head. July, we had 129 head. And this January we still have a 129 head. So that's the way the herd is building in that area.

On Riddle Mountain, we started out with fixed wing flights in '72, and we had 72 horses that year. In April of '73, we had 72 head of horses. That was fixed wing flight. Okay, July 3 of '73 we had 87 head of horses. Okay, now the first time we have a helicopter flight we go up to a 191 head, which is a partial increase in the herd, plus a better count. In January 15, 1975, we had 260 head of horses. Our last count in January of '76, we had 255. In other words, there are 5 horses that we can't account for. I mean they died or left the area or something. But these helicopter flights, of course for one thing the people making these flights got better acquainted with the country, and these last counts with the helicopter I consider quite accurate. So this shows the way the situation has built.

Now in Smyth Creek, we were in there last fall doing quite a little riding, and of course the range, the old range survey shows that we are short of grazing capacity in there, but more than that, the visual observation out on the ground can tell anybody that we have a problem.

The same way with Riddle Mountain. You don't need to be a range expert to tell that Riddle Mountain has a problem. Now it so happens that this herd splits on a fence,

and 230 of these 260 horses are on what we call the Burnt Flat allotment, where Jenkins Ranch is run. Now if you take 230 head of horses and visualize what they eat, it's quite a stack of hay. I converted it to 1 horse, which is a 92-ton horse, if you want to visualize a 92-ton horse, and what it takes to feed him. But that will give you some idea of the problem. Okay, I believe I'll let that set. Maybe Bill wants to go over ...

BILL BRIGHT: We have several herd units in the South End of the county. We got almost 2,000 head from Diamond south to Nevada. But the one area that is under prime consideration now is called the south Steens allotment. And that area lies on essentially from Frenchglen down to Long Hollow, and from the county road on both sides of the Steens up as far as the Wild Horse area. The field up as far as Wild Horse. It's a rather large allotment, and we also got a large problem in there. The first counts we made out there again were with fixed wing aircraft in January of '72. The reason we had these January '72, and those that are familiar with the passage of the Wild Horse Act was December of '71, so essentially our January '72, are --- is our base level, or the level that was in existence at the time of the Wild Horse Protection Act.

Okay, March of '73, the next year, we had dropped down to 246, but I think you just about have to scratch this count because we only got a partial count that year with a fixed wing aircraft, and we got snowed and weathered out. Never did complete the count. The next year, January '74, we counted 495, last year was 576. Right now our count we just finished about a week ago, we had 694 head. We have some marker bands out there to kind of keep track of whether we are getting complete count or not, there is some pretty distinctive colorations. We know we miss some. I'd estimate that the actual population is right around 750 head for the south Steens herd unit at the present time. I think that's a pretty conservative estimate. After colt drop this spring, we're going to have between 900 and 950 head of horses in this one herd unit.

We went through our range surveys, our studies, and everything we had out there, and a long story short, in this herd unit, requires about a 35% reduction in livestock, federal range use, to balance the forage available against the forage demands between livestock, wild horses, and wildlife. We've proposed that this reduction be taken in the form of reduced use in the spring. To take a 35% reduction off of their total season use amounts to 75 day reduction of the season, which changes in April 1st or April 16th on a particular allotment, up to the middle of June to the first of July. And that's about where it sits right now.

We have similar situations in adjoining herd units. As I said, we have a total of about 2,000 head in the South End. A percentage of them in this herd unit right here.

BOB SMITH: Well, that didn't surprise anybody; we've got lots of horses. I think at this point, I'd like to open this to questions and answer period. I overlooked ... This is the only district in the Western United States where livestock numbers are being cut because of horse population. You know that Nevada and New Mexico, of course, have large horse populations, and no doubt are growing as rapidly as these. But truly we are in a difficult situation since --- if we're going to relieve part of the problem on the Steens Mountains, we have to do it this spring before turn out. And that leaves us 2 months from today, if possible. So if you have a question and answer period, I hope that you came this far for this meeting, so I hope you won't go back with questions unanswered. Knowing you folks in Harney County for some time, all my lifetime, I know you're not going to hold back. I'd like to ask Chris Vosler if the approximate 1,200 head of horses were removed from the Steens Mountains by the 1st of April, could livestock numbers be reinstated for this particular year?

CHRIS VOSLER: I think the answer to that question, Bob, is that it would be questionable whether they could all be reinstated. I think some places we would still have to take the

cattle off. Because the range conditions ... The range that they'll be turning out on does not have any old forage left on it.

BOB SMITH: Would you care to identify those areas? Or, could you do that?

CHRIS VOSLER: Well, I think Riddle Mountain would be one that is questionable, and Smyth Creek is questionable, and I think probably ... Allied turns on is going to be questionable, but we won't know the whole number ...

BOB SMITH: Well I think everyone from the management point of view knows what it means to a man who ... livestock operation. You turn out on April 1st, and it's delayed to July 1st, they are hard to run in a corral, and most folks don't have any place else to go. So, you know, you cut the heart out of the operation. I wonder Chris, what, what it would take as far as your office is concerned in dollars using the gathering method that you have been using, to handle this problem this spring. Have you made an estimate?

CHRIS VOSLER: Well, I think the answer to that Bob is that, at least on our past experience it's going to take us somewhere around \$500 a head to gather them. We've got, just roughly somewhere around a 1,000 head, so \$500,000.

BOB SMITH: All right. Let's ask the questions. Excuse me. We're trying to take this, so if you please give your name and ...

WENDELL GRONSO: My name is Wendell Gronso. I'd like to ask Mr. Storms what happens if a \$100,000 that's in the ... office, assured us was on its way from Washington for horse removal in this area?

BOB SMITH: Merl, do you want to answer that one?

MERL STORMS: The principal reason that I'm here is to learn, and to understand the situation here, and be sure I do. Because in the next two or three weeks, there's going to be some critical meetings within the Bureau related to our budget from this point to the rest of the fiscal year. Now with regard to the \$100,000, I'll have to be quite frank with

you, there are two other herds that are urgently in need of removal. And they are in a situation where it's almost 85% to 90% private land that they're running on. And under this act, they are still so called wild horses. And it's our responsibility to, under the act, to protect private lands any degree that we can, and certainly that's an area where there will not be any horse herds in the future, once these are removed, assuming we can get them all. And so that initial allocation, which may or may not be real after it goes through all the system, has been allocated to those other two areas, which are not in the Burns District. And that's where that stands.

BOB SMITH: Well then, let me ask you the following question. Are there any contingency funds within the BLM structure, within the State of Oregon for emergencies that might arise such as this one is, that you might allocate money to this area for that purpose?

MERL STORMS: Within our operations there are no contingency funds. The expression of emergency that is occurring here with all --- will cause me to re-examine whether our budget allocation to range improvement projects, and a number of other things as compared to the need for the removal of these horses. It's very mandatory that I do that. But the important thing just ahead is that there will be a Bureau wide analysis of total Bureau funding. And then if need be, a re-allocation of funds within the Bureau. And I'd rather it go through that exercise before, because there may be someone somewhere else who has some surplus funds that we can get without canceling our projects. So first we will go to this --- we'll go through this Bureau wide meeting with facts, and then when we come home with the results of that, then we will have to sit down and re-analyze our programs for the rest of the fiscal year and see whether major adjustments should be made.

BOB SMITH: Yes, Jim.



JIM ROBERTS: My name is Jim Roberts, and I don't own any land, and I don't run any cattle, but it looks to me like in a situation like this, the biggest problem with the horses right now is being fenced into a small area. Looks to me like in an emergency like this, like they have on the Steens Mountains, that the biggest problem is your good fences, which the BLM has put in and administrated. If they could be opened so these horses could re-distribute themselves back into the rough country where the cattle don't get very, very seldom, it would relieve a lot of pressure on some of the ranchers, and put a little more on some of them that aren't quite as bad off as some of the fellows such as Jenkins.

CHRIS VOSLER: Okay, in response to that question, I'd have to say there is two things that prohibit this, or make it not too feasible. One is the law says that we will not move these horse where they were not prior to the passage of the law. Which means that we can't let them expand their area. The other problem is, as Dick Jenkins is well aware of is quite a little country out there that those horses would --- could use if we could get them to stay there, but they don't. They keep coming back to the same area. The south Steens, I think, is a prime example. Those horse, if they'd use the total country wouldn't have quite as much affect as they are having today. But they concentrate in a small area during the wintertime, in the early spring, and this is where the problems are at.

JIM ROBERTS: Yeah. I'll agree with that.

BILL PHILLIPS: In the case of Riddle Mountain, of course now we do have the gates open so these horses can move where there is a surplus of forage, and they don't choose to move. If they'd move why it would certainly help. But they don't choose to move.

JIM ROBERTS: In other words, Dick Jenkins lost the firing pin out of his thirty ought six ...

BOB SMITH: Yes.

DARRELL NORTHRUP: I'm Darrell Northrup down in Fields. And in our area, we're not hurting now. But if there isn't some kind of control of these horses, we are going to be

hurting in four or five years. And what I wanted to ask, I've asked Bill Bright about it, and he said it's the law, that they can't do it. If us as users down there went to work with the BLM and run them horses off, under your supervision, or some kind of law ---

CHRIS VOSLER: I guess my response to that is that, and we're thinking about this, but we have to look pretty hard at it. The horse groups have stated, and continue to state, that BLM is working for the livestock industry, so they would be looking at us from that angle. The other problem I see in that, which bothers me more than the first one, is that if you guys go out there and get banged up like Bob Bailey, and I think there is a real possibility of doing this, we could put you out of business in just one accident. And I feel a little bit of responsibility along that line.

DARRELL NORTHRUP: Well if it goes for 10 years, we're out of business anyway.  
(Laughter)

BOB SMITH: State your name.

RON HOWARD: Ron Howard, I'm one of the owners of the Wildhorse Ranch, and I'm also a helicopter operator. And I believe that these horses could be moved with a helicopter, with less injuries to the wild horses, and certainly no injury to anyone else involved. And I think something should be done to prove this, one way or the other. Because I've flown around domesticated livestock a lot, and if you'll approach them slowly with a helicopter, they'll calm down, and you can move them exactly where you want them.

RAY BOGUE: Ray Bogue ...

CHRIS VOSLER: I think we'd agree with you a 100%. The Wild Horse Annie Act of 1959 prohibits any use of a motorized vehicle to do this with. And until that law is changed, why we can't use them.

BOB SMITH: I think I ought to point out at this time, that there is a bill before the

Congress, which will allow helicopters and airplanes to be used in gathering horses. That bill I think is sponsored by Packwood and others. It is currently being held up because of a lawsuit by the State of New Mexico, which is at this point before the Supreme Court. The State of New Mexico is claiming that the horses belong to the State, and that they are not an animal that roams across state lines like migratory fowl. They so --- personally, I think they have a point. If the horses belong to the State of Oregon, you'd have, what I'd say is less of a problem than we have now at least. I'm sure of that. But there can be no relief as far as getting the horses, until that bill has passed. And that bill is hung up at the moment, and unfortunately we are on the horns of a dilemma. That's the situation. Charlie.

CHARLIE OTLEY: Charlie Otley, and I'd just like to say; that I think that bill has been pigeonholed purposely. Because it doesn't make any sense that they can't go ahead and act on that regardless of whether the state owns the horses or the federal government owns the horses. Why they should go ahead and work on that bill and get it passed, because regardless of how the judges decision on that New Mexico case goes, why we still need the bill. I think this is a matter of politics that they're not doing this. But, I would like to correct another statement. You said the horses had no natural enemies. I'd like to say that these horse lovers, and Wild Horse Annie people, I think that's an entity because if they take all the cattle away from all these ranges, it isn't going to be but a few years before those horses starve to death anyway. So, I think we got to get a going on this thing some way or another, because they will literally starve to death in a few years anyway, the way they are multiplying.

MERL STORMS: Related to the court case, we had heard toward the end of the last calendar year, that the Supreme Court would hear the case sometime in January of '76. We have just learned that the case has been indefinitely postponed. Now, and I'm sorry

to say I don't know what that means. Because if they'd have heard it this month, we could have expected a decision before the Supreme Court summer recess, which I think occurs around the end of --- sometime in July. And if they don't hear it before April, which is the next stopping point that I have heard, I'm just not sure whether we will have it before the summer recess. There has been, I think Congressman Melcher, his sub-committee has held one hearing I believe, on the proposed amendments of the Wild Horse Act. But of course, the prediction is that there will be no action on that until the Supreme Court rules.

If that does come by the summer recess, then I think those who will be holding hearings, are going to be otherwise preoccupied for the balance of this year with the election hearings ... The summary of this is we are stuck with what we have got, I'm sure, for this calendar year.

BILL CANTRELL: I'm Bill Cantrell, from the Wildhorse Ranch, and I'd like to know why that we are being cut off our fenced-in permit areas, where there isn't any horse running?

CHRIS VOSLER: Bill, do you want to respond to that?

BILL BRIGHT: Bill, I don't know what you're getting at?

BILL CANTRELL: In the areas where they're fenced in, and there isn't any horses running, and we've been cut out of that permit.

BILL BRIGHT: Okay, what are you talking about, by the seedings down there ---

BILL CANTRELL: Yeah, the one I showed you the other day.

BILL BRIGHT: Okay. He asked, where the situation here is, there are two seedings within the Andrews allotment. One between Fields and Denio, and --- between Fields and Andrews, and one just above Fields Station. Those AUM's in those seedings were figured into the figures for forage available in the allotment. And the reduction has been applied against those allotments as well. And it is a situation, that when we take the fields out of the forage and say the field is not available, they cut --- there is no obligation in the

allotment. I can't, just off the top of my head, give you what that is right now. I'd have to look it up. Bills got it. But there is an over obligation in the allotment, figuring the forage in those seedings. Take them out, and just increase the percentage reduction for the balance of the areas. The total reduction in AUM's remains the same whichever way you figure it. It's kind of --- there is just two ways of figuring that you end up with the same thing. There is still so many AuM's that have got to be taken off the whole allotment. If anyone wants to see the arithmetic now, I can give it to them afterwards. But I don't think -- I'd just confuse everybody by getting into it at this point in time.

LAVERNE JOHNSON: I'm Laverne Johnson. There is a provision in this act that authorizes the authorized officer to remove excess animals and destroy them if it is not practical to do it in any other fashion. It looks like it's not practical to do this in any other fashion at this time. Why can't you use the destruction method for this particular crisis, and by then use the helicopter?

CHRIS VOSLER: Well I think primarily this action has been proposed. Realistically I don't think that the BLM can stand the public pressure of shooting that many horse at this point in time. But it has been proposed as an alternative method.

LAVERNE JOHNSON: The act also provides that you will determine the optimum number of horses for the range, and then once that's determined, you will cut back on private use of the range, to handle the optimum number of horses. Now you have determined the optimum number of horses, and that's not the number we have, so it looks like you are forced by the act itself to use some other method. And if the act provides for destruction, that is a legal method, and the method of cutting the ... all of the use off of the cattle violates the act, that you are almost forced into the destructive method and then forced by statute, and you're not subject to that criticism. Have you considered that?

BOB SMITH: Just a minute.

CHRIS VOSLER: I would have to say that I don't have the funds to shoot them either.

LAVERNE JOHNSON: We'll shoot them for you. (Laughter)

...

CHRIS VOSLER: This again, doesn't --- I don't think it's the real issue. Ah --- I think it is a possibility to --- that they can be destroyed. The law does require that we bring them down to the number that we feel should be there, and which we have arrived at. But the law never did provide any funds to do it. And without those funds, then I'm misappropriating funds in order to do it. And I could go to jail for that too. So --- I think it's a rough, rough decision I'm in. Which way do I want to get to between the rock and the hard place. And I feel that this point in time, the only thing that I have control of is the livestock number. I can do something about that. And I recognize I'm putting a hardship on people. But I'm also charged with trying to maintain the range resource out there, in a proper situation. So this is a short-term alternative. If this doesn't work, then the horses are going to starve to death. But I feel that it is a short-term alternative, and it's the only one I've got to at this point in time.

LAVERNE JOHNSON: Some of the smaller ranchers may be starving to death at the same time.

CHRIS: I recognize this.

BOB SMITH: Mr. Storms has a comment.

MERL STORMS: No, I have a question. Would your proposal enhance the opportunity to amend the Wild Horse Act, or jeopardize the opportunity? ...

CHRIS VOSLER: You mean to allow for roundup by aircraft?

MERL STORMS: There is a number of things in the amendment that we're hoping for. One is to use a helicopter for gathering; the other is passing title for those surplus animals rather than the adoption system. And I think there is a third ... in there of another period

for claiming.

LAVERNE JOHNSON: Well I believe ---

MERL STORMS: Are these amendments, or these elements, valuable enough to not want to jeopardize them by potential backsliders from the proposals ...

LAVERNE JOHNSON: Well there might be backlash. I would think that it is preferable to gather the horses by helicopter, even to an environmentalist, or whoever we need to put on the group, than it is to destruction which the only other alternative under the present act. And therefore if you're forced to destruction under the present act, you put some weight behind your passage of your bill to gather them by helicopter.

BOB SMITH: Jim Sitz.

JIM SITZ: I was just wondering there, why they couldn't gather these 1,200 head of horses, and I know it's probably illegal, but rather than just shoot them, to gather them and then sell them for 20 cents a pounds. That would bring in 1,200 head at 20 cents a pound, figuring weight at 800 pounds, that would roughly --- I'm just guessing, that would be almost \$200,000 right there. That would go quite a little ways toward paying for gathering the horses. (Applause)

CHRIS VOSLER: Jimmy, I'd have to agree with you that this would go a long way toward helping, and I think it is realistic. But, the law specifically says that we will not sell these animals. So --- until we get the law changed, we can't.

MAN: It seems to me like the BLM can't handle it, the management, why perhaps the fish and game could sell a few license and reimburse you people where you can ... the organization a bit better. And that would remove ... or the horses.

BOB SMITH: Bob.

BOB ?: I was going to ask Chris, do you have the authority to make the decision to shoot the horses, or does that have to be made at a higher echelon?

CHRIS VOSLER: At this point in time, I have to get clearance to shoot anyone.

BOB ?: Who makes the decision?

CHRIS VOSLER: That has been coming from the Washington office.

BOB SMITH: Is that from the Secretary of the Interior, or is that ---

MERL STORMS: It is actually from the Director's Office, from his office, the Secretaries Office.

BOB ?: Bob, it's kind of a recognized fact that these horses, they've all been at one time, originated stock ... is that not so? I mean these wild horses ---

BOB SMITH: ...

MERL: Wild horses, you know, they're extinct. I don't think there is any wild horses anymore. Now if these horses were claimed

BOB ?: Bob, it's kind of a recognized fact that these horses, they've all been at one time, originated stock ... is that not so? I mean these wild horses ---

BOB SMITH: What Rube Long said ---

BOB ?: A wild horse is, you know, those, they're extinct. I don't think there are any wild horses anymore. Now if these horses were claimed, and say I should claim these horses or some of these people that they turn them loose twenty years say, okay, we'll claim these horses as long as you get rid of them. But we're not going to claim them unless the trespass fee is off. And we promise that we will have our horses off the range within a year. Then they could be run by helicopter couldn't they if they are claimed horses?

CHRIS VOSLER: No.

MAN: Not if they are privately owned.

BOB ?: ... part of the ...

MERL STORMS: They're not part of ... by being claimed. That's the unfortunate part.

CHRIS VOSLER: This problem we've run into here is --- regardless of where these



animals came from, the law specifically says that those animals unbranded and unclaimed as of 1971, are wild and free roaming horses. So that they are --- whether we agree that they are real wild horses or not, under the law they are wild horses. Also that if you would claim all those animals, and they were all proved to be yours, there might be a chance that you could run them with a helicopter.

MAN: I won't know what it is.

CHRIS VOSLER: But, if there is one wild horse out there, and you run it with a helicopter, you're in violation of the law.

CHARLIE OTLEY: Wouldn't you be in violation of the law if you run them off the government land too?

CHRIS VOSLER: Well this question has been raised, and I don't think anybody has been willing to stand a court test on that one.

ELMER KRUSE: My name is Elmer Kruse, and I'd like to know what the difference is when they run all these coyotes with helicopters. Are they different than a horse? They're an animal, they got four legs.

CHRIS VOSLER: Yes, they are different from the horse in that the laws that we're managing them under are two different circumstances. One law says we can't do it, and the other one doesn't.

ELMER KRUSE: Here in Eastern Oregon the cattle business is big business --- you can set a court of law, getting their legs shot out from under them, to protect big business over there as long as you got the cattlemen to protect you. And I think we are dilly-dallying, and we've been dilly-dallying for the last two years. I have talked to Senator Packwood, I write letters to Hatfield, Congressman Ullman, and we still get the same old answer. We're broke. They haven't got any money, I'm sorry. So --- this story keeps going on and on, and on around in one big vicious circle. We do have a problem. And I'd like these

states just as well as anyone else. ... I think it is high time we really get on our high horses and get something done. All our legislation that we monkey with, dilly-dally back and forth is --- Once again, I think they squeeze out the little man, and it isn't right.

ELAINE BLANCH: My name is Elaine Blanch. I have always been puzzled as to exactly why it costs \$500 a head to round up a wild horse. It seems like --- I've never understood exactly why it cost that much.

...

CHRIS VOSLER: I guess my response to that would be that it takes man, equipment, and horses, and they all cost money.

ELAINE BLANCH: Do you contract from say --- cattlemen who have had experience with wild horses, or how is it done?

CHRIS VOSLER: Well at this point in time the, what we've done here was done by BLM crews. We hired an individual who had run horses before. Used him as an expert to do this. We did have some riders that weren't as qualified as he was to run horses. But I feel we've done the best we could that was available. Now then there was a contract let in Nevada to gather these horses for \$26 a head, by water trapping them. But that didn't include the BLM cost of building a trap, fencing off the water. It didn't include the supervision of that contract. And once the contract was defaulted, the guy got out in a big hurry. Because he couldn't make money at it. Those horses that they've gathered since then has cost them right at --- the latest figure I've heard was \$400 to gather those in water traps.

BOB SMITH: Chris, isn't there a danger of someone, those affected especially on the Steens for --- isn't there a danger that they might bring suit against the Bureau of Land Management for not enforcing the law, because of the portion of the act which states that should the numbers not conform to the numbers that you want, they should be killed.

CHRIS VOSLER: Well, I think that's a real possibility.

BOB SMITH: Would you like to see that?

CHRIS VOSLER: Yeah. Do you want to try that? (Laughter)

BOB SMITH: Well, I'm just testing the ground. (Laughter)

...

LAVERNE JOHNSON: I'm Laverne Johnson again. You put him on the spot. How about putting you on the spot? You sounded like you had a solution we could all get behind when you came in, I'm curious to what it is.

BOB SMITH: Well, I don't have any solutions. The only thing that --- the reason that I called this meeting in the beginning is that I recognized that we're under a time and pressure situation. The only possibility at this point that I can see, that is practical, is to find enough money to gather these horses, and do it in the month of March. And that's not a long-term solution at all, and I don't think we are looking for a long-term solution. Hopefully in another year, why this --- the act will be passed, the Packwood Bill, there is ... better way to funding to handle the numbers. My only thought was to try to find out from Mr. Storms, first of all, what amount of money would be possible in an emergency situation that we have --- and I think it has been identified, and then go to the Congress and the emergency appropriation method, and try to get the money to gather those horses. That's the only answer I can find. Now there may be another one, but I don't know what it is.

MICHAEL O'CONNERS: My name is Michael O'Connors again. ... for Mr. Storms, there is a meeting in Congress this afternoon, that Senator Packwood is heading up, to get more money for the State of Oregon for gathering wild horses. And I would like to again ask Mr. Storms what chance we, who are having the cattle numbers kept, are going to get that money if it comes to his office. Or is it going to go someplace else again like the last

money?

...

MERL STORMS: ... you're talking about ... we'll gather the wild horses.

MICHAEL O'CONNERS: I had a call this morning to Senator Packwood's office, and it is in the works this afternoon, hopefully to get some more money for the State of Oregon. Now if we get it ---

MERL STORMS: If you get it, it'll go to the horses.

MICHAEL O'CONNERS: Well, will it go to the horses in the area we're talking about, or go someplace else?

MERL STORMS: Well, your comment is very interesting, because the \$99,000 that was allocated to horses, was allocated to horses by me, out of two hundred and some thousand that came to Oregon under this add-on funds.

SIDE B

...

MAN: ... federal range here, your horses as they are now. Maybe they would have to --- maybe this is the way we will have to get it moving, is to take legal action against the Bureau to get these --- If they had grounds, I'm sure that they'd have to listen to them.

BOB ? : Are there presently any horses being held here in Burns that were gathered?

CHRIS VOSLER: Yeah, over here, and I'm not sure of the exact number. We had about 7 head, and we got 4 back. And we got a few more coming back, so ---

LAVERNE JOHNSON: This points up a problem that I see in the thing, is that even in Bob's solution of gathering them, even if you gathered them whether you could place them or not. And it costs money to keep them. And then you've got the hassle of bringing them back and --- the difficulties there. So I wonder whether even gathering is a solution.

BOB SMITH: Well what is the ---

LAVERNE JOHNSON: Does the new amendment give you any other alternative? If you gather these by helicopter, with the new amendment, can you do --- can you sell them, or do anything like that?

BOB BAILEY: If the whole bill passes, if it does, that's in the bill.

BOB SMITH: Well Bob, that might be a point, but I'm trying to find a method of keeping some people alive, that run cattle on Steens Mountain. Now I assume everybody is interested in that, and I don't know of anybody ... do you?

MAN: ...

BOB SMITH: What do you --- getting at?

MAN: Shoot them.

BOB SMITH: Shoot them. Would you support shooting them?

MAN: Sure. Do you want a raise of hands? (Laughter)

...

BOB SMITH: Oh, now just a minute. Give me your name sir, please. Pardon me sir.

MAN: He can't hear you.

BOB SMITH: Can I have your name? Speak a little louder and give me your name up here so we get it on tape.

MAN: I don't want to make a fool of myself.

BOB SMITH: Oh, you won't do that.

...

BOB SMITH: What's your name sir?

CHESTER PEARSON: ... And I think you people are talking about running these horses with helicopters. Ah --- have you ever seen these colts go out of here with the hoofs split ... The most humane way if you can't sell them, the most humane way that you can get

rid of these horses is to appoint a bunch of men ... go out there and shoot them. If you want to save the meat, have these refrigerated trucks go out there and dress it out right on the ground.

BOB SMITH: Of course you can't sell it under the law, you under-stand that.

CHESTER PEARSON: I know what the law is, but is it any more inhuman of killing these horses than it is for these hunters to go out there and shoot these deer, and gut shoot these deer, shoot the ducks and let them lay out there? The wild horse is the only wild animal we've got that have no control of prey. If you take one mare, and she has a life span of 20 years of producing, but she is going to reproduce herself 17 times, and her offspring going to get way up there. You want to scout these horses out, it's amazing. 'Cause they're too ... But all you're doing is postponing it ... it is a lot more humane to take a good bunch of rifles and go out there and shoot these horses, then to put them in a corral. And you get 10, 12 different bunches of stallions in there, it is the most squealing, kicking bunch that you ever heard in your life. ...

... (Laughter)

AL WHITLEY: I'm Al Whitley. I'm wondering if the Bureau has a little bit of flexibility in enforcement of the reduction in animal units, especially in light of the crisis that has been identified here today where they might be able to postpone that for a year, or two years.

CHRIS VOSLER: I guess my response to that is, I think we have the flexibility to work within what we've got out there today. I don't think postponing it a year or two is going to solve the problems. So we made a proposal, what we propose to do, listen to some of the users that has come in to talk with us, we're going to consider that. We recognize that we are putting you in a bad position, intolerable position. But we're going to try to work with you. But if it gets down to--- completely overgrazing the range or taking the cows off, we'll take the cows off.

BOB SMITH: If these horses were --- taken off ---

MAN: ... and thinned out, are these users going to get that back?

CHRIS VOSLER: We see this as a one-year situation.

MAN: One-year situation.

CHRIS VOSLER: Now then if we don't ---

MAN: In the past they've been cut numbers of cattle at times and they haven't got them back.

CHRIS VOSLER: ... we have these areas, are such that the livestock and grazing ... number of horses, the reasonable number of horses can graze there, and not be in conflict.

MAN: What you're saying Chris, is that this would be a one year deal and you plan to have these horses reduced in a years time to where we could go back to the normal stocking of the range.

CHRIS VOSLER: I hope we have.

MAN: What if it's not?

CHRIS VOSLER: If they're not, then we've got to cut a 20% on top of this in a later reduction.

BILL CANTRELL: My name is Bill Cantrell. If the cattle isn't turned out in the spring there when the cheat grass is green, and they don't get the benefit out of it, and it's left there until late winter months until the rains come along, and that's the only time they'll eat it after it dries up.

Now we've got dead cheat grass out there so high that the cows didn't use. Is there any alternative to where we could go in there and get the benefit out of that leftover feed, without having to pay twice for it?

CHRIS VOSLER: Do you know what area they're talking about Bill?

BILL CANTRELL: South Steens.

BILL BRIGHT: Yeah, it's talked about ... talked about switching areas that are historically used spring, summer, fall, possibly some winter use, changing the season of use on it. And I think there is a possibility of that occurring Bill, on some portions of the Andrews community allotment. I think where we disagreed is we could use it in the winter and the summer. I said I think we're robbing Peter to Pay Paul there. And I think we do have a possibility of switching one season over to the other, it's a better time to use it. But I don't think we could use it both seasons.

BILL CANTRELL: Well there is only two times of year that they'll eat it, and that's in the spring and in the late fall. And it'd be hard to calve out your cows out there in the late fall.

MAN: I think what he's saying is that if you don't use it this spring, you don't turn it out until the spring is gone, then it's not going to be used at all.

BILL COTE: My name is Bill Cote. I'd like to know if there's any chance that we could pressure the State BLM into using the ... and destruction of the horses to try to speed things up a little to-wards getting relief for this through the congress and the Washington office?

MERL STORMS: I'd rather use facts than threats. The facts that have been brought out here to day have ... have been partially presented, and the rest of them will be presented.

BOB SMITH: ... knowing very little about politics, I think that would create some pressure. Another question?

BILL PHILLIPS: My name is Bill Phillips, and I would like to say now that I didn't get into when I was talking a while ago. But in Smyth Creek and Riddle Mountain that we do have an area that we're going to allow some use in off of this general horse range. That's kind of raising a problem ... Now in cases like Dick Jenkins case, you know, we propose about reductions, what the BLM wants to do, or doesn't want to do. We flat don't have the grass



to sell Dick up there on Burnt Flat. I mean he's got so much on his private land, that we've given to him on extended use. Well we've got so many horses that they've eaten the --- basically at the grazing capacity of the federal range. So it's not a matter of whether we want to sell Dick the grass, we don't have it to sell to him. And it's at that point. ...

MAN: Speaking of this Bill --- speaking of this --- these horses on Burnt Flats are nearly a 100% watering on Jenkins private land. How about the BLM hauling some water out in the flats for Jenkins cows as long as he's watering your horses. (Laughter) ... we think along those lines? I'm serious on this. He's got a place to go, but he's going to have to haul water while the horses are drinking his water. Is there any way that the BLM can furnish water for these cows, that the horses are using up in the mountain? Either by a reduction fee, or by the BLM hauling the water. I'm addressing this ... or Mr. Storms. He's got the pocketbook better than Bill Phillips or Chris Vosler.

MERL STORMS: I would be looking for alternatives. Are you saying that you would rather have any funds we have spent on hauling water rather than controlling the number of horses?

MAN: No, we're not saying that, not at all.

MERL STORMS: The money will only go so far.

MAN: So we see.

MERL STORMS: Well, we're trying to get some of it funneled into this area one way or the other. We haven't had any success so far.

MERL STORMS: All right. If we have funds coming in, you're proposing that we use some of those funds to haul water?

MAN: No, I certainly am not.

MERL STORMS: I thought that was your question.

MAN: No, I said by reduced fees. The BLM horse are using water on these private lands that the owners of those private lands are going to have to go elsewhere. Shouldn't there be a reduction in the grazing fee?

MERL STORMS: No. The grazing fees are set by; you know ... I don't know anybody here ...

BILL HANSEN: Bill Hansen. Bob --- all the solutions that have been talked about ... a lot of time, like legislative methods and going through the bureaucratic red tape in Washington, and so on. Is there a possibility that we could use the same technique that the so-called Civil Libertarians use, and petition a court to declare an emergency and then get some action immediately?

BOB SMITH: Huh.

BILL HANSEN: I don't know, I don't know what a court would do. There is supposed to be a court that could handle this.

BOB SMITH: We've been called a disaster area now in my experience, one for floods, one for drought, and they follow each other. I'm sure if we called a disaster area for horses ... they'd think we are crazy. I know what you're talking about.

BILL HANSEN: They overrule legislation all the time ... emergency by court.

BOB SMITH: Well I think the point is well taken, but --- there ought to be a way to emphasize an emergency that exists. That's what we are talking about. I don't know what a court action would help that or not Bill.

MAN: I think the court action would just as well go the other way, and say, don't bother putting the cows out, that's it. Forget about it.

BILL HANSEN: Well I understood that we were in violation of the law already, with an excess number of animals.

BOB SMITH: I think the management agency has a problem, because they are in

violation of the law, they're allowing too many horses. There's no doubt about it. I think you'll agree with that.

...

LEE WILLIAMS: Lee Williams is my name ... Drewsey site, I live right in part of this area you're discussing. I'm wondering if--- is eating up the Bureau of Public Land, grass on Steens Mountain, and cutting Dick's cattle down in numbers. What they were doing about the grass on Dick's land ... and it just seems to me like the government side of it is fair, and the range users side of the thing is ugly. This is the way it seems to me. ...

CLIFF ?: The private landowner, he's compelled ... off-season, to keep his livestock off the public land, or is in danger of trespass. In a lot of these areas that are probably --- or a few of those areas that are running pretty close to 40, 50% with private lands and the commensurability rights --- and the government's horses has the right to run on it year round. They are not --- are they subject to trespass? It seems very unfair, when you cut some of those ranges as high as 30%, yet it's --- there is nothing done about their horses.

...

CHRIS VOSLER: I think Cliff, that's one the court is going to have to answer. Dick has filed a claim against the government.

CLIFF ?: This 30% cattle reduction is easy, you just go to the man's house and say ... Yet the wrong doing is that it is created by the horses and --- you go back to that, and it seems that either to this court trial, the federal government by just the stroke of a pen, will all of a sudden become one of the largest horse raisers in the United States. Yet, they never started out with any breeding stock. But now they're in competition to --- maybe with the same stroke of the pen they are endangering the man with private land. You can't use it either, because of the control --- that the private land man signs the control of his land away, with his continued use permits. It isn't feasible to fence them, if it were;

you know that barbed wire and horses aren't compatible. ... in Diamond already by it. Private land had to be fenced.

ELAINE BLANCH: My name is Elaine Blanch from Princeton, and I don't understand where these horses have their base property. (Laughter)

...

LAVERNE JOHNSON: I want to say one thing again, I don't want to --- Laverne Johnson again, and I don't want to sound blood thirsty, and I like these --- not these horses, but I like horses. But, it looks to me like that everyone at the table there is agreeing --- we can't yell at you because all we yell at you and, and then you disagree with us, so --- (Laughter) It's a difficult situation.

BOB SMITH: Well that's ...

LAVERNE JOHNSON: Yeah, I know that. I'm saying that honestly. You do have ... they say and agree. But it looks like we are avoiding the problem, because the problem is that if you have \$500,000 to gather the horses, and then magically you can gather those horses all in three days. And you put the thousand horses down here in the --- well the fairgrounds, and there they are, the whole 1,000 of them. Then you need another \$500,000 to feed them for the next year because no one will take them. So you don't have people begging to take them off your hands, what are you going to do if you get the money? And you get the horses and you get them down here in the fairgrounds, you get an act passed that says you can sell them to private people, and they're going to make hamburger out of them. 'Cause that's the only reason they'll want them. So why don't you face up --- or someone face up to the problem that if horses get out of hand, like --- they have to be destroyed, and that's the only humane thing you can do to maintain the balance. And why isn't the thrust of this thing to meeting the problem head on, is the only practical solution.

CHRIS VOSLER: We have destroyed some of these animals down here that we couldn't give away. We have to keep them long enough to say that we tried to give them away.

LAVERNE JOHNSON: Yeah, I know. But that is the problem we should face head on, because we are just playing a game. I guess politics is a game.

CHRIS VOSLER: ... You probably know better than I do, dealing with laws you have, stay within them.

...

LAVERNE JOHNSON: Maybe we ought to send the bill to the people who passed --- or send the bill for taking care of the horses to the people who passed the law.

BOB SMITH: Well, I think it passed unanimously in the house. I don't know how it faired in the senate, so you ... you got most of the Congress.

LAVERNE JOHNSON: Got a good start.

BOB SMITH: Sure.

LAVERNE JOHNSON: You can't fault the Congress for the bill ... you have to do it with another solution.

...

BILL CANTRELL: I'm Bill Cantrell. Would you be agreeable to pick up the horses that happen to wander into our corrals?

CHRIS VOSLER: Well I'd be agreeable to pick them up, but I would probably investigate to see whether you violated the law.

MAN: As long as you just investigate, you're all right.

ROSS HUNTER: Ross Hunter. This Wild Horse Act, who would prosecute a rancher if he goes out and shoots a horse, or he has ...

CHRIS VOSLER: The U. S. Attorney.

ROSS HUNTER: Who would bring charges?

CHRIS VOSLER: BLM.

ROSS HUNTER: Would BLM bring charges if they went out --- and what if you didn't bring charges?

CHRIS VOSLER: Well they got places, they call them unemployment lines. (Laughter)

ROSS HUNTER: This is my point, that you'd rather weed me out, be unemployed, than you.

CHRIS VOSLER: No, I said ... I was hired to do a job, and I'm going to do the job to the best of my ability. I don't necessarily always agree with what I have to do, but I'm going to do it. I hope you --- I just --- and I don't think you want government employees that will do otherwise. I know I don't.

...

ROSS HUNTER: I think that we are assuming that this act is going to pass in Washington. I think --- hoping I'm wrong, but ... in trouble.

BILL BRIGHT: In regards to your question about those --- there's more involved than just employment. The Wild Horse Act also has provisions in it for conspiracy. And if we knowingly let violations occur, we're guilty of conspiracy. And we could also be cited in the same terms that you'd be cited for roundup. We would be guilty of conspiracy under the Act, and be subject to jail and imprisonment as well as loss of jobs.

BOB SMITH: Of course if I might interject, I think there's an equal obligation to follow the law in all respects. And the law allows a method of controlling horses, if they're out of control. Obviously the law is not being followed.

MAN: ... I think we're sitting here kinda picking on them. Really they have done all they can to help the situation.

BOB SMITH: No, I can ... I'm a little bit sensitive about that, because --- and I don't think we're picking on them at all. I invited Merl here, and I appreciate him being here. And I

wouldn't allow anybody to pick on him.

MAN: I realize that you're all trying to help, but we try to lay a little bit of the blame on to them. Especially the cattle that cut into --- the numbers on the cattle ...

BOB SMITH: We're trying to figure out ---

MAN: We have to go someplace else to start.

BOB SMITH: That's right, that's the problem.

ELAINE BLANCH: I have a question. Elaine Blanch again. Would it be possible since most of the cost of the roundup is in men and equipment, or say all the concerned cattlemen to get together and volunteer their services to --- and horses, and whatever else, to round up some of these cattle. It seems like that would be --- so that it wouldn't cost the BLM so much money. At least per head, to at least reduce it. I mean, from what I've heard, a lot of the cattlemen, I've heard old cowboys talking, and say it's not that hard to do. I mean, if you've got all experienced riders, and all who knew the ranges and knew the horses, couldn't you at least reduce the amount of your cost?

CHRIS VOSLER: I think this is one alternative that we're going to have to decide whether it is worth the risk to do.

ELAINE BLANCH: Because it seems like the cattlemen --- it would be worth their while to, you know, band together in that roundup.

BILL PHILLIPS: I thought I'd answer your question. If you'll just give me a minute --- the cost of the roundup as far as the BLM is concerned, is just part of our cost. We have a lot of costs that come after ... It just seems like an outrageous price. But that cost is not just putting the horse in a corral. That's just a piece there.

ELAINE BLANCH: Yeah.

MAN: What percent of the total cost is ...

BILL PHILLIPS: I really couldn't say. This varies from herd to herd.

MAN: On the average, what would you guess the cost?

CHRIS VOSLER: This last group has cost us about \$90 a head to give them away.

MAN: \$90 cost, after you got them in the corral?

CHRIS VOSLER: After we got them in the corral.

...

WAYNE OUSLEY: My name is Wayne Ousley, and I know not as far back as ten years ago, these horses were mostly in private ownership. And I doubt that there is a man here today that would have nerve enough to claim those horses. Because the laws have been passed, until it's almost a federal offense to claim them. If some of those laws were taken off, these same people would claim these horses, they'd take care of the horses themselves. There's men here today that own those horses, some of them. They used to own them.

MAN: When you've got people here though that got claims on several hundreds of these horses that are being held up on gathering them.

BOB SMITH: Mr. Cutler.

CUTLER: ...

BOB SMITH: Merl, would you be impressed at all if a petition were circulated here among these people and signed ... might gather most of their signatures, which would ask you in the short term, because of this emergency to annihilate these horses. Would that assist you in your decision making at all?

MERL STORMS: It wouldn't hurt. I'll put it another way, I would not be surprised, I would be impressed. ... (Laughter)

BOB SMITH: Well if no one else has any other questions, it's obvious to me at least, at this point, that the question that we have, and the short term answer is in trying to get the BLM to enforce the law, and kill these horses. And so if anyone else has another



alternative they prefer, I'd like to hear about it. If you don't, I'm about to send around a piece of paper, and if you sign it, we're going to prepare a petition to send to Mr. Storms, which will quote the portion of the law which we are using, and will ask them to perform under the law, control the horses as they are supposed to by law, and ask them to annihilate these horses. Anyone else want to comment on that?

WOMAN: As I understood, they have already circulated ---

CHRIS VOSLER: No, that's not the ...

WALT BAILEY: Let's use that.

BOB SMITH: Walt, you got it, Walt ---

WALT BAILEY: Yes, I'd like to announce that ... Anyhow, probably some of you know there is going to be another meeting similar to this in Elko, at 1 o'clock Monday morning, or Monday afternoon. And they say there that the BLM is planned to take all of it, or that's the report I heard. They totally cut out ... to eliminate all the cattle. So I thought maybe you'd be interested in going and listening to that, maybe ...

BOB SMITH: All right, that's Monday. When are you leaving?

WALT BAILEY: I'm leaving today.

BOB SMITH: It's quite a ways all right. I'm more worried about when he's going to come home. That's a personal matter; I'll talk to him about. I have a suggestion before you, would you like to

--- you want to do that or is there another alternative you want to discuss? Charles.

CHARLES ?: Bob, I'm wondering if this would be legal or stand up to a hearing or anything if this wasn't written out and the people signed it so they would be able to read it, say they read it before they signed it.

BOB SMITH: All right, we'll kill the horses ...

CHARLES ?: Your method would simplify it a lot, but I'm just --- I wouldn't want anything

to happen to it. I wonder if they would

---

BOB SMITH: Well, Wendell Gronso is back there, he can draft it--- the chapter on the petition, and he can quote this portion of the law. Would you go back and help Wendell with this?

MAN: I don't think Wendell needs any help. (Laughter)

BOB SMITH: Oh yes ... I just want him to quote that portion of the law.

WENDELL GRONSO: Oh, you mean the Wild Horse ---

BOB SMITH: Of the Wild Horse Act.

WENDELL GRONSO: --- of 1971.

BOB SMITH: Yes.

MAN: ...

BOB SMITH: Dale.

DALE WHITE: My name is Dale White, and I sincerely sympathize --- you know, I think we need to get rid of the wild horses; there is no doubt about it. But --- and I'd certainly like to see them killed too. But, you know, I think we should consider the consequences if we do that. If we have a hundred of them piled up here, and the TV cameras come in, we may lose a lot more than we would ever gain by the short term. And I think, you know, if that is what everybody wants to do, I'll sure support it right down the line. But, you know, I think we might still lose 10,000 AUM's --- we might lose all of them, because there's just not that many cattlemen and ranchers as there is other people around the country who could pull the votes in Congress.

BOB SMITH: I think you have a point Dale, but I also believe that there won't be any horses killed, no matter what we do. I do believe that if sufficient people are interested enough, and sign their names to do something drastic, maybe action will be taken. The

after effect might be beneficial. I don't know of any other thing we can do, positively, at this point to try and create some activity.

MAN: Now this seems awful funny to me that the ranchers fought for years to save these horses. The BLM paid even a year bounty on them in the State of Nevada at least. I know, I collected it. And now then they have got it turned around that the ranchers is the son-of-a-bitch, and that the BLM is the big hero saving the horses. And I think this is something that ought to be publicized a little bit more to the general public, that the horses would have been gone fifty years ago, or at least thirty years ago when the BLM came into existence, if it hadn't been for the ranchers.

BOB SMITH: Another question up here, Jim. All right, any other comments?

DON OPIE: My name is Don Opie. A few years back when the BLM started combining their own crested wheat grass, and the seed growers filed suit against them, how long did it take them to stop it, from combining crested wheat grass? A very short time, wasn't it? There is an executive committee meeting in Phoenix, I think they've already met. I don't know whether they done anything about it, on the American Quarter Horse Association, I'll know in a day or two. And probably the American Quarter Horse Association is going to file suit against the federal government for trying to put them out of business. They are competing with private enterprise, raising horses and giving them away. I wonder if the suit such as this, will help speed this horse deal up any?

CHRIS VOSLER: We have to guess it would ... Don.

DON OPIE: It didn't take them long to stop combining crested wheat grass.

BOB SMITH: Mr. Corbett.

BILL ROBERTS: Is it in order, I'm Bill Roberts again. Is it in order to offer a motion of the --  
- sign this paper you suggested, and ---

BOB SMITH: Yeah, I think it is Bill. The thing I would like to do --- Wendell --- I didn't say

a brief, I said a heading.

WENDELL GRONSO: Well what you want --- just a ... or shoot the horses. (Laughter)

...

BOB SMITH: I would rather the heading, and the paper be sent around so people can individually do whatever they wish, rather than a motion. So, I hope that we can just pass the thing around and if you want to sign it, you can sign it. And if you don't you don't have to sign it.

BILL PHILLIPS: Do you have the Act so you can quote the correct section?

WENDELL GRONSO: It's know as the Wild Horse and Burro Act ---

BILL PHILLIPS: Yeah, but there is a specific section that says, that this action can be taken.

WENDELL GRONSO: Well you got it with you Vern?

VERN ?: Yeah, I think so.

BILL PHILLIPS: I have a copy, if you don't. It's ...

WENDELL GRONSO: Well I don't have a copy with me.

BOB SMITH: There is a roster being sent around if you haven't signed it, just sign it. It's just merely to estimate the people that are in attendance is all ...

MAN: I believe under the act, is it correct, that the BLM is supposed to maintain the 1972 level, the population, is that correct?

CHRIS VOSLER: I don't know whether the act specifically says that or not. It says, our regulation says that you will maintain at about the same ...

MAN: I would suggest that the petition puts some such wording ---

BOB SMITH: I think they are going to refer to the paragraph Bob

--- the title which refers exactly to the paragraph that you want which gives them the right to maintain the numbers ...

BILL PHILLIPS: Okay, the Act states, I mean we've got instructions to hold, kind of, to the 1971 level until we determine what we consider to be the optimum numbers. And at that time that's the level that they are supposed to be maintained at. But in ... Smyth Creek, and Kiger, we have said what we consider the optimum number ... In the Steens still ... So an optimum number has been determined for these areas.

MAN: If you can find this optimum number, optimum number, what ... is that number you're talking about?

BILL PHILLIPS: Okay, this is the number that --- well the size of the herds that we plan to maintain in the area.

MAN: This still doesn't quite say ... you mean that this is what the forage will support, or is it the purpose that there won't be any complete annihilation of the wild horses. ...

BILL PHILLIPS: Well this is the size of herd that we'll try to maintain in a given area.

MAN: Then my point is that the petition should state that we are trying to bring the BLM down to that number, the optimum number.

...

MAN: Then my point is that the petition should state that we are trying to bring the BLM down to that number, the optimum number.

...

MAN: In other words you're saying that deer, then horses, then cattle on this rangeland, right?

...

DARRELL NORTHRUP: ... cattle wouldn't have preference over a horse.

BILL PHILLIPS: Well the horse has so much preference, right. It's a limit see --- for instance in east Kiger allotment we'll say that we are going to have --- going to cut the herd back to 20 head and let it build to 30, and take it back to 20. So that's as many

horses as --- the amount of forage for in that allotment ---

DARRELL NORTHRUP: With the same number of cattle on it that was there last year.

BILL PHILLIPS: Well in any particular area after you set this optimum number for horses, then you have to see what is left for the cattle. Right.

BILL BRIGHT: Well Darrell, this is Bill Bright again, to answer your question, in the south Steens area, the --- we've felt, or set the optimum number at 300 head. That was approximately what was there at the time of the passage of the Act. To do this we said we would manage them on a four-year cycle. We take them down to 200 head; let them grow back up to 400 head over a four-year span, back to 200. So to take them down to what the optimum number is today, we say there is 750 head out there right now, we got to take 550 head off of there, continue licensing the livestock at the --- at the qualifying of the federal range demand. As Chris mentioned, there has been so much over grazing out there already, we don't know whether we can even get the whole --- 500 qualifiers even if we did get it down to 200 head.

DARRELL NORTH: In other words though, what I'm getting at too, like the wildlife, the deer have preference there now over cattle, right?

BILL BRIGHT: Yes.

DARRELL NORTHRUP. All right. It's deer, horses, and then cattle.

CHRIS VOSLER: I think ---

DARRELL NORTHRUP: Is this the way the BLM ...

CHRIS VOSLER: Darrell, I think right now it is horses, deer and cattle.

DARRELL NORTHRUP: Horses, deer and cattle. There is no preference whether deer is first, then horses, and then cattle?

CHRIS VOSLER: Of course we have no mean of controlling the deer, except by the state law.

DARRELL NORTHRUP: Yeah, you do. You harvest them once a year.

CHRIS VOSLER: Right. But what I'm saying is that according to the law, we have to provide for the horses out there at a optimum level, whatever that happens to be. It also says we have to provide for wildlife. And then what's left we can sell for livestock forage.

MAN: ... fish and game.

WOMAN: I just can't understand why this ... why do they have to have so many horses for seed, so they can continue the expense and the trouble and just prolong it forever. Just because it's the law?

CHRIS VOSLER: Well I think the law was passed by the people of the United States, and most of us in this room may not agree with that law. But it was passed.

WOMAN: ... that's the worst of this law, I guess ... they don't know any more about the wild horses, the supposed wild horses in Harney County ... back in D. C. or in New York, than I know about the cod fish in Long Beach ...

CHRIS VOSLER: This is part of our problem.

WOMAN: ... But while we're doing it, why don't we get rid of it all at once. Because it's going to be there forever and ever. And they are not wild horses to begin with, and they're not wild game. And they use the range a lot more than the cattle, because the cow only one lower teeth, and they have to let the forage get so high before they can pull up. But a horse doesn't do this.

...

BOB SMITH: It's kind of hard ...

MAN: The whole thing boils down to, we got the law passed. And the thing you got to face now is getting the law revised. And the best action to do it, and that's the path you've got to take. And that's as simple as that ...

BOB SMITH: Wendell, have you got that ...

WENDELL GRONSO: I've got kind of a short one, if that's all right with you.

BOB SMITH: Read it, will you?

WENDELL GRONSO: The undersigned hereby petition the Bureau of Land Management to enforce the Wild Horse and Burro Act of 1971, by controlling the numbers of horses by immediately destroying the excess horses pursuant to regulation 4712.3-2.

BOB SMITH: Anybody object to that?

MAN: ... wording, not the idea ...

MAN: ... immediately.

BOB SMITH: All right.

MAN: Just sign the paper, Bob. It's already cut and dried ... and so forth.

BOB SMITH: You give me that pen Wendell, and I'll start this around ...

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