

Battle Mountain  
Dist. Stone Cabin  
Hamm

281 1974

## PROPOSAL TO GATHER EXCESS WILD FREE-ROAMING HORSES

It is proposed to gather excess numbers of wild free-roaming horses in the Stone Cabin Valley area within the Battle Mountain District, Nevada. No wild burros exist in this area. This action is proposed under the authority of and in conformance with W.O. IM 74-52 and 74-390.

The purpose of the proposal is to affect temporary control of wild free-roaming horse populations in this area containing a relatively high density of horses with a significant reproductive rate, fragile ecosystems, and poor range and/or watershed conditions with downward trend.

This action is intended as an interim step, or holding action, until the planning system identifies parameters for management of wild horses on the district and formal management plan(s) can be written. The planning system in the Battle Mountain District has been completed through Step 3 of MFP. Because this Step was either completed or underway prior to the finalized Wild Horse and Burro regulations, MFP decisions concerning wild horses are either very weak or entirely lacking. Various components of the planning system in the district are scheduled for updating.

The area involved in this proposal is shown on the attached Nevada State Map.

## STONE CABIN GRAZING UNIT

The Stone Cabin Grazing Unit contains 384,495 acres of land area. Ninety-nine percent (383,885 acres) is National Resource Lands, one percent (1,310 acres) is under other ownership. Vegetation consists of pinion-juniper woodland at the higher elevations of the mountain ranges which border the area. With decreasing elevation, vegetative subtypes grade into one another in the order as follows: Big Sagebrush, Black sagebrush, saltbrush, greasewood, and pinyon. Elevation varies from approximately 9,300 feet above sea level on Kawich Peak to approximately 5,300 feet in lower Stone Cabin Valley. There are several desert land entry farms in the valley; only one is active. Three cattle operations use the grazing unit as shown below.

Stone Cabin Partnership	3,179 AUMs
Tom Colvin	10,173 AUMs
Horton Bumguardner	338 AUMs
Dugan Ranch	1,710 AUMs

Use is yearlong.

Starting this year, Bumguardner will be operating under an Allotment Management Plan (AMP) administered cooperatively with the U. S. Forest Service. His use area is fenced from the balance of the unit. No other AMPs exist in the area.

Several small individual mine operations are active in the area. Highway US 6 divides the unit as it passes through west to east.

Human activity in the area is relatively low.

There is a relative abundance of wild horse inventory information for this unit. In 1957, the District Manager reported 50 wild horses in this area. A joint BLM-District Advisory Board estimate in 1966 was 125-150. An aerial inventory in 1967 documented approximately 139 head within this unit; in March, 1969, 288 horses were counted from an airplane. A helicopter inventory in January, 1973 identified 748 head. The latest inventory, conducted in July, 1974, accounted for 917 horses. An important factor influencing the number of horses using this area at any one time is drift onto and off the Nellis Air Force Base Bombing and Gunnery Range, which is adjacent to the south. There are no fences between. It is felt that there is a significant seasonal movement across this boundary involving the animals south of of Highway U. S. 50 - they move south during the winter and north during the summer. Past inventories tend to show this is true.

The 1973 count shows 339 horses between Highway U. S. 50 and the bombing range - this was in February. In July, 1974, there were 640 horses in this area.

Horses were actively gathered from the Stone Cabin area prior to 1959 and the passage of the Wild Horse Annie Act (P.L. 86-234). Until the late 1940s, local ranchers introduced high quality pure bred horses into the mustang herds and actively culled the herds to improve the quality of these horses. Local information indicates thousands of head were harvested from this area during the 1940s.

District grazing records indicate that about 800 head were considered private during the period 1946-1950 (the priority period). Licensed horse use has varied from 200 head during the 1950s down to 10 head at present. Because of this history, there is considerable variance between different reports of wild horse numbers.

One claim for private horses has been filed in this area for 800 head. At the date of this writing, 13 horses have been gathered; 4 were determined to be privately owned and were removed, the others were returned to the range. Prospects for removal of a significant number of horses are dim.

Range and watershed conditions are declining. There has been a recent succession of several dry years, combined with a continual increase in grazing use due to an increase in horse numbers and a reluctance of grazing permittees to voluntarily reduce cattle numbers on the Range. This has resulted in a gross overcommitment of the forage resource and consequent deterioration of the soil and vegetative resources. This intuitive deduction and qualitative information is reinforced by quantitative data. Range condition classification, determined in accordance with W.O. Instruction Memo 74-220 is tabulated below. No sheep are licensed in the area.

RANGE CONDITION CLASS

<u>(Horses and Cattle)</u>	<u>Acres</u>	<u>Percent</u>
Good	42,549	11%
Fair	130,903	33%
Poor	225,674	56%

The District Manager judges the trend as downward. Comparative trend photos are attached, which document this trend. Trend plots were established in 1972 to document an apparent decline in range condition. They are not part of an AMP.

The Phase I Watershed Inventory shows watershed condition class as slight to moderate with a declining trend and significant potential for improvement with management. The data are tabulated below.

<u>Range Condition Classification</u>	<u>Current SSF Acres - %</u>	<u>Future SSF w/o Mgmt Acres - %</u>	<u>Future SSF w/Mgmt Acres - %</u>
Stable	7,110 - 2%	-0-	103,081 - 27%
Slight	331,203 - 86%	148,051 - 39%	255,147 - 66%
Moderate	42,114 - 11%	21,850 - 5%	22,292 - 6%
Severe	-0-	-0-	-0-

In the Management Plan for the Nevada Wild Horse Range, written in 1966 by the Nevada State Office, BLM, "Severe Grazing by Horses" was documented in the northwest part of the Kawich Range, which lies within this unit. This same area is identified in the Management Framework Plan (MFP) as critical deer summer range and a protective withdrawal has been recommended in Step 3. It is felt that the increasing competition from cattle and horses is reducing deer numbers and the overstocking is destroying deer habitat. The MFP has also identified yearlong antelope habitat in Stone Cabin Valley. The population is estimated at 150-200. A Step 3 MFP recommendation is to tailor range management practices to increase forb and browse production for antelope numbers also.

The area is quite suitable horse habitat. Because of the extremely fragile ecosystems involved, and the large number of wild horses involved, the resource situation is critical. The range survey, completed in 1959, show production at 17,771 Animal Unit Months (AUMs) available for livestock use; authorized grazing use has never exceeded this and current licensed use is approximately 15,400 AUMs. 2,011 AUMs were reserved for wildlife.

Even with this "paper" surplus of forage, range trend, as indicated earlier, is downward and the condition is generally poor. It is felt that the increasing horse population has contributed significantly to this condition. The current numbers of horses are probably greater than has been in the last 20-30 years. The population has been steadily increasing since at least 1971 (passage of the Wild Horse and Burro Act).

While it is impossible to determine the actual grazing use on the area because of uncontrolled livestock drift onto and off the bombing range, a conservative mean population of horses for the years 1971-1974 is 650 head.

This indicates an average annual use of 7,800 AUMs; an average annual deficit of approximately 5,400 AUMs. Herbage is being consumed which is needed to maintain forage plants alive and healthy, vegetation is being consumed which is not good forage, and forage producing plants are being destroyed.

Some statistical data concerning the horse population in this area is given below.

<u>1974 Pop.</u> <u>Inventory *</u>	<u>Rate of Increase</u> <u>1974 **</u>	<u>Computed 1971</u> <u>Pop. ***</u>	<u>Projected Pop.</u> <u>1980 (w/o control)</u>
810	18%	418	2,187

\* Estimated as average annual population, derived from 1973 and 1974 inventories.

\*\* Young of the year as % of total population, from 1974 inventory of area.

\*\*\* Assuming an annual increment of 18%.

It is proposed that the wild horse population in the Stone Cabin Unit be reduced by 400 head--the approximate number currently in excess of the 1971 population. Reduction to this population level is in accordance with current W.O. Instructions. This will involve a significant reduction which will reduce current damage to the range, watershed, and wildlife resources. It may halt the downward trend in range and watershed condition. The watershed inventory data indicate a large potential for improvement with management. While a simple reduction in stocking rate may not be the best management, in this instance, it is improved management. The range still has the potential to come back.

An adverse situation already identified is uncontrollable drift between this area and Nellis Air Force Base Bombing and Gunnery Range. It is felt the animals in Stone Cabin Valley south of Highway U. S. 6, and on the Gunnery Range, are one population. There may be some drift from the Gunnery Range to fill the void created by the removal of horses.

Gathered animals would be placed under cooperative agreement with qualified individuals interested in maintaining one or more wild horses.

The primary method of removal would be by water trapping. This would be done by contract.

## SPECIFICATIONS

### I. GENERAL

#### A. Description of Work

Capture of horses primarily by water trapping and transport of captured horses to a central holding facility, including unloading horses at the holding corrals. Capture of horses by running, as defined herein, will also be allowed.

The location of traps and the central holding facility are shown on the attached work location map.

#### B. Location of the Work

The work is located in Stone Cabin and Willow Creek Valleys, Nye County, Nevada, as shown on the Key Map.

#### C. Definitions

1. Wild Horse: Any unbranded and unclaimed horse using the public lands.
2. Water Trapping: To trap or capture solely by the use of an enclosure (pen or corral) around a watering place, using the water itself as bait. This specifically excludes any chasing or hazing of animals into a trap, pen, or corral.
3. Running of horses: The capture of horses by the method of chasing or hazing them with saddle horses, either into a trap or corral, or to rope them.
4. Horse Unit (head): Any horse not suckling its mother (weaned). Suckling colts shall be counted with their mothers for the purpose of payment and for determining the number of horses to be removed.
5. Payment: Payment will be made for each unit unloaded at the central holding facility.

### II. SPECIFIC

- A. The contractor shall be experienced in handling wild or feral horses.
- B. Conduct of trapping operations and subsequent handling and transport of captured horses shall be in accordance with Public Laws 86-234 and 92-195 and appropriate State Laws. These include but are not limited to the following items:

1. Aircraft and other motorized vehicles shall not be used to gather, chase or harass wild horses or other wild animals.
2. Springs and other sources of water, or watering places, shall not be polluted or poisoned for the purpose of denying their use to wild horses, or for any other reason.
3. All horses shall be treated and handled in a humane manner.
4. Reference Specifications
  - a. Copies of Public Laws 86-234 and 92-195 can be obtained from the Battle Mountain District Office, Bureau of Land Management, Battle Mountain, Nevada 89820.
  - b. Copies of Nevada State Livestock Laws and Regulations can be obtained from the Nevada Department of Agriculture, 350 Capital Hill Avenue, P. O. Box 1209, Reno, NV 89504.
- C. Trapped horses shall not be removed from the trap until inspected by the contract inspector.
- D. Trapped horses shall be removed to the central holding facility within ten (10) hours from the time of capture.
- E. Horses caught by roping shall be moved either to the nearest water trap or directly to the central holding facility. Horses moved to the nearest water trap shall be moved by trailing with flank rope, tail rope, head rope, or by necking horses together. Horses moved directly to the central holding facility shall be moved either by trailing as specified above, or by truck.
- F. Horses caught by roping must be inspected by the project inspector within two hours from the time of capture and shall not be allowed to lie tied down for more than one hour.
- G. Mares heavy with foal, or with young colts, shall not be run if they tend to fall behind or split off from the band during roping or running, as defined in these specifications.
- H. Any captured horse which is in apparent danger of harm, or which is harming or threatening harm to another horse, shall be separated from the other horses as soon as possible after capture and shall be kept separated in transit to the central holding facility.
- I. Any horse which is seriously injured in handling, or which seriously injures itself, to the extent that it cannot heal itself to become a normally healthy and active animal, shall be destroyed, but only by a designated BLM employee. The carcass shall be removed from the area by the contractor at the direction of the project inspector.

- J. All branded horses which are inadvertently captured shall be moved to the central holding corral as though they were bona fide wild horses.
- K. Wild horses may be trapped at any or all of the traps shown on the work location map.
- L. The Bureau of Land Management will furnish traps at selected waters over the contract area. These traps are shown on the work location map. Any other trap, pen and corral construction, or modification of existing traps, shall be at the contractor's expense and subject to prior authorization by the COAR.
- M. Traps furnished by the government shall remain on the site at the termination of the contract, and be in as good a condition as when they were turned over to the contractor for use. An inspection by COAR and contractor will be conducted at the end of the contract to determine any repairs needed on government furnished corrals used by the contractor. If repairs are required the contractor shall make the necessary repairs at his own expense.
- N. Payment: Payment will be made for all horses removed in accordance with the specifications, including branded horses, but excluding suckling colts (not weaned) which will be counted with their mothers, at the unit price per head bid in the Schedule.



BIOGRAPHICAL BACKGROUND -- THOMAS WARR, CONTRACTOR

To round up 400 wild horses in Stone Cabin Valley, the Bureau of Land Management has selected an independent contractor, Thomas Warr, to do the job. His bid was \$26.50 per head, or a total of \$10,600 for the job.

Warr is 31 and is employed as an engineer for the City of Las Vegas Fire Department. He has been employed there for seven years.

He was considered qualified for the job because of his bid and his experience in handling wild horses dating back to 1958.

Warr first started "running" horses in northern Utah in 1958 when he was in his teens. At that time, of course, running wild horses was not illegal. He chased them on horseback and captured them by roping.

"It was about 1958 when I started running horses for the sheer challenge of it." He said adults in the area didn't participate usually; it was more of a sport activity for the young men. He said there weren't many wild horses, though, left in northern Utah after the big airplane roundups of the 1940's and 1950's by mustangers.

"Most of that went on before my time. I didn't know anybody that did that." He said he considered that type of activity "very inhumane."

"But I guess there probably was too many of them when it all started. The horses probably needed to be thinned, but not that way. They (mustangers) went too far--in some areas they almost wiped them out completely," he said.

In the early 1960's he also ran horses in Nevada up above Ely. "That was my first experience with water trapping and it was very successful. We used a method called a finger gate. That was where gates about 6 ft. long were constructed on a spring type basis--to get in to the water, the horses would have to push both of the gates open and then they couldn't get back out.

"But those aren't the kind we'll be using in Stone Cabin Valley. There the traps are the manual kind and someone will be behind a blind to close the gates on the horses," he said.

Why did he run horses in those days? "I just chased them and caught them because it was fun to do. It was just the challenge. The ones we'd manage to catch we'd either keep or give them away for ranch stock. But I never did use any aircraft or any mechanical means. I never did sell any horses to any dog food outfit or for any other inhumane purpose. In fact, the small ones made real good horses for the kids. But I did sell one or two bad ones that couldn't be broken to the local rodeo," he said.

From 1958 to 1969, Warr estimates he rounded up about 200 horses. Most ended up going to ranches or for pleasure horses.

He moved from Utah to Las Vegas in 1967 where he first took up employment as a horsehoer. "Coming to Las Vegas stopped most of my horse activity, but from time to time during 1968 and 1969, I did go back up to run them sometimes.

"I'm a horsehoer by trade originally, but I'm also a horse lover. I still ride a lot in rodeos. Generally, I guess I just grew up with them. So I don't want to see anybody abolish wild horses, but I'd rather see a few in good condition than a lot running around starving. The horses in the valley might look okay now, but the winters are pretty bad in that valley and the horses starve if there's not enough to eat. I'd rather see them thinned out so the ones left will be healthy," he says.

As for the upcoming roundup, he'll be on vacation for the first month. "I'll just see how it goes, then, if I find I need extra time beyond my normal duty off, I'll apply for a leave of absence to finish the job." He feels the situation in Stone Cabin Valley looks pretty good. "It

has been a wet year down there and that's going to make it a little harder, but the horses are already using the water holes in the traps and that's a good sign. Besides, the BLM plans to flag other water sources (hang bright flags around other available springs to scare the horses off and force them to use the water traps) so that should make it easier.

"I think we've got a good chance to get them all, or at least most of them, by water trapping. Later on, if it looks like we're not going to make all 400 by water trapping, the BLM will make arrangements for me to use running corrals to catch the rest. This means you build a big corral with wings about 100 yards long. Then you get 15 or 20 cowboys on horseback to drive the wild horses into the corral and shut the gate. If it comes to that, I'm prepared for it," Warr says.

Where does he plan to find 15 to 20 good cowboys? "That won't be a problem. Since this started, I've had phone calls from all over the U.S. Some want to work for wages, but a lot wanted to help just for the experience. But besides, I know a lot of good cowboys myself. And I want to be sure I have guys who will know what they're doing."

Warr said during the water trapping, he plans to have two or three friends helping him at all times, drawn mostly from friends in northern Utah.

How did he select a bid of \$26.50 a head? "I knew my expenses wouldn't be that much. I have my own equipment, horses, and trucks. Also I didn't know what the BLM was figuring and I really wanted the job, so I bid as low as I could. I kind of picked the figure of \$26.50 out of the hat.

"It will be harder to catch horses in Stone Cabin Valley than in most areas. It's completely open and the horses can see you. So we'll have to be real careful," he says.

Why would a fireman want to get involved in such a project? "Well, I have been interested in horses a lot longer than I've been a fireman. My

main interest in getting the job is because I love to work with horses. To be honest, I'll be happy if I break even financially."

Warr is also a member of the Nevada Cowboys Assn. and rides in rodeos, mostly in Nevada.

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