

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

District Office
1050 E. William, Suite 335
Carson City, Nevada 89701

IN REPLY REFER TO:

4700

(H-030)

pine nut HMA

G

10/25/79

TO : The Files

Date: October 25, 1979

FROM : District Manager, Carson City District Office

SUBJECT: Branded Pine Nut Horses

The Bureau has issued four permits since 1975 allowing Kenneth Chichester to gather 75 branded horses in the Pine Nuts. I believe this has given him ample opportunity to gather these horses. Therefore, no further permits will be issued for that purpose. As BLM conducts wild horse gathering operations in the Pine Nuts, any branded horses captured will be processed in accordance with the cooperative agreement between BLM and the State Brand Inspector, which gives the horse owner opportunity to reclaim his animal.

Tom Owen

TOwen:ldh

25% COTTON FIBER USA
TYPE-ERASE



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
District Office
1050 E. William Street, Suite 335
Carson City, Nevada 89701

10/11/79
IN REPLY REFER TO

4700
(N-030)

October 11, 1979

Mrs. Dawn Y. Lappin
WHOA
P.O. Box 555
Reno, Nevada 89504

Dear Dawn:

I am responding to your letter of September 30, 1979, concerning both the Pine Nut Wild Horse Gathering Plan and Ken Chichester's project to gather horses in the Pine Nuts. You asked several questions and I will attempt to answer those for you.

Since 1975, Mr. Chichester has been given four letters authorizing him to gather branded horses in the Pine Nut Mountains (1975, 1977, 1978 and 1979). The same letter has been given to him each time - a copy of which is enclosed. In each of his roundup operations, he claimed only those horses which had his own brand on them. When one of his branded mares had a colt with her, he was also allowed to keep the colt. In those roundups, Mr. Chichester has caught a total of 18 horses belonging to him. In the three attempts to catch branded horses prior to 1979, any wild horses caught along with the branded horses were released. (In 1975 and 1977, the Palomino Valley Facility was not available for captured wild horses.) He caught no horses during 1978.

Because Mr. Chichester has been good to work with in previous horse operations, I granted him a permit again in 1979 to capture more of his branded horses. He attempted to capture horses on three dates -- August 2, 23 and 31. On August 2, he captured 10 horses - three of which were branded. On each of the other two dates, he caught six horses - none of which were branded. My staff inspected each load of horses that were caught to verify branded horses and wild horses. The horses caught in the first roundup on August 2 were all in very poor condition. Because of this, we arranged with Mr. Chichester to deliver the unbranded horses to Palomino Valley. We felt justified in doing this because of the poor condition of the horses and because they were gathered in the same general area where homeowners have complained about wild horses causing damage to their property. The horses caught on August 23 were also in very poor condition. The last bunch of horses caught on August 31 were in a little better shape.



Save Energy and You Serve America!

In the roundup operations conducted in previous years, we charged Mr. Chichester trespass fees for all of his branded horses. This year, we agreed that if he would deliver the wild horses he captured to Palomino Valley, we would not charge trespass fees. The cost of transporting these horses more than offsets trespass fees for his three privately-owned horses that he caught. The trespass fees would have not amounted to much because in the area where the gatherings occurred, only about 10% of the land is federally-owned.

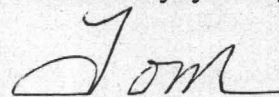
You questioned whether his roundup was of an emergency nature. We felt that because the wild horses he captured were in such poor shape, it was more humane to bring them into Palomino Valley than to turn them loose, particularly since the Pine Nuts' wild horse population is so large. Feed conditions in the Pine Nuts are not good and returning the wild horses to the range did not seem a wise choice.

We are enclosing a copy of the revised capture plan and assessment for the Pine Nut Mountains' herd. Our original plan had been written in 1975 and was outdated in several major areas. We have also had several public discussions concerning the herd (relating to emergency roundups) and are aware that a number of people favor a sizable horse population in that area. As you may know, we are updating our forage data for the Grazing ES and we'll have a new land use plan for that area in 1981 and new forage allocations will be proposed then.

Because of those two factors (public opinion and new forage information), we decided to propose interim management to maintain a population of 200 horses, instead of reducing the herd to 40 animals under the original plan. We believe, on an interim basis, the area can adequately support the larger number. In 1981, we'll have a solid foundation of forage information and extensive public involvement to base our long-term objectives on.

We have made two inventories of the Pine Nuts' wild horses. Both of these were done by helicopter and were conducted in 1975 and 1978. The 1975 count was 297 head and the 1978 count was 639. Weather conditions for the count were much better in 1978 than in 1975 and we feel like this is a more reliable figure. As you know, the colt crop was excellent in 1979, so I suspect the size of the Pine Nuts' herd is over 700 animals at this time.

Sincerely yours,



Thomas J. Owen
District Manager

3 Enclosures

- Encl. 1 - Copy of Letter to Mr. Chichester
- Encl. 2 - Copy of Draft Capture Plan
- Encl. 3 - Copy of Draft Environmental Assessment

9/30/79

September 30, 1979

Carson Field

Mr. Tom Owens, District Manager
 Bureau of Land Management-Carson City
 1050 E. Williams Street, Suite 335
 Carson City, Nevada 89701

Dear Mr. Owens:

Received your letter of September 4, 1979 (4740 (N-033) in response to my inquiry of the Specialist position and the Pine Nut Mountains Capture Plan.

I would very much appreciate the opportunity of reviewing the proposed Pine Nut plan before making an appointment to discuss it with you. This would provide me an opportunity to review it with my advisors and also enable me to direct concerns, if any during our visit. I was a mite distressed that the plan had been completely re-written without even a notice to those who had traveled and worked hard on the previous proposal.

While I do not deny that serious resource damage will result and most likely the deaths of some animals if action is not taken and this is substantiated largely by the recent taped interview in Carson City requesting the cooperation and understanding and assistance of Carsonites. However, several factors has arisen pertaining to the area that I am most concerned about and would appreciate some explanation of the following:

- 1) Was Ken Chichester granted permits to run horses in the Pine Nuts?
- 2) If not, did he have valid claims substantiating ownership of animals in the Pine Nuts?
- 3) Was Ken Chichester authorized to capture wild horses in the Pine Nuts?
- 4) If so, what service contract has been established with Mr. Chichester and under what authority?
- 5) If he does not have a permit to run and is only claiming his own, we presume that trespass fees are being paid.

Pine Nut horses were present at Palomino chelater part of August and although confirmation wasn't necessary because they are distinct, we did confirm their origin. I was told that Ken Chichester was bringing in all animals captured that were not branded. I received the impression that a Brand Inspector was indeed inspecting the animals, but no mention was made of a Bureau employee present to determine the statis of the animal.

Page two

I believe myself and the former District Manager Mr. Applegate had some discussion on the continued permit and capture status of Mr. Chichester. If he is indeed getting permits to run horses in the Pine Nuts it is contrary to Instruction Memorandum that no horse permits will be allowed in areas of wild horses. If he has claimed animals then surely this length of time has given him ample opportunity to have fulfilled his claim.

In your letter you stated the proposal was an emergency measure was currently being reviewed by the State Office, what useful purpose is served by proceeding before the plan has been accepted by the State Office? Does Mr. Chichester capture plans take into consideration age, sex ratios, etc? Our surveillance records indicate a claim by Chichester in 1975 for 75 horses, this is confirmed in conversation with Applegate on April 14, 1975. In June of 1977 we were informed that once again Mr. Chichester was capturing horses in the Pine Nuts. Therefore the foregoing we presume would have more than adequately taken care of any claimed animals, hence subsequent claims would be from recent permits or invalid claims.

As an after-thought we have indications that inventories are available for the Pine Nuts from 1973 and 1975, and I would assume more current than that, we would appreciate this information.

Most sincerely,

Dawn Y. Lappin (Mrs.)
Chairman-Board of Trustees

DL/rl

25% COTTON FIBER USA
TYPE-ERASE

7/17/79
4700
(N-037)
RA
✓

District Office
1050 E. William St., Suite 335
Carson City, Nevada 89701

July 17, 1979

Mr. Kenneth Chichester
P. O. Box 43
Coleville, CA 96107

Dear Mr. Chichester:

This letter may be considered as your authorization to gather your branded horses commencing on the day you receive this letter and ending on August 31, 1979.

Authorization is void without compliance of the following stipulations:

1. Animals to be gathered are in the Pinenut Mountain area.
2. The method of gathering will be by horseback with no motorized vehicles used other than for transporting the animals.
3. Animals claimed will be inspected by personnel of the Carson City District BLM.
4. BLM will be notified in advance when the gathering will take place.
5. BLM will be notified immediately when wild horses are in the corral, so we can arrange the removal of the horses.

Enclosed is a map of the area - the shaded areas are BLM lands. The range in the area is classified as open range.

If you have any questions, please contact us. Thank you for your cooperation.

Sincerely yours,

THOMAS J. OWEN

Thomas J. Owen
District Manager

Enclosure: map

RANelson:lm

Enclosure 1

6/21/76
Thelma G. Called 6/21/76 Those people that I told you about before
are branding the little ones as fast as they are born. Only 3 little
ones left. Pine Nut- branding on the spot, 4 men-big white truck
4-Wheel drive 49237K
Horse Trailer-Yllow VB8723

At this rate there will be nothing left of the Wild Horses in the
Pine Nuts.

WHTAA NOTES

C/21/76

Mrs. Ackermans discription to the Slater Mine

The easiest way to get to the Slater mine property is through the Danberg Ranch. On the Hwy there is sign stating stock corrals or something like that. Go down lane and go through wire gate, cross the flats. There is a Danberg Sigh. Stay on main road about 17 miles. Until you come to a fork, one way is Sunrise the other Slater take the Slater route. Slater Property is approx. 19 miles from highway. Was a lot of horses in there, now there isn't, they are taking them out a few at a time, and the young ones. Need either pickup of 4-wheel drive. From the Slater Mines to Mud Lake (towards Wellington) will need 4 wheel, but better by horseback. Mud lake is certainly dried up by now.

Chichesters horses are out, so don't know if he took more than was supposed to take..shouldn't be anyone in there after horses now.

Will take up if unable to locate, glad to help on any way possible.

WHOA!

WILD HORSE ORGANIZED ASSISTANCE

INC.

A Foundation for the Welfare of
Wild Free-Roaming Horses and Burros

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LOUISE C. HARRISON, Trustee Emeritus

P. O. Box 555
Reno, Nevada 89504
Telephone 323-5908
Area Code 702

Dear Friend:

We hope you have found our news bulletins meaningful and informative, and that your interest and concern for the welfare of wild horses and burros is as keen as it was when you first contacted us. Their need for your help and ours continues, for in spite of enactment of federal laws, they still face an uncertain future.

It has been quite a long time since we have heard from you. Wouldn't you like to continue to be involved in this effort in behalf of the animals that have been the most cruelly exploited and abused of any in our country? We hope you do, and that you will mark this form accordingly and return it to us. If we do not hear from you, we will assume that you no longer wish to remain on our mailing list, and we thank you for your past support.

TO: WHOA!
POST OFFICE BOX 555
RENO, NEVADA 89504

Please accept the enclosed contribution for wild horses and burros, and continue sending me your newsletters and news bulletins.

NAME

STREET ADDRESS OR BOX NO.

CITY

STATE

ZIP

YOUR CONTRIBUTION IS TAX DEDUCTIBLE. THANK YOU!



1/30/80

W H O A !

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**WILD HORSE ORGANIZED ASSISTANCE
INC.**
A Foundation for the Welfare of
Wild Free-Roaming Horses and Burros

P. O. Box 555
Reno, Nevada 89504
Telephone 323-5908
Area Code 702

In Memoriam

LOUISE C. HARRISON
VELMA B. JOHNSTON, "Wild Horse Annie"

January 30, 1980

Mr. Tom Owens, District Manager
Bureau of Land Management
1050 E. Williams St., Suite 335
Carson City, Nevada 89701

Dear Tom:

We thank your District for the firmness and sensitivity displayed during the January 28th meeting on the Pine Nuts. I am not unsympathetic to their cause and I do admire their tenacity, should it survive longer than what I have experienced in such cases. Needless to state, but because I would not sign the petition, much of my case was lost before it was stated. One point however was noticeably missing, that of what is best for the horse!

Any one of us who believes that our own little worlds will remain unchanged is open for a shock. If I have not learned anything in the past nine years, one experience has shown that in order for the horses to remain free, they must be removed from man's presence. Each one of those horses who has learned to trust, will suffer from those few who refuse them their freedom.

Ken Chichester and I had a slight discussion at the end of the meeting, and no doubt he will be contacting you pertaining to it. He is upset that he cannot gather his horses on his private lands...I told him I had no objection to his gathering HIS own on his own, but that enticement was at question. Sadly stated that alas, some were not branded; in which case all he need do is provide proof of ownership when gathered. Seems as if the Bureau can't please anyone in the Pine Nuts without some controversies surfacing--sorry.

If as stated several times the horses appear small, it would be advantageous perhaps to relocate some from other areas in place of some taken off. I would appreciate your opinion on this when you have a chance.

Most sincerely,

Dawn Y. Lappin (Mrs.)
Director





United States Department of the Interior

IN REPLY REFER TO

4700
(N-033)

BUREAU OF LAND MANAGEMENT

District Office
1050 E. William Street, Suite 335
Carson City, Nevada 89701

January 14, 1980

Mrs. Dawn Lappin
Wild Horse Organized Assistance
P.O. Box 555
Reno, Nevada 89505

Dear Mrs. Lappin:

The Bureau of Land Management, Carson City District Office, is planning to conduct an emergency roundup of wild horses in the Pine Nut Mountain area. As you know, the horses become nuisances and may damage private property, when winter snows force them down from their normal ranges.

We have recently received numerous complaints about these horses, prompting a helicopter roundup. We plan to remove about 100 horses from Fish Springs Flat, Johnson Lane, and Dayton. The helicopter will be used to herd the animals into strategically located portable pipe corrals. A team of experienced wranglers works with the helicopter by radio to make sure proper safety and humane precautions are followed. The horses will be taken to our Palomino Valley Facilities for adoption.

Since we will be using a helicopter for the roundup, we are required by law to hold a public hearing. This hearing will be held January 28, at 7:30 p.m., at our District Office, in Suite 344. We want to encourage you, and anyone else you know who is interested in the situation, to attend.

Please feel free to contact this office, at 882-1631, if you have any questions.

Sincerely yours,

Thomas J. Owen
District Manager



Save Energy and You Serve America!