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January 20, 1992

Mr. Bill R. Templeton, State Director  
Mr. K Lynn Bennett, Associate State Director  
Bureau of Land Management  
P. O. Box 12000  
Reno, Nevada 89520-0006

Re: Conversation of Thursday, January 16, 1992

Gentlemen:

This letter will confirm and document our conversation of the above date.

You called me to inform me of the response you had received from the horse protection groups regarding the proposed Paiute Meadows horse roundup and the full force and effect grazing and horse roundup decisions dealing with that matter. You indicated that Ron Gaspar, of the American Horse Protective Association in Washington, had proposed that his organization would forego their right under which they possibly could stop the pending horse gather if you committed to leave at least 200 horses in the area. You said that you were inclined to proceed with the gather on that basis and with the clear understanding that the 200 horses would in no way set any kind of a precedent, nor in any way affect the existing BLM documents, studies, and discussions regarding the actual number of horses appropriate to maintain a thriving ecological balance. You then asked for my response.

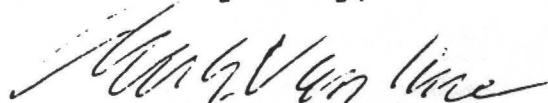
I told you that Mr. Russell would in no way agree that 200 horses should be the amount left on the range at any time; nor that the proposed gather number be in any way relevant to on going and future discussions regarding the long-term appropriate number of horses. It is obvious that the horse groups, as a whole, have negotiated this entire matter in absolute bad faith and that by allowing them to negotiate as an unruly "committee of the whole", you leave your organization and those negotiating in good faith with you open to blackmail-type threats as we have seen proffered here at the last minute by those unhappy with negotiations. Those groups apparently are more than willing to mortgage any duty which they may have toward the overall public responsibility and negotiations, as well as their future respect from all involved with the negotiations, for their short-term and single-interest

gain. I told you that I thought your legal position regarding the gather was much stronger and that you should contact your own counsel regarding the possibility of prevailing on the issue of gather on an immediate basis before the IBLA.

We then discussed the immediate future management of that allotment. You told me you were inclined to withdraw the decisions and bring the parties together to try to resolve differences over those basic decisions. I expressed to you concerns over the potential grazing conflict this year between 200 horses left on the range and those cattle which we had planned to run under the grazing agreement. I asked you, in the event the Bureau gathered down to only 200 horses, whether you could assure my client that he would be allowed to graze no fewer than the 4,350 aums as set forth in the agreement. You assured me that you could and would guarantee that level of grazing for this season.

I further expressed my concern that future budgetary constraints might foreclose a future gather constraining the 200 number of horses down to the proper number under the agreement or decision which you expect to follow in the forthcoming months. You assured me that you would be under a new federal budget by that time and that the further gathering of horses at Paiute would be of a sufficiently high priority so as to assure the further gather of horses in the Fall of 1992 to that number equating with the actual appropriate management level necessary to achieve and maintain a thriving ecological balance.

Yours very truly,



THOMAS S. VAN HORNE

TVH/b